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“Where Students Discover Their Potential”



**Frequently Asked Questions Regarding Harassment, Intimidation and Bullying
(HIB) Law**

Since the implementation of the Anti-Bullying Bill of Rights in September 2011, parents have voiced some very important questions. We hope that the frequently- asked- questions below will help everyone have a more concrete, comprehensive understanding of the legislation and its impact on parents and students.

1.What does Harassment, Intimidation or Bullying (HIB) mean?

Harassment, Intimidation or Bullying (HIB) means any gesture, written, verbal or physical act, of any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

- A. Is a reasonably perceived as being motivated by either 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;
- B. Takes place on school property, at any school- sponsored function, on a school bus or off school grounds, as provided for the N.J.S.A. 18A:37 15.3; and
- C. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students;
- D. And that, a reasonable person should know, under the circumstances, that the act(s) 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/their property; or has effect of insulting or degrading 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.

2.Why don't administrators tell me everything about the incident when they make the initial call?

In the past, investigations were typically completed, or partially completed, before parent phone calls were made, to determine precisely what occurred. With the new legislation, administrators are required to contact parents before the investigation has been completed- preventing the relay of specific, accurate information to parents until the process has completed.

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3. Why does the process take so long?

The State of New Jersey has given school districts a very specific timeline to follow regarding the investigation of incidents that may be harassment, intimidation or bullying. After receiving a report from the building principal, the anti-bullying specialist has **ten school days** in which to conduct his/her/their investigation. Once the investigation is completed and submitted to the building principal, it is then submitted to the Superintendent for review. The Superintendent then shares the results of the investigations, anonymously, with the Board of Education.

4. Are parents present during a student interview?

Anti-bullying specialists and principals conduct student interviews regarding a multitude of activities and incidents going on in the school building each day. Parents are not involved in these interviews, but are updated on the content of these conversations as the investigation is concluded.

5. What happens when my child is labeled as a “bully” as a result of an investigation?

At no point in time are children labeled “bullies”. The purpose of the Harassment, Intimidation and/or Bullying (HIB) investigation is to determine if a student violated the Anti-Bullying Bill of Rights. Although it may be determined that a child has violated this law, it in no way labels the child.

6. What are the consequences for students who have violated the Anti-Bullying Bill of Rights?

Consequences and intervention strategies that result from an investigation are highly variable and highly individualized. Consequences and intervention strategies may include but are not limited to, parent conferences, loss of privileges, school detentions, counseling, class lessons, etc. There is no predetermined consequence for any child involved in a violation of the Anti-Bullying Bill of Rights. All consequences are developmentally appropriate and take into consideration the whole child.

7. What happens when the results of an HIB investigation do not confirm a violation of the Anti-Bullying Bill of Rights but do confirm a negative interaction or act that took place?

When any incident is investigated, regardless of the findings as it pertains to the law itself, the district will take appropriate steps to address what took place and support our students. It is not uncommon for incidents to fail to meet the criteria for HIB, but still result in a Code of Conduct violation. In these instances, consequences are remediation actions that are individualized and

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appropriate to the specific student and/or incident. Action taken could include similar responses to a confirmed violation of the law, which includes but is not limited to counseling support, detention, suspension, loss of privileges, etc.

8. How will this affect my child's school record?

In accordance with the 2022 ABR amendments P.L.2022.,c.338 [https://pub.njleg.gov/bills/2020/PL21/338 .PDF](https://pub.njleg.gov/bills/2020/PL21/338.PDF), if an alleged incident of HIB is later found as a verified incident of HIB, copies of the results of the investigation shall be placed in the student's record. If a student is found to have committed three incidents of HIB, then a principal, in consultation with appropriate school staff, shall develop an individualized intervention plan.

9. What information will I receive at the conclusion of the investigation?

Building principals are required to notify parents of the outcome of the investigation and whether or not consequences/ remedial measures were imposed. Again, all information is confidential. Parents will receive a letter from the Principal after the Board meeting with the Superintendent presents the findings to the Board of Education. Parents will receive a second letter following the next Board meeting when the Board affirms, rejects or modifies the Superintendent's decision.

For more information, visit the HIB webpage by going to the district's homepage.