

# Understanding HIB

Teaneck Public Schools

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# NEW LAW

- January 5, 2011 Governor Christie Signed into law the “Anti-Bullying Bill of Rights”
- New law goes into effect September 2011
- Amends the 2002 anti-bullying law

# KEY ISSUES IN NEW LAW

- New definition of bullying
- Clarifies responsibility for conduct away from school grounds
- Creates School Safety Teams
- Requires Anti-Bullying Specialist in every school
- Requires Anti-Bullying Coordinator for district
- New investigation, reporting, discipline, appeal procedures

# KEY ISSUES IN NEW LAW(cont'd)

- New state reporting requirements on incidents of bullying
- New grading procedure for schools and districts
- New training requirements
- Clarifies instances where school employee may be subject to disciplinary action

# NEW DEFINITION

“Harassment, Intimidation or Bullying”  
(“HIB”)

## TYPES OF BEHAVIORS:

- Includes ANY gesture, or
- ANY written, verbal or physical act, or
- ANY electronic communication
- Can be a single incident or series of incidents

# DEFINITION (cont'd)

Motivation for HIB Behavior:

- ANY actual OR PERCEIVED characteristic
- EXAMPLES: race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or mental/physical/sensory disability, or ANY OTHER DISTINGUISHING CHARACTERISTIC

# DEFINITION (cont'd)

## LOCATION OF INCIDENT:

- On school property
- At school-sponsored function
- On a school bus
- Off school grounds (including cyberspace)

# DEFINITION (cont'd)

MUST MEET ONE OF THE FOLLOWING CONDITIONS in addition to causing substantial disruption or interference:

- Has effect of insulting or demeaning student or group of students OR
- Creates hostile educational environment for student by interfering with student's education OR severely or pervasively causing physical or emotional harm to student

# REVISED LANGUAGE, BUT SIMILAR LEGAL STANDARD

- Clarifies need for threshold showing of substantial disruption with operation of school or rights of student, already true based on case law
- Clarifies could be single incident or series, but already true based on case law
- Clarifies could be emotional or physical harm, but already true based on case law

# SIMILAR LEGAL STANDARD

## (cont'd)

- Clarifies incident could be off school grounds, already true based on case law
- Creates new term “hostile educational environment,” but still requires threshold showing of substantial disruption first

# ANTI-BULLYING COORDINATOR

- Appointed by Superintendent
- Coordinates/strengthens district HIB policy to prevent, identify, and address HIB Collaborates with anti-bullying specialists, BOE and Supt.
- Meets at least twice a school year with the anti-bullying specialists
- Provides data, in collaboration with the supt. to the NJDOE
- Performs other related duties

# ANTI-BULLYING SPECIALIST

- Chairs the school safety team
- Leads the investigation of reported HIB
- Acts as the primary school official responsible for preventing, identifying, and addressing incidents of HIB in the school
- Assists the principal in appropriately applying the range of ways for responding to HIB established by the school board
- Provides input to local school board on annual re-evaluation, reassessment, review of policy

# SCHOOL SAFETY TEAM

- Formed to develop, foster, and maintain a positive school climate, including HIB issues
- Meets at least 2 times per school year
- Consists of the principal (*or designee, preferably a senior administrator*) and principal appointees: a teacher in the school, the school anti-bullying specialist (serves as chair), a parent/guardian of a student in the school, and other members determined by the principal

# TIMELINE FOR INVESTIGATION

- School Day 1: HIB occurs and/or employee learns of HIB  
– Verbal report must be made to principal.  
Principal must inform parents/guardians “of all students involved”
- By School Day 2: Principal must initiate investigation by Anti-Bullying Specialist within one school day of report; may appoint others to assist.
- By School Day 3: Written report to principal to be made within 2 days of when employee witnessed or received reliable information that a student experienced HIB.

# TIMELINE FOR INVESTIGATION

## (cont'd)

- By School Day 11: Investigation complete by Anti-Bullying Specialist (by 10 school days from written report).
- By School Day 13: Results of investigation must be given to superintendent within 2 school days of completing investigation. Superintendent may decide to take action (ex. Intervention services, training, discipline, counseling, etc.)

# TIMELINE FOR INVESTIGATION

## (cont'd)

- Report to Board: Superintendent must report to board of education at next board meeting following completion of investigation.
- Report to parent/guardian: District must provide “information about the investigation” to parents/guardians of “students who are parties to the investigation” about the investigation and findings within 5 school days after investigation results are given to the board. Information to include: nature of investigation, whether evidence of HIB was found, whether discipline imposed or counseling services were provided to address HIB.

# TIMELINE FOR INVESTIGATION

## (cont'd)

- Board Hearing: Parent may request a confidential hearing before board of education, which must occur within 10 calendar days of request. (Just the family and the administrators – like a student discipline hearing)
- Board Decision: Board must issue decision in writing to affirm, reject or modify Superintendent's decision, at next board meeting following receipt of report. Board's decision may be appealed to Commissioner of Education within 90 calendar days.

# TIMELINE FOR INVESTIGATION

## (cont'd)

- Civil Rights Complaint: Parent may file a complaint with the NJ Division on Civil Rights within 180 calendar days of incident, or in state or federal court. The complaint must be based on one of the protected categories of the NJ Law Against Discrimination.
- 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.

# TYPES OF BULLYING

## **Physical bullying**

- punching, shoving, acts that hurt people

## **Verbal bullying**

- name calling, teasing, making offensive remarks

# TYPES OF BULLYING

## Indirect bullying

- spreading rumors
- keeping certain people out of the “group”
- getting certain people to “gang up” on others

## Cyber bullying

- sending insulting messages by e-mail, text messaging, chat rooms, etc.

# WARNING SIGNS OF BULLYING

- **How do you know if your child is engaging in bullying behavior?**
- Ask yourself...
- Has my child ever been accused of being a bully at school or elsewhere?
- Has my child gotten into trouble for fighting (physically or verbally) with other children at school?
- Does my child become easily frustrated, defiant or oppositional when he does not get his way?

# WARNING SIGNS OF BULLYING (cont'd)

- Who are my child's friends? How does my child interact with others?
- Have I witnessed my child with other children? Is she dominant or aggressive?
- What does my child do with spare time? What are my child's hobbies?
- Does my child speak about other children as "stupid" or use other negative terms to describe others?
- Does my child talk about certain children "deserving" bad things to happen to them or showing little concern for others in bad situations?

# WHAT YOU CAN DO IF YOU SUSPECT YOUR CHILD IS BULLYING OTHERS

- Discuss school rules and behavior expectations with your child.
- Find out exactly what it is that your child has been doing.

What has your child been *accused* of doing? What does your child *admit* to doing?

- Talk to your child, calmly, about why she is engaging in such behaviors. It is important that you not approach your child in an accusatory or confrontational tone
- Some children may feel pressure to participate in bullying behavior in order to fit in with peers or to avoid being bullied themselves

# WHAT YOU CAN DO IF YOU SUSPECT YOUR CHILD IS BULLYING (cont'd)

- Explain how bullying affects others (targets, bystanders, school climate)
- Discuss alternatives to aggressive behavior
- Role playing may help some children to understand how it feels to be bullied
- Teach your child to show tolerance for those who are different.
- Model this behavior yourself
- Praise your child for using alternative, appropriate behavior
- Establish consequences for negative behaviors, such as losing privileges

# HOW DO YOU KNOW IF YOUR CHILD IS BEING BULLIED?

- Does my child fear going to school?
- Has my child been out sick a lot?
- Visible bruises: Have I noticed bruises on my child?

When I ask my child about the bruises, what is the response?

- Does my child have friends? Who are they? Have I seen the way that they interact?
- Is my child submissive or withdrawn with other children?

# HOW DO YOU KNOW IF YOUR CHILD IS BEING BULLIED? (cont'd)

- Does my child seem unhappy or insecure or have low self-esteem?
- Does my child talk about “nobody liking her” or “not having any friends?”
- Does my child talk about wanting to hurt someone or get back at someone?
- Does my child have difficulty being assertive when it’s necessary?

# WHAT YOU CAN DO IF YOUR CHILD IS BEING BULLIED

- Do not confront the suspected bully or bullies on your own.
- Talk to a school administrator about the situation.
- Ask your child what takes place in school, what happens when there is free time, how they are feeling.
- Role play with your child and discuss ways they can
- respond to a bully (e.g. walking away, telling an adult, or
- asking for help from peers.)
- Teach your child that telling on those who bully should not be considered tattling
- Let your child know that by reporting bullying, help will come and that support will come from you and from the school staff.

# WHAT YOU CAN DO IF YOUR CHILD IS BEING BULLIED (cont'd)

- Encourage your child to talk with friends about bullying
- Bullies rarely target kids in groups, so your child should maintain a peer group that is unified
- Ensure appropriate adult supervision at all times
- Be aware of your child's involvement in activities inside and outside of school
- Report any incidents of bullying behaviors, even if your child is not the target of such behavior, to school officials

# School Anti-Bullying Specialist

- Bryant – Ms. Aniesha Jackson
- Lowell – Mr. Renier Cruz
- Whittier – Ms. Monique Mighty
- Hawthorne – Ms. Colette Brantley
- Thomas Jefferson – Mr. Joel Baskin
- Benjamin Franklin – Ms. Eve Klein
- Teaneck High School – Mr. Frank Andrisani

# District Anti Bullying Coordinator

- Antoine Green

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