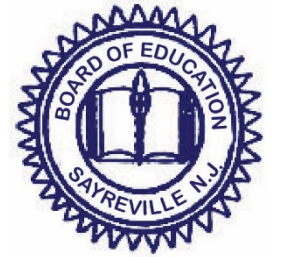




*Sayreville Public Schools*  
*Vision 2030*



# Parent University

## HIB Policies and Procedures for Sayreville Public Schools

# What Is HIB?

- **Harassment, Intimidation or Bullying**
- **Defined by the NJ Anti-Bullying Bill of Rights Act (ABR)**
  - **N.J.S.A 18A:37**
  - **Sayreville Board of Education Policy 5131.1**
    - **Bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance**
    - **Any gesture**
    - **Any written, verbal or physical act or electronic communication**
    - **Can be a single incident or a series of incidents**
    - **That is reasonably perceived as being motivated by an actual or perceived distinguishing characteristic**
    - **That takes place on school grounds, at a school sponsored function, on a school bus, or off school grounds**
    - **MUST substantially disrupts or interferes with the orderly operation of the school or rights of other students**

# HIB Criteria

- In order for an incident to constitute HIB evidence of the following **MUST** be present
  - A reasonable perception of the HIB being motivated either by an actual or perceived characteristic **AND**
  - Substantial disruption or interference with the orderly operation of the school or rights of other students **AND**
  - One or more of the following
    - 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/her person or damage to his/her 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.

# Examples of HIB Characteristics

Race	Creed	Color	National Origin	Ancestry
Age	Gender/Gender Identity or Expression	Disability	Sexual Orientation	Nationality
Any other Distinguishing or perceived characteristics, behaviors, beliefs, affiliations like:				
Height/Weight	Academics	Socio-Economic Status	Immigration Status	Physical Trait

# HIB vs. Dispute/Conflict

- **NOT: A relationship falling apart between former friends**
- **NOT: A fight over a piece of property**
- **NOT: A Personal vendetta of one student against another**
- **Conflict could lead to HIB, HIB could lead to conflict**

Conflict	HIB
Involves people with similar degrees of power	Involves an imbalance of power
Involves a mutual disagreement or difference in interests or goals. Includes arguments and fights	One or more students are victims of one or more person's aggression, needs, or interests
Is reciprocal; both parties participate in the conflict	Is one sided; one party instigates
Both parties are responsible for wrongdoing	Bully is responsible for wrongdoing

# HIB vs. Dispute/Conflict

<i>GRADE LEVEL</i>	<i>CONFLICT (Mutual disagreements, arguments or fights)</i>	<i>BULLYING (Intent to emotionally or physically hurt a student; it is one-sided.)</i>
<i>Elementary School</i>	“You copied my picture...you stole my idea!” “No, I didn’t...you copied from my picture!”	A fellow student grabs the picture you colored and tears it up, calling you names related to your religion and cultural heritage.
<i>Middle/Junior High School</i>	“After you borrowed my basketball, I asked that you return it and you didn’t!” “I did return it...I left it on your porch.”	While practicing basketball skills in the gym, several students sit nearby and call out insulting comments about the color of your skin and your basketball skills.
<i>High School</i>	“You went after my boyfriend at the party and tried to hook-up with him.” “I was told you broke up and he was available...and he didn’t seem too unhappy with me!”	A student posts explicit photos and insulting words about your sexual orientation on Facebook, attacking you for “stealing” her boyfriend.

# HIB vs. Code of Conduct

- **Code of Conduct**
  - General guidelines for pupil conduct on school property
  - Detailed regulations suited to the age level of pupils and the physical facilities of the individual school
  - Requires that pupils conform to reasonable standards of socially acceptable behavior, respect the person, property and rights of others, obey constituted authority and respond to those who hold that authority
  - Establishes the degree of order necessary to the educational program in which pupils are engaged
- **ABR/HIB**
  - Develop and maintain a safe and supportive school environment
  - Prevent HIB from occurring
  - Enables school staff and students to quickly address HIB behavior when it occurs
  - Institutes investigation and reporting requirements
  - Establishes guidelines for BOE to implement a range of responses at the individual, classroom, school, and district level

