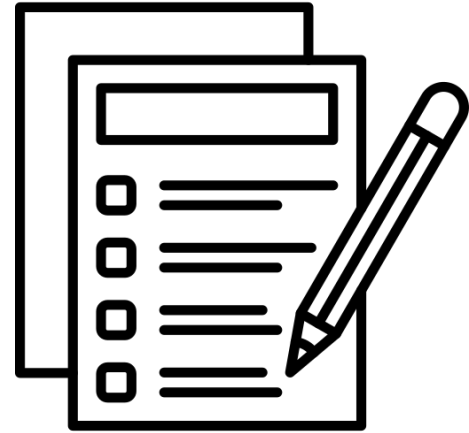


HIB: Policy and Procedures

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Overview

- HIB Definition
- Investigation Process
- Recently Approved Legislation
- Conflict vs Bullying
- Scenarios
- District Wide Initiatives
- Supporting Your Child at Home
- Helpful Websites
- Questions and Comments



Anti-Bullying Bill of Rights Act (P.L. 2010, c.122)

- NJ's anti-bullying **LAW** that includes the requirements school districts **MUST** follow in preventing and responding to acts of **Harassment**, **I**ntimidation, and **B**ullying (HIB)
- Defines HIB
- Outlines the timeline and procedures that schools **MUST** adhere to when conducting a HIB investigation
- One of the strongest anti-bullying laws in the country



Definition of Harassment, Intimidation, and Bullying

4 Prongs of HIB Determination (as specified by NJSA 18A:37-14):

Prong #1



Harassment, Intimidation, and Bullying means: Any gesture, any written, verbal or physical act, or electronic communication, whether it be a single incident **OR** a series of incidents that:

Definition of Harassment, Intimidation, and Bullying

Prong #2



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 CHARACTERISTICS**;

Definition of Harassment, Intimidation, and Bullying

Prong #3

That takes place on school property, at any school sponsored function, on a school bus, or off school grounds that **SUBSTANTIALLY DISRUPTS** or interferes with the **ORDERLY OPERATION** of the school or the **RIGHTS** of other students.



Definition of Harassment, Intimidation, and Bullying



Prong #4

And that:

- (a) A **REASONABLE PERSON** should have known will have the effect of physically or emotionally **HARMING** a student or **DAMAGING THE STUDENT'S PROPERTY**, or placing the student in reasonable fear of physical harm or emotional harm to his/her person or property; OR
- (b) Has the effect of **INSULTING** or **DEMEANING** any student or group of students; OR
- (c) Creates a **HOSTILE EDUCATIONAL ENVIRONMENT** for the student.

Investigation Process



As specified by NJSA 18A:37-15:

1. All acts of HIB must be reported verbally to the Principal on the same day when the school employee witnesses or received reliable information regarding any such incident
2. The Principal or designee will inform parents of all the students involved in the alleged incident
3. All allegations of HIB will be reported in writing (using the new NJDOE reporting form 338) to the Principal within 2 school days of when the school employee witnessed or received reliable information
 - a. This can be done via Hibster, our new online reporting system
 - b. This can be done anonymously via each schools webpage or the district home page

Investigation Process



4. Investigation begins within 1 school day of the verbal report - potential witnesses, suspected victim(s) and alleged offender(s) will be interviewed; camera footage will be examined (if necessary)
5. Investigations must be completed within 10 school days
6. Investigation is complete - parents of suspected victim(s) and alleged offender(s) will be notified of the outcome of the investigation
7. Written report is provided to the Principal with an HIB determination and a recommended course of action for the parties involved (disciplinary and/or remedial consequences)

Investigation Process



8. Principal forwards the report to the Superintendent within 2 school days
9. Superintendent reports findings of the HIB investigation to the BOE at the board meeting
10. Parents are provided the following in writing within 5 school days after the results are reported to the BOE regarding the investigation:
 - The Nature of the investigation and whether evidence of HIB was found
 - Whether discipline was imposed or services provided to their child
 - Due to privacy laws, parents may only receive information about their own child

