

For School District Use

Report # 11 JHS

Date Received: \_\_\_\_\_

## INVESTIGATION REPORT FORM

Date of Written Report: 2/11/19 School/Work Location JHS

(An interview/information statement for each person interviewed is attached)

Targeted Pupil: [REDACTED]

IEP: ☐ Yes ☒ No

(A separate Investigation Report Form is required for each targeted pupil)

Pupil(s) accused of exhibiting harassment, intimidation and bullying behavior:

AP1 – Jacob Jennings

IEP: ☒ Yes ☐ No

AP2 - \_\_\_\_\_

IEP: ☐ Yes ☐ No

AP3 - \_\_\_\_\_

IEP: ☐ Yes ☐ No

AP4 - \_\_\_\_\_

IEP: ☐ Yes ☐ No

AP5 - \_\_\_\_\_

IEP: ☐ Yes ☐ No

AP6 - \_\_\_\_\_

IEP: ☐ Yes ☐ No

Witness(es)

W1 - [REDACTED]

W2 - [REDACTED]

W3 - [REDACTED]

W4 - [REDACTED]

W5 - \_\_\_\_\_

W6 - \_\_\_\_\_

### Investigation Findings

1. ☐ The following student(s) accused of exhibiting harassment, intimidation, or bullying (HIB) behavior **did not commit** an act of HIB as defined in N.J.S.A. 18A:37-14.  
☐ No further action is recommended for the following student(s): ☐ AP1 ☐ AP2 ☐ AP3 ☐ AP4 ☐ AP5  
☐ The following student (s) is subject to Student Code of Conduct consequences ☐ AP1 ☐ AP2 ☐ AP3 ☐ AP4 ☐ AP5
2. ☒ The following student(s) accused of exhibiting harassment, intimidation, or bullying (HIB) behavior **committed** an act of HIB as defined in N.J.S.A. 18A:37-14: ☒ AP1 ☐ AP2 ☐ AP3 ☐ AP4 ☐ AP5 ☐ AP6

The “x” denotes the statement(s) that best describe(s) the HIB behavior committed by the student(s) identified in #2 above. More than one “x” may be noted below.

- |                                                                                                 |                                                          |
|-------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> physical aggression or contact to a pupil                              | <input type="checkbox"/> destruction of property         |
| <input type="checkbox"/> teasing or name-calling                                                | <input type="checkbox"/> stalking another pupil          |
| <input checked="" type="checkbox"/> insulting or demeaning comments                             | <input type="checkbox"/> publicly humiliating a pupil    |
| <input type="checkbox"/> threatening comments, gestures or physical acts                        | <input type="checkbox"/> stealing or theft               |
| <input type="checkbox"/> intimidating conduct toward another pupil                              | <input type="checkbox"/> defacing/destroying property    |
| <input type="checkbox"/> spreading harmful rumors or gossip about a pupil                       | <input type="checkbox"/> excluding or rejecting a pupil  |
| <input type="checkbox"/> getting another person to harm a pupil                                 | <input type="checkbox"/> extorting or exploiting a pupil |
| <input type="checkbox"/> harassment, intimidation or bullying through electronic communications |                                                          |
| <input type="checkbox"/> other – please specify _____                                           |                                                          |

3. List the actual or perceived characteristic(s) that motivated the behavior:

race

4. Where behavior occurred:

- |                                                                                                        |                                    |                                                |
|--------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Bathroom                                                                      | <input type="checkbox"/> Hallway   | <input type="checkbox"/> Stairwell             |
| <input type="checkbox"/> Classroom                                                                     | <input type="checkbox"/> Cafeteria | <input type="checkbox"/> Locker Room           |
| <input type="checkbox"/> Gym                                                                           | <input type="checkbox"/> Library   | <input type="checkbox"/> Text message/Computer |
| <input checked="" type="checkbox"/> Other – in front of John Hill School, prior to start of school day |                                    |                                                |

**Student Interviews:****Target**

█ spoke with █ school counselor, at the end of the school day on February 6<sup>th</sup>. She was upset about an incident that took place earlier in the morning, prior to the start of school and said, "This school is racist, I don't want to come here." She shared that she heard a student say the "n word" to some other students and she was upset about it. █ did not know the student's name and agreed to come to █ the next morning to look at student photos in order to identify the student who made the comment.

S █ was interviewed on February 7<sup>th</sup> by Christine Maier, ABS, and Peter Nosal, principal. She reported that on February 6<sup>th</sup>, she was waiting to enter school and talking with peers.

