

HARASSMENT, INTIMIDATION & BULLYING

New Jersey Anti-Bullying Bill of Rights Act

What Is Considered Harassment, Intimidation & Bullying Under the NJ Anti-Bullying Bill of Rights Act?

Any gesture, any written, verbal or physical act or any electronic communication, whether it be a single incident or a series of incidents

That creates a substantial disruption or interference with the orderly operation of the school or the rights of other students **and**

The gesture(s) is reasonably perceived as being motivated by either an actual or perceived characteristic such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical or sensory disability or by any other distinguishing characteristic **and that**

A reasonable person should know, under the circumstances, that it will have the effect of physically or emotionally harming a student or damaging a student's property or placing a student in reasonable fear of physical or emotional harm to his person or 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.

Where Can Harassment, Intimidation and Bullying Take Place?

On school property (in class, in the cafeteria, the bathroom, on the playground, in the locker room, in the hallways, etc.)

At any school-sponsored function

Off school grounds providing if it substantially disrupts or interferes with the orderly operation of the school or the rights of other students

Types of Bullying

There are many different forms of bullying. **Remember that in order to be considered bullying under the NJ Anti-Bullying Bill of Rights Act, whatever is said or done needs to be motivated by a distinguishing characteristic and create a hostile educational environment for the victim. If it does not meet the above criteria, it is a violation of a school's code of conduct.** An act that is proven to be a violation of the NJ Anti-Bullying Bill of Rights Act is always a code of conduct violation. However, a code of conduct violation is not always a violation of the NJ Anti-Bullying Bill of Rights.

Verbal Bullying: This involves using words to hurt people.

- ❖ Teasing
- ❖ Name-calling
- ❖ Inappropriate sexual comments
- ❖ Taunting
- ❖ Threatening to cause harm

Cyber-bullying: Using technology as a vehicle for acts of cruelty. This can take the form of verbal or social bullying that is perpetuated and spread through the internet or other forms of technology such as texting and/or posting on social media sites such as Snapchat, Instagram or Twitter.

Social Bullying: This is something commonly referred to as “relational aggression” and involves hurting someone socially by

- ❖ Continuously spreading rumors
- ❖ Excluding someone purposefully; telling other kids not to be friends with someone
- ❖ Manipulating others to leave a person out of a group

Physical Bullying: This includes repeated aggressive physical acts that hurt somebody's body or hurts or destroys someone's property or possessions. Physical bullying includes consistent acts of aggression such as

- ❖ Hitting, kicking, pinching
- ❖ Spitting
- ❖ Tripping or pushing
- ❖ Taking or breaking someone's things

Bullying vs Conflict

During a conflict, name-calling, threats and other conduct that might look like bullying can occur. However, conflict and bullying are very different. Unlike bullying, during a conflict, people are equally involved in some type of disagreement. Conflict is considered mutual, meaning everyone is more or less evenly involved.

Bullying, on the other hand, involves one or several people (the bullies) intentionally committing a mean or violent act against another person(s) or a group of people (the victims). When bullying occurs, there is no mutual participation in the disagreement; it is one sided.

Conflicts and bullying can interrupt the school day, damage property and cause injuries to the people involved. However, when the behavior involves a conflict, the school will take action based on its code of student conduct instead of the Anti-Bullying Bill of Rights Act.

If the action(s) does not target a distinguishing characteristic or is a result of a conflict, the school's code of conduct is followed, not the NJ Anti-Bullying Bill of Rights Act.

What is a Student Code of Conduct?

A school's student code of conduct is a set of the school's rules, expectations, policies and procedures that are supported by the Bergenfield Board of Education policies and New Jersey State Statutes and Codes. It is separate from NJ's Anti- Bullying Bill of Rights Act.

What Can Parents Do?

1. Set expectations for your child's behavior, in and out of school.
2. Provide a trusting and loving environment at home.
3. Teach your children healthy conflict resolution behavior.
4. Teach your children how they can stop or try to stop bullying when they witness it.
5. Encourage him/her to confide in a trusted adult.
6. Talk to your child about your own experiences with bullying; listen to his/her concerns.
7. Show your children the difference between being assertive and aggressive. Allow your child to practice being assertive with you.
8. Teach your child the social skills he/she needs to navigate school and social situations.
9. In the case of cyberbullying; if your child is being cyberbullied, you should immediately remove your child from the situation (shut down computers and mobile devices).
10. Additionally, in the case of cyberbullying, parents should consider copying and saving the malicious online texts or posts in case the bullying is ongoing and needs to be reported.

Resources

New Jersey Coalition for Bullying Awareness and Prevention

Dedicated to increasing community awareness of bullying. Provides information and training on bullying prevention.

www.njbullying.org

(908) 552-2581

Stop Bullying.gov

This website provides information from various government agencies on ways children, teens, young adults, parents, educators, and others in the community can prevent or stop bullying.

www.stopbullying.gov

Cyberbullying Resources

Commonsense Media, Cyberbullying Toolkit- This toolkit is accessible online, it provides tips and resources for educators, parents and youth on the topic of cyberbullying.

www.common sense media.org/educators/cyberbullying-toolkit

Guttenberg HIB Timeline

Day 1: HIB occurs, verbal report made to principal, and principal informs parents/guardians “of all students involved.”

By School Day 2: Principal directs the anti-bullying specialist to begin the investigation.

By School Day 3: Written report to principal from person reporting HIB.

By School Day 11: Investigation complete (by 10 school days from written report).

By School Day 13: Results of investigation given to Superintendent. Superintendent may decide to take action.

Report to Parent/Guardian: Within 5 School Days after Results are Given to the Board.

Information to include: whether evidence of HIB was found and whether discipline imposed and/or services provided to address the HIB.

Board Hearing Parents may request a confidential hearing before the board of education, which must occur within 10 calendar days of request.

Board Decision Board must issue a decision, in writing, to affirm, reject, or modify the superintendent’s decision. At the next board meeting following receipt of the report. Board’s decision may be appealed to the Commissioner of Education within 90 calendar days.

Civil Rights Complaint Parents may file a complaint with the NJ Division of Civil Rights within 180 calendar days of the incident, or in state or federal court, if HIB is based on a characteristic protected under state or federal law.

ECS Investigation Executive County Superintendent shall investigate a complaint of a violation by a school district when the complaint is not adequately addressed on the local level.