Investigation Process



11. A parent may request a hearing before the BOE
 - Request must be made no later than 60 calendar days of receipt of written notice of outcome of investigation
 - Must be held within 10 days of request
 - BOE shall meet in executive session for the hearing
 - BOE may hear from the school anti bullying specialist about the incident, recommendations for discipline or services, or programs instituted

12. At the next BOE meeting following its receipt of the report the board shall issue a decision to affirm, reject, or modify the Superintendent's decision

Recently Approved Legislation PL 2021, c338-S1790

- The school will now provide the state with data
 - Data on the number of times an incident was determined to be outside the definition of HIB and not investigated
 - NJDOE will review data as part of state monitoring process
- If a student commits a crime of “cyber-harassment,” the law creates the option for municipal court to order that a minor, under age 16, along with a parent or guardian, attend a class or training related to cyber-harassment
- Provides that parent or guardian may be fined up to \$100 for a first offense and up to \$500 for subsequent offenses for failing to comply with the court order
- Creates a potential for parent or guardian to be liable in a civil action if parent demonstrates willful or wanton disregard in exercise of supervision of a minor (related to cyber-harassment)

Recently Approved Legislation PL 2021, c338-S1790

- District will keep a written record of the date, time, and manner whenever district notifies a parent or guardian about an alleged HIB incident
- Written reports of alleged HIB filed by a staff member, parent, anonymously, will be on a 338 Form, which was developed by the NJDOE
 - If you fill out on Hibster, it will automatically generate a 338 Form
- The 338 Form is kept on file and is only included in the student record if an incident is founded and discipline is imposed.
- If a student has 3 confirmed incidents of HIB, an individual student intervention plan will be created. Each subsequent act of verified HIB would also require a plan.

Conflict vs Bullying

- HIB is one-sided, where one or more students are victims of one or more person's aggression, which may be intended to physically or emotionally hurt the victim
- Conflict is mutually competitive or opposing action or engagement, including a disagreement, an argument or a fight which is a normal part of human development



Conflict vs Bullying



Conflict	HIB
Involves similar or equal degrees of power	Involves an imbalance of power
Can be accidental	Can be intentional
Mutual disagreement or difference in interests or goals, includes arguments and fights/both parties participate in conflict	Is one sided, unwanted or uninvited aggression
Equal emotional reaction	Unequal emotional reaction - physical or emotional harm inflicted
Can be fairly resolved by compromise or negotiation	A fair resolution involves a change in the behavior of the aggressor; the victim has no concession to make

Scenario 1

- A student reports to his teacher that a friend of his, Liam, was being made fun of on the bus ride to school.
- When the teacher speaks with Liam, they find out that the other student, Mark, was making loud noises and singing on the bus. Liam asked him to stop, and Mark continued.
- Liam then shoved Mark as they were walking off the bus.

Conflict



- This was a back and forth exchange (no imbalance of power)
- There was no actual or perceived characteristic that was the motivation for the actions (such as race, appearance, religion, gender, etc.)
- This did not cause a substantial disruption to either student or their school day

Scenario 2

- Jana's teacher notices one day that Jana seems upset after lunch. Jana tells her that she is really hungry but she didn't eat her lunch. The teacher then finds out that Jana has not eaten her lunch for a week because of some texts her classmates have sent her, calling her fat and using inappropriate language.
- During the HIB investigation, the ABS finds out that some of the students have been making comments about Jana's weight for months in a group chat, even after she asked them to stop.
- Jana's mom shares that Jana has started to refuse to want to come to school and is making comments about her appearance.