She reports that some boys nearby were talking and laughing about a comment one of the boys made about another's boy's shorts and leggings. She said she then heard one of the boys refer to another student using the "n word". S █ did not hear the comments made by other students in the conversation, but once she heard that word, she gave that student "a look" then turned to her friend, █, and expressed her disbelief about hearing that word used.

**Witness**

█ was interviewed on February 7<sup>th</sup> by Christine Maier, ABS, and Peter Nosal, principal. When asked to recount the conversations she'd had the morning of February 6<sup>th</sup> prior to the start of school, she denied hearing any offensive language. She did state that her friend, █, turned to her at one point upset and asked her, "Did you hear that?" regarding an offensive remark that was made by a student nearby.

**Witness**

█ was interviewed on February 7<sup>th</sup> by Christine Maier, ABS, and Peter Nosal, principal regarding the conversation he was having with peers before school yesterday. █ stated that a student next to him made a comment asking why he was wearing jean shorts and joked that, "white people call them jorts". █ was asked if anything else was said that would be offensive and he said he did not remember. When asked specifically if the "n word" was used, he asked, "Like the hard g-e-r way or the g-g-a way?" He proceeded to share that the first pronunciation is considered offensive, and the second one is not. He denied that anything offensive was said to him on Wednesday morning and indicated when asked, that acknowledging anything was said would be considered "snitching". He said many students use the "g-g-a" pronunciation.

**Witness**

█ was interviewed on February 7<sup>th</sup> by Christine Maier, ABS, and Peter Nosal, principal. He was asked about the conversation he was involved in the morning of February 6<sup>th</sup> prior to the start of school. He stated he did not hear anything offensive said by anyone.

**Witness**

█ was interviewed on February 7<sup>th</sup> by Christine Maier, ABS, and Peter Nosal, principal and asked if she heard any offensive language used the morning of February 6<sup>th</sup> prior to the start of school. She said she was talking with █ and did not hear anything offensive.

**J █ J █ -Alleged Offender**

J █ was interviewed on February 8<sup>th</sup> by Christine Maier, ABS, and Peter Nosal, principal, as he was absent on February 7<sup>th</sup>. J █ arrived to the interview agitated and asked, "What did I do?" When asked what he was talking about with other students before entering school on Wednesday, February 6<sup>th</sup>, J █ could not recall. He was asked if he made any comments that were inappropriate or offensive, he said he did not. He was reminded of the students he was talking with, as he was absent on February 7<sup>th</sup> and this interview was on the 8<sup>th</sup>. J █ was then asked if he said the "n word" at any time in that conversation, at which point he exclaimed, "I am not getting a HIB for that! I wasn't saying it to anyone. I only use that word with my friends who aren't offended by it and say it too, in private conversations". He went on to say,

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"If I go to class today, I could hear that word used 30 times by a lot of people. It's the way people talk. If someone is eavesdropping on my conversations and they are offended, that's their problem." J. [REDACTED] proceeded to say that he wouldn't say those things or curse for example, in front of "little kids". He was informed that while he may not intentionally use offensive language in front of "little kids" or anyone else, he might not always be aware of who else may be able to hear his conversations. J. [REDACTED] remained angry stating, "I could name two other people who used that word in the conversation, but I'm not a snitch." J. [REDACTED] was reminded that all students have a right to feel comfortable coming to school and may be offended by language that is not offensive to him and his friends.

### **Summary and Conclusion:**

This incident meets the criteria for a confirmed HIB based upon a student having the right to attend school and not be subjected to racially charged language. While J. [REDACTED] did not use the word in a malicious manner, another student who was offended by it overheard him.

In reviewing the camera footage, it appears that something was said that caused the target to have a visible reaction, corroborating the information gathered through student interviews.

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5. When behavior first occurred: 2/6/19 Hour 7:30 am
6. Was this a single incident or a series of incidents? ☒ single incident ☐ series of incidents
7. The student(s) identified in #2 above who have previously committed an act of HIB while attending any school in the school district: ☐ AP1 ☐ AP2 ☐ AP3 ☐ AP4 ☐ AP5 ☐ AP6
8. The targeted student in the report has been the target in a previously confirmed act(s) of HIB while attending any school in the district: ☐ Yes ☒ No

Aggressor's actions determined to be:

