

Regulation

REPORTING VIOLENCE, VANDALISM, ALCOHOL, AND OTHER DRUG ABUSE, AND HARASSMENT, INTIMIDATION AND BULLYING

School employees shall file a report with the school principal when the employee:

- A. Observes or has direct knowledge from a participant or victim of an act of violence or the possession or distribution of alcohol or other drugs on school grounds;
- B. Observes or has direct knowledge from a participant or victim of an act of harassment intimidation and bullying (see board policy 5131.1);
- C. Reports a student for being under the influence of alcohol or other drugs (see board policy 5131.6).

The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS).

Reporting Violence, Including Harassment, Intimidation and Bullying, Vandalism, Alcohol or Other Drug Use

- A. For each incident report of violence including harassment, intimidation and bullying, vandalism, or alcohol or other drug abuse, the principal shall:
 - 1. Review the incident report for accuracy in indicating the incident type, offender information, victim information, student demographics, and incident location;
 - 2. Forward a copy of the incident report to the superintendent; and
 - 3. Notify the superintendent of the action taken regarding the incident.
- B. The board shall not discharge or subject to any manner of discrimination any school employee who files a report; and
- C. 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 including harassment, intimidation and bullying, and vandalism.
 - 1. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

Reporting Requirements

The superintendent shall submit a report bi-annually to the Commissioner of Education of each incident of violence, including harassment, intimidation and bullying, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS.

- A. 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 at a minimum contain:
 - 1. The number of reports of harassment, intimidation, or bullying, the status of all investigations,
 - 2. The nature of the bullying based on one of the protected categories
 - 3. The names of the investigators,
 - 4. The type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and

REPORTING VANDALISM/VIOLENCE (continued)

5. Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying;
- B. The superintendent shall verify the accuracy of the reported information prior to submission of the report;
- C. Post the district and each school grade regarding harassment, intimidation and bullying on the home page of the school and district websites;
- D. Provide for the training of staff to prepare them to fulfill the reporting requirements.

Hearing Requirements

Twice each school year, once between September 1 and January 1 and once between January 1 and June 30, the chief school administrator shall report to the district board of education at a public hearing all acts of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses that occurred during the previous reporting period.

Knowingly Falsifying the Violence and Vandalism Report

- A. Whenever it is alleged that a school employee has knowingly falsified the report, the board shall make a determination regarding whether the employee committed the act;
- B. Any employee alleged to have knowingly falsified the report shall be notified in writing of the allegation. The employee may file a grievance according to law, grievance procedures under their respective bargaining agreements, or other district grievance procedures as appropriate;
- C. If it is determined that an employee has knowingly falsified the report, one or more of the following actions may be taken:
 1. Impose minor discipline on a tenured or non-tenured employee notwithstanding any other law to the contrary and if negotiated with the majority representative of the employees in the appropriate collective bargaining unit;
 2. Withhold a tenured or nontenured employee's increment;
 3. File tenure charges with the secretary of the board in writing and with a written statement of evidence under oath to support such charges; and/or
 4. Terminate employment.
- D. Any disciplinary action resulting from the falsification of the EVVRS reporting requirements shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record;
- E. Any employee having been found responsible for the falsification of the report by the board shall have the right to:
 1. File a grievance under their respective bargaining agreements;
 2. Appeal the board's determination to the Commissioner of Education and subsequently to the State Board of Education; or
 3. Appeal the decision to the Superior Court of New Jersey.
- F. The availability of appeal options shall be based upon the action taken by the board.

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