HIB

- This meets all the necessary criteria for an HIB
 - Includes a protected category (her weight)
 - This interfered with Jana's school day and severely caused emotional harm
 - It's reasonable to think that making a comment about someone's weight can affect them
- This is not a conflict since this is one sided, and since there are multiple students making comments to Jana, this would be an imbalance of power

Scenario 3



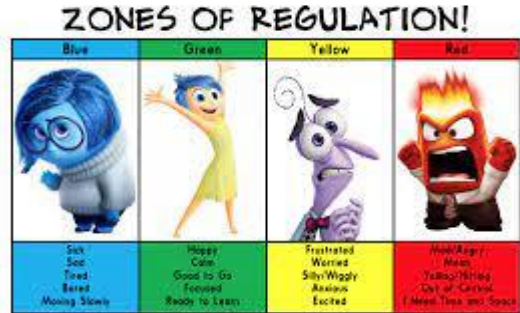
- The counselor sees Carly crying in the hallway so she stops to see what is going on. Carly tells her that her classmate Mariah called her “weird” for having short hair. An HIB investigation is initiated.
- During the investigation, the ABS interviews a witness who heard this happen and commented that the girls are usually friendly, so this was unusual.
- The ABS follows up with Carly two days after the incident as part of the investigation and Carly says that she was sad when it happened, but since then she has “gotten over it.” She just doesn’t want it to happen again.

Not HIB

- This would be an unfounded HIB claim as it does not meet all of the criteria.
- Yes, what Mariah said was unkind, and there was a protected characteristic (appearance), however it **did not** substantially disrupt or interfere with the orderly operation of the school.
- *Important to note: At any time the ABS receives new information, the investigation can be reopened.*

School and District Wide Initiatives

- Starts with Hello
- Character Education
- Zones of Regulation
 - How Big is Your Problem
- Social Thinking: Superflex
- Week of Respect/Safe Schools Week
- Daily Morning Announcements
- Student of the Month
- Recognition Slips (caught being kind)
- Daily Check Ins/Outs
- Spirit Days/Weekly Themes
- PBSIS (positive behavior interventions and supports)
- Nurtured Heart Approach
- School Assemblies and Parent Nights



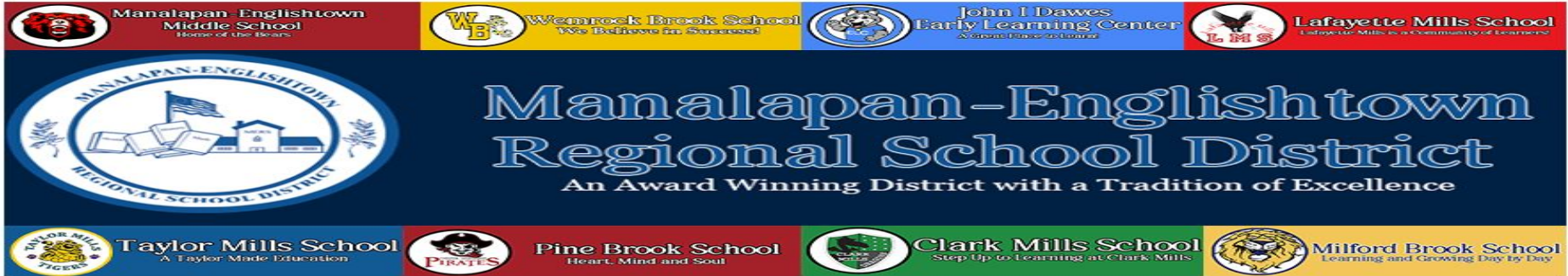
Supporting Your Child at Home

- Building empathy
- Respect
- Set the example
- Know their friends
- Supervision - online and offline
- Encourage positive problem solving
- Ask questions
- Encourage them to be upstanders



Helpful Websites

- Manalapan Englishtown Regional Schools [Website](#)
- Parent Resources - [NJDOE](#)
- Anti-Bullying Bill of Rights - [NJDOE](#)
- StopBullying.Gov [Website](#)
- Centervention - [Website](#)
- Second Step Bullying Prevention Units - [Website](#)
- Zones of Regulation - [Website](#)
- [Hibster](#)





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