- |                                                                                                                  |                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Intentional – ( <i>with</i> hate speech) and designed to harass, intimidate, or bully   | The student knowingly engaged in racist, homophobic, or other stereotyping behavior with the specific objective of hurting, intimidating, or harassing another student. |
| <input type="checkbox"/> Intentional – ( <i>without</i> hate speech) and designed to harass, intimidate or bully | The student knowingly engaged in behavior with the specific objective of hurting, intimidating, or harassing another student.                                           |
| <input type="checkbox"/> Intentional, but not designed to harass, intimidate, or bully                           | The student knowingly engaged in harassing, intimidating, or bullying behavior but was not aware of the potential negative impact on the target.                        |
| <input checked="" type="checkbox"/> Unintentional                                                                | The student unknowingly engaged in harassing, intimidating, or bullying behavior and had no awareness of the potential negative impact on the target.                   |
| <input type="checkbox"/> Unrelated                                                                               | The student was “showing off” with friends or reacting to a personal (emotional) situation, and the target was arbitrarily and impulsively targeted.                    |
| <input type="checkbox"/> Self-defense/Retaliatory                                                                | The student engaged in harassing, intimidating, or bullying behavior in direct response to a real or imagined threat initiated by the other student.                    |
| <input type="checkbox"/> Non-HIB                                                                                 | The student engaged in behavior that may be considered inappropriate, rude, disrespectful, or unkind, but the behavior does not violate school HIB guidelines.          |

Incident was determined to be:

- ☒ Confirmed Bullying ☐ Suspected Bullying ☐ Non-HIB Incident

**In order to qualify as an incident of HIB (N.J.S.A.18A:37-14), the above behaviors must meet the following criteria: (check all that apply)**

HIB means any gesture, any written, verbal or physical act, or any electronic communication whether it be a single incident or a series of incidents, that:

- ☒ Is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical, or sensory disability, or by any other distinguishing characteristic.
- ☒ Takes place on school property, at any school sponsored function, on a school bus, or off school grounds.
- ☒ Substantially disrupts or interferes with the orderly operation of the school or the rights of other students **AND that:**
- ☐ a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property **OR**
  - ☒ has the effect of insulting or demeaning any student or group of students **OR**
  - ☐ creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

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☐ None apply at this time

Christine Maier  
Anti-Bullying Specialist

\_\_\_\_\_  
Signature

2/11/19

Report Date

2/11/19

Date Submitted to Principal\*

*\*This report and the investigation findings must be submitted to the Principal within ten school days from the date of the written report of the alleged incident.*

### CONSEQUENCES AND REMEDIAL MEASURES

*To be completed by the Principal and submitted to the Superintendent within two (2) days of the completion of the investigation.*

☒ The following consequences and remedial measures, in accordance with the school district's Harassment, Intimidation, and Bullying Policy and the Code of Pupil Conduct, shall be implemented for the student(s) found to have committed an act of HIB:

☐ Incident determined to be Non-HIB. The following consequences were implemented as per Code of Pupil Conduct Violation:

<u>Accused Student(s)</u>	<u>Consequence(s)</u>	<u>Remedial Measures</u>
1. J [REDACTED] J [REDACTED]	1 day in school suspension for violating Code of Conduct	Follow up 3 sessions with ESS counselor
2. _____	_____	_____
3. _____	_____	_____

<u>Targeted Student</u>	<u>Remedial Measures</u>
1. [REDACTED]	Minimum 1 session follow up with school counselor
	_____
	_____

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Report Date

\_\_\_\_\_  
Date Submitted to Superintendent

Further action as recommended by the Superintendent of Schools:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature – Superintendent of Schools

\_\_\_\_\_  
Date

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## INVESTIGATION FLOWCHART AND TIMELINES

Time Frame	Task	Date Completed
By the end of school Day 1 _____x_____	Verbal report of HIB incident made to Principal	2/6/19 after dismissal
By the end of school Day 1 _____x_____	Principal: informs Parents/Guardians of alleged Target and Bully <input checked="" type="checkbox"/> by telephone <input type="checkbox"/> in writing	2/7/19
Within 2 school days _____x_____	Alleged Target or Bystander: reports incident in writing to Principal	2/8/19
School Day 2 thru 12 (10 days from written report) _____x_____	Anti-Bullying Specialist: <input checked="" type="checkbox"/> initiates investigation <input checked="" type="checkbox"/> reviews report <input checked="" type="checkbox"/> conducts investigation <input checked="" type="checkbox"/> discusses and reviews investigation outcomes with Principal	2/9/19
School Day 13 _____x_____	Principal : <input checked="" type="checkbox"/> reviews incident and investigation reports <input checked="" type="checkbox"/> forwards report and findings to Superintendent within two (2) school days of completion of the investigation	2/11/19
Next BOE meeting _____	Superintendent: presents summary of allegations and factual findings  BOE: reviews Superintendents report and acknowledges findings	
Within 5 school days after results given to BOE _____	<input type="checkbox"/> Notify in writing parents/guardians of alleged target and bully of investigation and findings  <input type="checkbox"/> Provide parents/guardians of alleged target and bully information regarding appeal procedures	