# Who Does HIB Apply To?

- Student v. Student
- Adult aggressor v. Student victim
- NOT Adult aggressor v. Adult victim
- NOT Student aggressor v. Adult victim (alleged victim is adult)
- Students 18 and older that are still enrolled in the school system are considered students for the purposes of HIB
- Special Education Students
  - If behavior would otherwise be classified as HIB it still must be classified as HIB even if behavior is a manifestation of the student's disability
  - School staff must consider the student's disability when determining the response to a confirmed HIB



# School HIB Team

- **School Principal – School Specific**
  - Accepts and reviews HIB complaints
  - Makes a determination based upon the preliminary facts of the case as to whether start an HIB investigation.
  - Assigns HIB complaint to Anti-Bullying Specialists (ABS) when appropriate
  - Informs parents of alleged victim(s) and offender(s) that an HIB investigation will be taking place or that a reported HIB does not meet the criteria for investigation
  - Makes a determination in consultation with the HIB specialist and based upon the facts presented in the HIB investigation report as to whether the behavior in question was HIB
  - Provides Superintendent with HIB report, recommends appropriate remedial action to be taken for the individual perpetrator(s) and victim(s).
  - Responsible for Code of Conduct Enforcement
  - Responsible to implement/oversee remediation
- **Anti-Bullying Specialist (ABS) – School Specific**
  - Leads the investigation of reported HIB incidents
  - Chairs School Safety Team
  - Is Usually a School Counselor
  - Prepares HIB report and recommendations
- **School Safety Team**
  - Develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and address school climate issues, such as: harassment, intimidation, or bullying
  - Not involved in HIB investigations or student code of conduct

# District HIB Team

- **Anti-Bullying Coordinator (ABS) - District**
  - Coordinates and strengthens the district's HIB policy
  - Provides data to NJDOE
  - Provides training and education
- **Affirmative Action Officer – District**
  - Dual reporting requirement to the AAO when a protected class under Title VII/NJLAD is the characteristic involved in the HIB claim
- **Superintendent of Schools**
  - Makes additional decision(s), as appropriate based on HIB report
  - Reports results of investigation to BOE at regularly scheduled meetings, following the completion of the investigation
  - Provides parents with the following information
    - The nature of the investigation
    - Whether the district found evidence of HIB
    - Whether discipline was imposed or services provided to address the HIB incident
    - PARENTS ARE ONLY ELIGIBLE TO RECEIVE INFORMATION ON THEIR CHILD. NO INFORMATION CAN BE PROVIDED ON ANY OTHER STUDENT INVOLVED IN AN HIB INVESTIGATION

# Board of Education Role in HIB

- Review the HIB report submitted by the Superintendent
- Issue a decision at the regularly scheduled BOE meeting on the Superintendent's report
- Hear any appeals made by a parent, in regards to an HIB case and issue a decision to affirm, reject, or modify the Superintendent's decision. This applies to the HIB findings only

# Parents and HIB

- Right to report an alleged HIB
- Right to appeal a Principals decision to not investigate an HIB
- Right to appeal the findings of an HIB report
- Right to appeal the decision of the Board of Education
- Right to be informed that an HIB investigation is taking place
- Right to receive specific HIB report findings information regarding their child only
  - Provide parents with the following information
    - The nature of the investigation
    - Whether the district found evidence of HIB
    - Whether discipline was imposed or services provided to address the HIB incident
- School districts have the right to interview students without prior parent permission and without parents present for the interview

# Changes To N.J.A.C. and SBOE Policy

- The principal in consultation with the ABS may make an initial determination as to whether a reported incident is an act of HIB
  - Principals must assume all allegations are true
  - Principals will use a threshold assessment checklist in making their determination
  - Principals will submit any decision not to investigate to the Superintendent and to the ABC and they will notify parents of the decision not to initiate an investigation
- Parents seeking to request a hearing before the BOE must do so no later than 60 calendar days after the parent receives written notice of the outcome of an HIB investigation
- BOE policy was updated to include a statement that bullying is unwanted aggressive behavior that may involve a real or perceived power imbalance, as required by N.J.A.C.
- BOE policy requires that the nature of a student's disability is considered when determining remedial actions in response to an HIB, as per N.J.A.C.
- Full list of changes can be found in N.J.A.C 6A:16-7.7