

HIB FAQ Little Silver Schools

What is Harassment, Intimidation, and Bullying per the Anti-Bullying Bill of Rights Act?

[Little Silver Board Policy](#) provides the following definition:

“Harassment, intimidation, or bullying” means any gesture, any written, verbal or physical act, or 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:

1. Is 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;**
2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3;
3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
 - a. 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 their person or damage to their 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 by interfering with a student’s education or by severely or pervasively causing physical or emotional harm to the student.

What are the most recent updates to the Anti-Bullying Bill of Rights Act?

In 2022 (Mallory’s Law) , New Jersey updated its Anti-Bullying Bill of Rights Act to include the following:

- The allowance of preliminary determinations for reports of HIB by the principal
- Verified HIB incident reports and investigations will be placed in student records
- Students committing 3 or more acts of HIB will receive an individual student intervention plan
- [Numbered forms](#) for educational agencies, parents, and guardians are now required when reporting HIB incidents with the option to do so confidentially for parents and guardians
- The creation of the School Climate State Coordinator

If a minor is found guilty of cyber-harassment, the following may occur:

- The minor and their guardian may be required to attend classes on the dangers of cyber-harassment and reducing the cyber-harassment propensity for that student
- Increased fines for parents/guardians who don’t comply with training requirements, opening

them up to civil action for wanton disregard for supervision of a minor convicted of cyber-harassment

What actions do school officials take when they receive a formal HIB complaint completed by a student, parent or staff member?

Principal receives report→ Principal initiates an investigation within 1 day→ Principal ensures student safety and contacts all involved parents by the end of the school day→ Anti-Bullying Specialist (ABS) conducts and completes an investigation within 10 days→ ABS sends a written report to administration within two days of the completed investigation→ Superintendent reports investigation results to the BOE at the next regularly scheduled board meeting.

How do school officials determine if an incident is HIB or peer conflict?

School officials conduct investigations to determine whether a reported incident occurred, whether it meets the definition of HIB and whether the behavior conflicts with the Student Code of Conduct. Investigations involve discussions with students, teachers, and parents who have information about the incident. School officials are also required to consider the involved students' ages and developmental stages, the severity of the incident(s), how long the conduct has occurred and the impact on the students in receipt of the actions.

The Student Code of Conduct delineates expected student behaviors and possible consequences. If a reported incident is found to be accurate but does not meet the definition of HIB, school officials handle the situation as a Student Code of Conduct infraction and impose discipline as needed.

How can I better understand the difference between conflict and bullying?

CONFLICT	BULLYING
Conflict is a mutually competitive or opposing action or engagement, including a disagreement, an argument, or a fight which is a <u>normal part of human development</u>	Bullying involves deliberate, aggressive acts targeting a particular individual repeatedly, over time (although a single severe aggressive act can be defined as bullying) and it involves a power difference between the bully and the target. (imbalance of power)
Neither side usually enjoys the interaction	The offender enjoys making the victim feel less than
Equal emotional reaction Typically student has remorse, takes	Strong emotional reaction from target little to no reaction from bully

responsibility	No remorse: blames target may manipulate a situation
Strategies like mediation and conflict resolution are appropriate response to address conflict	Mediation may not always be an appropriate intervention depending on the circumstances
Conflict usually arises in the moment	Bullying behavior may be premeditated
In many cases, not finding a distinguishing characteristic that motivated the conduct often results in a determination of conflict	In other words (ultimately), the bully is bigger, stronger, tougher, or more socially powerful than the person being bullied, which makes it difficult or impossible for targets of bullying to defend or protect themselves.

How is the code of conduct enforced with a HIB violation or conduct violation?

All reports of violations of the Code of Conduct - regardless of whether or not reported as a HIB - are fully and fairly investigated with appropriate action taken. School officials will take the actions necessary to maintain a safe and secure school environment for all students.

What can a parent expect during a HIB investigation?

- Notification of the investigation within one day of the verbal/written report
- ABS will interview all students identified as witnesses, accused and victim/s
 - Parents cannot refuse to allow school officials to speak with their children? School officials will conduct an investigation as determined by the allegation.
 - In order to protect the identity and personal information of the students involved and to guard the integrity of the investigation, parents are not permitted to sit-in with their children when the incident is discussed.
- At the next scheduled board meeting in executive session the outcome of the investigation is shared with the BOE. To maintain student confidentiality names are not shared
- Parents will receive notification of the outcome from the superintendent as it pertains to their child within 5 days of the board meeting
- Either party may appeal to the Board of Educations within 60 days of receipt of the written information
- Reports of investigations are maintained at the school level and are not maintained in students' cumulative files. Consequences such as detentions and suspensions are maintained in each student;s disciplinary file.