

# Southampton Township Schools

HARASSMENT / INTIMIDATION / BULLYING  
POLICY & REGULATION



# HARASSMENT, INTIMIDATION, AND BULLYING LEGISLATION

## ■ *The New Law:*

- Intent is to strengthen standards for preventing, reporting, investigating, and responding to incidents of bullying and reduce the risk of suicide among students
- Effective September 2011
- Changes 13 statutes
- Affects districts and a number of state agencies, including NJDOE

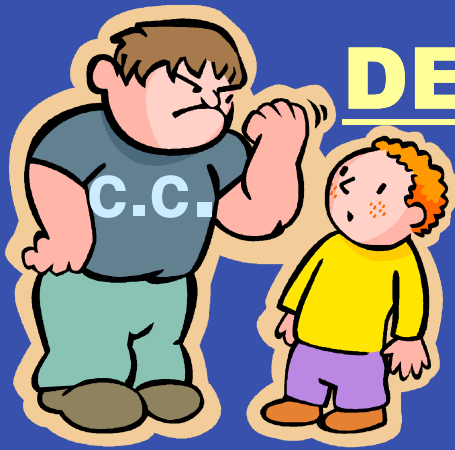
## **CONTEXT OF NEW HIB LEGISLATION**

- Commission on Bullying in Schools established in January 2008
- Commission sent its recommendations to the Governor in December 2009
- The new law was introduced in October 2010
- Approved by the Legislature in November 2010
- Signed by the Governor in January 2011
- Primarily adds requirements

# HIB POLICY MAJOR CHANGES

- Definition of HIB
- District Staff Functions
- Policy and Procedures
- Programs
- Training Requirements
- Public Reporting

# DEFINITION OF A BULLY



## ■ *New HIB Definition:*

"Harassment, intimidation or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident 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 by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function on a school bus, or off school grounds as provided for in section 16 of P.L.2010, CHAPTER 122, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

# NEW HIB DEFINITION CONTINUED

- 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 physical or emotional harm to his person or damage to his property;
- 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.

# NEW HIB DISTRICT STAFF FUNCTIONS

- Anti-Bullying Coordinator (district)
- Anti-Bullying Specialist (school)
- School Safety Team (school)

## ***Anti-Bullying Coordinator (district)***

- Coordinates and strengthens district HIB policy to prevent, identify, and address HIB
- Collaborates with anti-bullying specialists, and Board of Education
- Meets at least twice a school year with the anti-bullying specialists
- Provides data to the NJDOE
- Performs other related duties



# ***Anti-bullying Specialist (school)***

- Appointed by the principal from currently employed staff
- Guidance counselor, school psychologist, or another individual similarly trained preferred
- Chairs the school safety team
- Leads the investigation of reported HIB incidents
- Acts as the primary school official responsible for preventing, identifying, and addressing incidents of HIB in the school
- Assists principal in defining range of ways to respond to HIB
- Provides input to local board on annual reevaluation, reassessment, and review of policy

# ***School Safety Team (School)***

- Formed to develop, foster, and maintain a positive school climate, including HIB issues
- Meets at least 2x 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 (as defined in *N.J.A.C. 6A:16-1.3*) of a student in the school, **and**
  - – other members determined by the principal

## ***School Safety Team (cont.)***

- Receive any HIB complaints reported to principal\*
- Receive copies of any HIB investigation reports\*
- Identify and address patterns of HIB in the school\*
- Review and strengthen school climate and policies in order to prevent and address HIB

\* = (Parents shall not participate in these activities or any others that compromise student confidentiality)

## ***School Safety Team (cont.)***

- Educate the community (i.e., students, teachers, administrators, parents) to prevent and address HIB
- Participate in training (both required and requested)
- Collaborate with ABC in data collection and development of policies to prevent and address HIB
- Other duties related to HIB requested by principal or the anti-bullying coordinator.

# Key Facts To Consider

- Since pupils learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.
- This policy may impose consequences for acts of harassment, intimidation, or bullying that occur off school grounds, such as cyber-bullying (e.g., the use of electronic or wireless devices to harass, intimidate, or bully), to the extent this policy complies with the provisions of N.J.A.C.6A:16-7.6
- Electronic communication means communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager.

# DISTRICT'S RESPONSIBILITY

- Develop and approve HIB policy / regulation
- Disseminate policy and regulation to parents, students, and staff
  - Student Agenda Books
  - District Website
  - Parent / Staff E-Mails
  - District computer network
- Provide training to staff pertaining to HIB policy / regulation
- Educate students and parents pertaining to expected behavior and the importance of reporting HIB
- Investigate all reported incidents
- Respond to verified incidents of HIB
- Preventative Education



# NEW HIB REPORTING PROCEDURES

- All acts of HIB must be reported verbally to the principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident
- Principal must inform parents of all students involved in the alleged incident
- May discuss the availability of counseling and other intervention services
- All acts of HIB also must be reported in writing to the principal within 2 school days of when the school employee or contracted service provider witnessed or received reliable information

# HIB INVESTIGATION PROCEDURE

- Initiated by the principal or designee within 1 school day of report
- Conducted by the administration and anti-bullying specialist
- Principal may appoint additional personnel to assist with investigation
- Investigation shall be completed ASAP, but not later than 10 days from date of written report
- If additional, anticipated information relevant to investigation is not received within 10 days, administrator and anti-bullying specialist may amend original report to reflect information
- A school administrator who receives a report of HIB from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of HIB and fails to take sufficient action to minimize or eliminate the HIB, may be subject to disciplinary action.



