

# REGULATION GUIDE

## R 8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG OFFENSES

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence; **including harassment, intimidation, and bullying**; vandalism; or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a student for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the **Student Safety Data System (SSDS)**. A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

### A. Reporting Violence;; **Including Harassment, Intimidation, and Bullying**; Vandalism;; and Alcohol and Other Drug Offenses

1. For each incident report of violence; **including harassment, intimidation, and bullying**; vandalism; ~~and~~ alcohol ~~or~~ and other drug **offenses**, the Principal shall:
  - a. Review the incident report for accuracy in indicating the incident type, offender information, victim information, student demographics, and incident location;
  - b. Forward a copy of the incident report to the Superintendent; and
  - c. Notify the Superintendent of the action taken regarding the incident.
2. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.
3. The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:17-46.
  - a. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school



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administrators have reason to believe that the safety of a school staff member is at risk.

## B. Reporting Requirements

### 1. The Superintendent shall:

- a. Submit a report to the **New Jersey** Department of Education in accordance with the provisions of N.J.S.A. 18A:17-46 of each incident of violence, **including harassment, intimidation, and bullying**, vandalism and alcohol and other drug **offenses** in the school district utilizing the **SSDS**;

- (1) **The reports shall be submitted twice each school year, once for all incidents occurring between September 1 and January 1 and once for all incidents occurring between January 1 and June 30, and shall include, at a minimum, all information pursuant to N.J.S.A. 18A:17-46;**

- (2) Prior to submission, the Superintendent shall **verify the accuracy of the reported information**

- (3) **The grade regarding the harassment, intimidation, and bullying efforts of each school and each school district shall be posted on the homepage of the school district's website, in accordance with the guidelines promulgated by the Commissioner of Education pursuant to N.J.S.A. 18A:17-46.**

- b. Provide for annual training of staff to prepare them to fulfill the reporting requirements set forth in N.J.A.C. 6A:16-5.3.

## C. Hearing Requirements

The Superintendent shall report to the Board all acts of violence, **including** harassment, intimidation, **and** bullying, **vandalism**, and alcohol and other drug **offenses** that occurred during the previous reporting period, in accordance with the provisions of N.J.S.A. 18A:17-46.

## D. Knowingly Falsifying the Annual **Report on** Violence and Vandalism Required Under N.J.S.A. 18A:17-46



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1. Whenever it is alleged a school employee has knowingly falsified ~~the~~ reported **information on acts of violence or vandalism, or any incident included in the annual report on violence and vandalism**, the Board shall make a determination regarding whether the employee committed the act.
2. Any employee alleged to have knowingly falsified ~~the~~ reported **information** shall be notified in writing of such allegation and shall be entitled to a hearing before the Board.
3. Upon **a** determination by the Board that an employee has knowingly falsified ~~the~~ reported **information, the Board,** shall take **appropriate disciplinary action.**

**The** Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

Issued:

