



## Anti-Bullying Bill of Rights Act Training

South Plainfield Board of Education

Elaine Gallo, Anti-Bullying Coordinator

2016-2017

# Harassment, Intimidation and Bullying (HIB) Definition

. . . any gesture, any written, verbal or physical act, or electronic communication, whether it be a **single act** or a series of incidents that is:

reasonably **perceived** as being motivated either by 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 **any other distinguishing characteristic**;

that takes place on school property, at any school sponsored function, or on a school bus, or off school grounds . . . That;

**Substantially disrupts or interferes with the orderly operation of the school or rights of other students,** and that:

# Definition of HIB

a) 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 emotional harm to his person or damage to his property; or

# Definition of HIB

b) has the effect of insulting or demeaning any student or group of students; or

c) creates a hostile educational environment at school for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

# Other Distinguishing Characteristics

## **May be, but not limited to:**

- Academically gifted children;
- Wearing glasses, hair color, hair style, etc.;
- Children living in non-traditional families;
- Overweight children;
- Small, physically weak, or shy;
- Children considered unattractive, unfashionable;
- Poor athletic ability;
- Academic stereotype;
- Socio-economic status; or
- New student in town.

# Single Incident?

As per the Anti Bullying Law, HIB can be a single incident.

- **Factors to consider:**
  - ✓ Target's level of distress
  - ✓ Age of the student(s)
  - ✓ Overall circumstances
- **The incident must be addressed, even if determined not to be HIB.**

# Out of School Conduct

- The amendments address out-of-school conduct that can constitute harassment, intimidation or bullying;
- The alleged behavior has the effect of insulting or demeaning any pupil or group of pupils; or
- The alleged behavior creates a hostile, educational environment for the pupil by interfering with the pupil's education, or by severely or pervasively causing physical or emotional harm to the pupil.

# Reporting the Incident

- **Any school employee or contracted service provider**, who witnesses or receives reliable information regarding an act of HIB, must report it verbally and on the same day to the Principal, and must submit a report in writing to the Principal within two school days of the verbal report.
- If a student or parent reports an incident to a staff member, the staff member must report it to the Principal
- If HIB is alleged, the Principal cannot pre-screen (goes to Anti-Bullying Specialist).
- If an allegation describes facts, but does not specifically use HIB language, the Principal should apply the HIB definition to determine the course of action( e.g., HIB or other code of conduct violation).



# HIB Investigation Process

- All acts must be reported verbally to the building principal the same day **school employee** or **contracted service provider** witnesses, or receives reliable information. Written report must be submitted to the Principal within **two days**;
- The Principal will inform parents/guardians of **all students** involved in the alleged incident(s), and may discuss the availability of counseling services and/or additional interventions;
- The Principal will initiate the HIB investigation **within one day** of the reported incident. The **Anti-Bullying Specialist** will conduct the investigation;
- The **Anti-Bullying Specialist** will investigate and submit a written report of the incident to the Principal **within 10 days**;
- The Principal will submit the report to the Superintendent **within two days** of completion, and may suggest an intervention, training program, impose discipline, order counseling or take other appropriate action(s).
- The School Board must receive the report at the **1<sup>st</sup> Board Meeting** following the completed investigation, as well as information on actions taken to address the incident(s).

# HIB Investigation Process cont'd

- Parents of students are entitled to information about the investigation and will receive written notification from the Superintendent's Office within five days of the Board Meeting. Parents may request a hearing with the School Board in its executive session.
- At its next hearing, the School Board must issue a **written decision** to affirm, reject or modify the Superintendent's decision.

Parents/guardians may appeal the Board's decision to the Commissioner of Education; or

File a complaint with Division on Rights; HIB falls within a protected class – Law of Discrimination

# HIB: Board Members

- Must report incidents of HIB to School Administration;
- May not retaliate against victims, witnesses, or the individual with reliable student incident information;
- Board members are immune from damages from failure to remedy reported incident(s), and
- Shall provide time for in-service training during the normal school schedule.

# District Anti-Bullying Coordinator

## Responsibilities as Determined by Law

Appointed by Superintendent to:

1. Coordinate, strengthen district's HIB Policy with an emphasis on (a) preventing, (b) identifying, and (c) addressing HIB;
2. Collaborates with schools' Anti-Bullying Specialists, BOE and Superintendent prevent, identify and respond to HIB of students in the district;
3. Provide data, in collaboration with the Superintendent, to NJDOE on HIB in district;
4. Meets with Anti-Bullying Specialists at least twice annually to discuss and strengthen procedures and policies;

# District Anti-Bullying Coordinator Responsibilities as Determined by Law

- Works with schools: First full week in October designated “Week of Respect” in NJ;
- Works with schools to provide age-appropriate instruction focusing on preventing HIB, and
- Executes such other duties as requested by Superintendent of Schools.

# Anti-Bullying Specialist

Appointed by Principal

- Chairs the School Safety Team;
- Leads the HIB investigation;
- Primary school official responsible for preventing, identifying and addressing incidents of HIB;
- Collaborates with Anti-Bullying Coordinator and School Safety Team;
- In collaboration with district Anti-Bullying Coordinator, will work with school staff to provide age-appropriate instruction pertaining to HIB prevention;
- Executes other duties related to HIB as requested by the principal.

# School Safety Team

Develops and fosters positive school climate, addresses HIB and will meet at least twice per school year.

The **School Safety Team** shall consist of:

1. Principal or designee, who if possible, shall be a senior school administrator;
2. Anti-Bullying Specialist (Chair)
3. Teacher
4. Parent of student in school
5. Other members determined by Principal

# The School Safety Team Shall :

- Identify and address patterns of HIB;
- Assess school climate and the policies of the school in order to prevent and address HIB;
- Educate the community; students, teachers administrative staff and parents in an effort to address and prevent HIB;
- The School Safety Team members will be provided PD opportunities that address the effective practices/approaches relative to school safety and climate.



# Superintendent Reporting Obligations

Once each semester, the Superintendent must report all acts of violence and vandalism, as well as harassment, intimidation and bullying, which occurred during the previous semester, to the board of education. Data is broken down by school:

1. Number of reports received;
2. Status of all investigations;
3. Nature of the bullying;
4. Names of investigators, type and nature of discipline/remedial measures, and
5. Any other measure taken to reduce incidents.

# Prevention is the Key

Areas of attention and focus:

- Prevention
- Climate and culture
- Remedial measures
- Anger management/strategies for dealing with conflicts
- Bystanders to Up standers

# Anti-Bullying Specialists

## Anti- Bullying Specialists:

Mylissa Szeliga	Franklin and Kennedy Schools
Margaret Mosley	Roosevelt and Riley Schools
Rowena Wu	Grant School
Middle School	Joretta Strayhorn
High School	Rhonda Greene

## District Anti-Bullying Coordinator:

Elaine Gallo