

Understanding the Anti-Bullying Bill of Rights



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Purpose of the Anti-Bullying Bill of Rights

Improve Harassment, Intimidation, and Bullying (HIB) laws adopted in 2002 and amended in 2007 & 2008.

- Establishes clearer standards for definition of HIB.
- Clarifies/strengthens standards on preventing, reporting, investigating and responding to incidents of HIB.
- Increase school safety.
- Reduce risk of suicide and other negative outcomes associated with HIB.

Definition of HIB

The Statutory Definition of HIB

“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, c.122 (C.18A:37-15.3), that **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, 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.”

Breaking it Down: The conduct must meet all of the following criteria...

It is one or more acts;

That occurs on school property, on a school bus, at a school-sponsored function, or off school grounds but has a nexus with the school;

In the form of written, verbal, or electronic communication, or a physical act;

That is "reasonably perceived" as being motivated by an actual or *perceived* characteristic or other distinguishing characteristic;

Which substantially disrupts or interferes with the operation of the school or the rights of other students;

AND...

The conduct must *also* meet one of the following criteria...

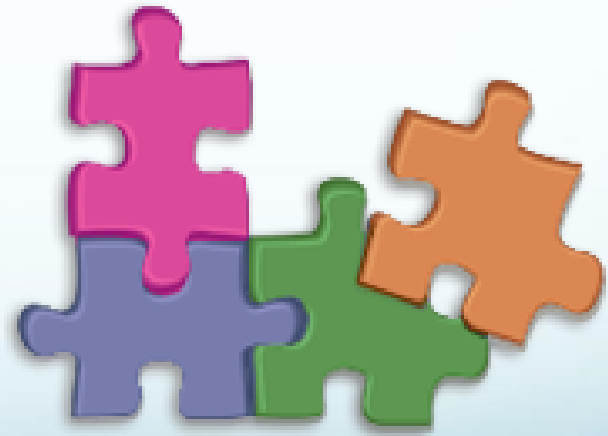
A reasonable person should know it would **physically or emotionally harm** a student, damage a student's property, or place a student in reasonable fear of such;

It **insults or demeans** a student; or,

It creates a **hostile educational environment** by interfering with a student's education, or by severely or pervasively causing physical or emotional harm to a student.

Roles/Responsibilities:

- District Anti-Bullying Coordinator (ABC)
- School Anti-Bullying Specialists (ABS)
- Principal
- School Safety Teams
- Board of Education
- District Superintendent



Anti-Bullying Coordinator (Dr. McCartney)

- Assists with the development and use of policies and procedures including investigation process.
- Coordinates and facilitates training related to HIB for all staff.
- Coordinates data collection and monitoring data trends, progress.
- Supports building specialists.

District Superintendent

- Receive investigation report from school Principals.
- Provide Board of Education with information regarding all HIB investigations.
- Report 2 times a year to BOE on district HIB data and trends.
- Provide information and data to the NJDOE.
- Post district and school grades once received from NJDOE.

Principal

- Principal's discretion
- Receives all verbal and written reports of HIB.
- Coordinates investigation with school Anti-Bullying Specialist.
- Makes parental contact at the start and conclusion of the investigation.
- Monitors completion of investigation within 10 school days of the report.
- Ensures investigation results/report is provided to the Superintendent within 2 school days following completion of the investigation.

Anti-Bullying Specialists

(Lauri Favreau & Danielle Samuels)

- Conducts all investigations of alleged HIB incidents.
- Assists the Principal in determining remedial actions and consequences to take place for HIB incidents.
- Chairs the School Safety Team.

School Safety Team (SST)

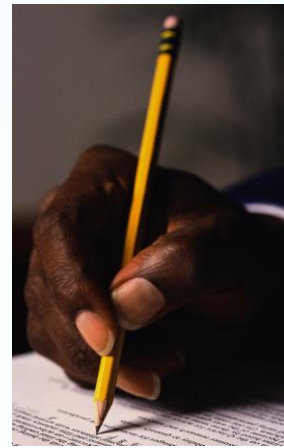
- Comprised of school Principal, ABS, a school teacher, a parent of a student, and any other members as appointed by the principal.
- Develop, foster, and maintain a positive school climate by focusing on the ongoing, and systemic practices in the school addressing climate issues such as HIB.
- Identify and address patterns of HIB in the school.*
- Review and strengthen the school climate and the policies of the school in order to prevent HIB of students.
- Completes yearly HIB Self-Assessment grade for District

*Parent serving on SST will not participate so as not to compromise student confidentiality.

Board of Education

- Board of Education (BOE) will develop, adopt, and publicize a HIB policy for their district that includes: definition, student expectations, consequences and remediation, reporting procedures, and investigation process.
- Annually review district HIB policy.
- Receive information on all HIB investigations from Superintendent/Principal.

Investigation Process



All acts of HIB must be reported...

- To the school principal
 - Verbally on the same day and
 - In writing within two school days
- If the Principal determines that the allegations meet the HIB threshold (Principal's discretion), then an investigation must be initiated within one school day of the report.
- The investigation shall be completed no later than ten school days from the date of the written report.
- The results of the investigation shall be reported to the Board no later than the next scheduled Board meeting after the investigation has been completed.

Post Investigation

- A parent may request a hearing before the Board within 60 calendar days of receiving the written information about the investigation.
 - If a hearing is requested, the hearing shall be held within 10 days of the request.
- At the next Board meeting following its receipt of the investigation results or following a hearing, the Board shall issue a written decision to affirm, reject, or modify the Superintendent's decision
- The parent may appeal the Board's decision to the Commissioner of Education no later than 90 days after the issuance of the Board's decision.
- The parent may also file a complaint with the Division on Civil Rights within 180 days of any act of HIB *if the child falls within a protected class* under the New Jersey Law Against Discrimination.

Questions?