# RESULTS OF HIB INVESTIGATION

- Results shall be reported to superintendent within 2 days of completing the investigation
- Superintendent may decide to:
  - Provide intervention services
  - Establish training programs to reduce HIB and enhance school climate
  - Impose additional discipline
  - Order counseling
  - Take or recommend other appropriate action
- Results reported to the board of education no later than the date of the next board meeting following the completion of the investigation, along with information on action taken or recommended by superintendent

# PARENT RIGHTS PERTAINING TO INVESTIGATION

- Parents of the students who are parties to the investigation entitled to receive information about the investigation
- In accordance with Federal and State law and regulation
- Including the nature of the investigation and whether evidence of HIB was found
- Whether discipline was imposed or services provided
- Provided in writing within 5 school days after results are reported to the Board of Education
- A parent may request a hearing before the board
  - Must be held within 10 days of request
  - Board shall meet in executive session for the hearing
  - Board may hear from school anti-bullying specialist about the incident, recommendations for discipline or services, or programs instituted

## **PARENT RIGHTS PERTAINING TO INVESTIGATION**

- At the next board meeting following its receipt of the report the board shall issue a decision, in writing, to affirm, reject or modify the superintendent's decision.
- The board's decision may be appealed to the Commissioner of Education, no later than 90 days after the issuance of the board's decision
- A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights (DCR) within 180 days of the occurrence of any incident of HIB

# **NJDOE Investigations**

- **County Offices of Education are now required to conduct investigations pertaining to HIB incidents in districts when parents dissatisfied with the school district contact them.**
- **Purpose of the investigation is to determine if the school district is following the approved policy and regulation.**
- **County Office Investigation Procedure:**
  - **Review district's policy to assure it complies with N.J.A.C.**
  - **Speak to school officials (superintendent, principals, teachers, and support staff) to determine if the alleged HIB incident has been properly investigated in accordance with the district's HIB policy and regulation.**
  - **Report findings to parent and district.**

## **ANTI-BULLYING PREVENTION PROGRAMS**

- Schools districts must annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members.
- The approaches must be designed to create school-wide conditions to prevent and address HIB.

# ***Instruction and the Week of Respect***

- The week beginning with the first Monday in October of each year is designated as a “Week of Respect” in the State of New Jersey
- School districts must observe the week by providing age-appropriate instruction focusing on preventing HIB
- Throughout the school year the school district must provide ongoing age-appropriate instruction on preventing HIB in accordance with the core curriculum content standards

# HIB TRAINING REQUIREMENTS

- **Board of Education Members** - completion of a training program on HIB in schools, including a school district's responsibilities within one year after being newly elected or appointed or being re-elected or reappointed to the board of education (required only once)
- **School Administrators** - school leaders must complete training on school ethics, law, and governance. The training must include information on the prevention of HIB.
- **Teachers** - Each public school teaching staff member must complete at least 2 hours of instruction in suicide prevention. The training must include information on the relationship between the risk of suicide and incidents of HIB and information on reducing the risk of students in students who are members of communities identified as having members at high risk of suicide. Each public school teacher must complete at least two hours of instruction on HIB prevention in each professional development period.

# HIB TRAINING REQUIREMENTS

- **Support Staff / Bus Drivers/ Contracted Personnel** - School districts must provide training on the school district's HIB policy as part of the school employee's training program. The training must include instruction on preventing bullying on the basis of the protected categories and other distinguishing characteristics that may incite incidents of discrimination, or HIB, and be provided to full- and part-time staff, volunteers who have significant contact with students and those persons contracted
- **Anti-Bullying Coordinators and Specialists** - The Commissioner, in consultation with recognized experts in school bullying must establish in-service workshops and training programs to train selected public school employees to act in these roles.



# HIB PUBLIC REPORTING REQUIREMENTS

- NJDOE Annual School District Report Cards to include information on number and nature of HIB incidents.
- Superintendent must report to Board of Education at **two** public hearings:
  - One between 9/1 and 1/1 and one between 1/1 and 6/30
- Superintendent reports to NJDOE the information reported to the board of education. This information must be reported once during each reporting period.
- NJDOE must report to Senate and Assembly on an annual basis

# HIB REPORTING REQUIREMENTS

## ■ *District and School Grades*

- New Law: The Commissioner must establish guidelines for a program to grade each school to assess its efforts to implement policies and programs consistent with the law:
  - District grade is determined by averaging the grades of all the schools in the district
  - The school's and the district's grades must be posted on the homepage of the school's Website within 10 days of the assignment of the grade

# YOUR RESPONSIBILITY

- Know and understand the HIB Policy
- Demonstrate appropriate behavior to colleagues and students by treating others with civility and respect
- Refuse to tolerate HIB in the school environment
  - Address all observed incidents
  - Investigate all student complaints / concerns pertaining to HIB
  - Document your investigation
  - Report HIB incidents to the administration
  - **Note: A school employee who promptly reports an incident of harassment, intimidation, or bullying in accordance with this policy, and who makes this report in compliance with the procedures set forth in this policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident, as set forth in N.J.S.A. 18A:37-16.c.**
- Complete mandated two hour HIB training

**NOT!!** →



# **MORE TRAINING TO FOLLOW**

- **Today's workshop provides an overview of the HIB legislation.**
- **All teachers and support staff will participate in and complete additional HIB training that fulfills the requirement of the new legislation.**

# QUESTIONS AND ANSWERS

