

Harassment, Intimidation, & Bullying Prevention Training Program EXECUTIVE SUMMARY OF HIB POLICY

A. Policy Statement

Districts must include a statement in their Policy prohibiting acts of harassment, intimidation, or bullying of a pupil.

B. Harassment, Intimidation, and Bullying Definition

1. "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:
 - a. Is reasonably perceived as being motivated 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
 - b. By any other distinguishing characteristic; and that
 - c. 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. 37-15.3, that substantially disrupts or interferes with the orderly operation of the school or the rights of other pupils; and that
 - d. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
 - e. Has the effect of insulting or demeaning any pupil or group of pupils; or
 - f. Creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

C. Pupil Expectations

1. Districts must include a description of the type of behavior expected from each pupil in a Board approved Code of Pupil Conduct.
2. Districts must involve a broad base of school and community involvement in the development of a Harassment, Intimidation and Bullying Policy.

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D. Consequences and Appropriate Remedial Measures

1. Districts must list the factors for determining consequences and remedial measures for a person who commits an act of harassment, intimidation, and bullying.
2. Districts must develop and list appropriate consequences and remedial measures for a person who commits an act of harassment, intimidation, and bullying.

E. Harassment, Intimidation, and Bullying Off School Grounds

1. The Policy and the Code of Pupil Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds when:
 - a. The alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other pupils; and either
 - b. A reasonable person should know, under the circumstances, that the alleged behavior will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
 - c. The alleged behavior has the effect of insulting or demeaning any pupil or group of pupils; or
 - d. The alleged behavior creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

F. Harassment, Intimidation, and Bullying Reporting Procedure

1. A Board member, school employee, contracted service provider, pupil, or volunteer who has witnessed or has reliable information that a pupil has been subject to harassment, intimidation, and bullying must report the incident to the appropriate school official designated by the district's policy or to any school administrator or Safe Schools Resource Officer, who must immediately initiate the district's investigation procedures.
2. A Board member or school employee is immune from a cause of action for damages arising from any failure to remedy the reported incident.

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3. A school administrator who receives a report of harassment, intimidation, and bullying from a district employee and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, and bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, and bullying may be subject to disciplinary action.

G. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety Team(s)

1. The Superintendent must appoint a district Anti-Bullying Coordinator who has certain statutory responsibilities.
2. The Principal in each school must appoint a school Anti-Bullying Specialist who has certain statutory responsibilities.
3. The district must form a School Safety Team in each school with certain statutory responsibilities.

H. Harassment, Intimidation, and Bullying Investigation

1. The investigation into each report of alleged harassment, intimidation and bullying shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident, but conducted by the school Anti-Bullying Specialist, who is appointed by the Principal.
2. The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the alleged incident of harassment, intimidation, and bullying.
3. The Principal shall proceed based on the investigation findings and the report shall be submitted to the Superintendent within two school days of the completion of the investigation.
4. The Superintendent shall ensure the Code of Pupil Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, or take or recommend other appropriate action, as necessary.
5. The Superintendent shall report the results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation.
6. Parents of pupils who are parties to the investigation shall be provided in writing with information about the investigation within five school days after the results are reported to the Board of Education.

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7. A parent may request a hearing before the Board of Education after receiving the information.
8. At the regularly scheduled Board of Education meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision.
9. The Board's decision may be appealed to the Commissioner of Education.
10. A parent, pupil, legal guardian, or organization may file a complaint with the Division of Civil Rights based on membership in a protected group as enumerated in the "Law Against Discrimination".

I. Range of Responses to an Incident of Harassment, Intimidation, and Bullying

The Board shall authorize the Principal, in consultation with the school Anti-Bullying Specialist, to identify the range of ways in which a school will respond once an harassment, intimidation, and bullying incident is identified.

J. Reprisal or Retaliation Prohibited

A Board member, school employee, pupil, or volunteer is prohibited from engaging in reprisal or retaliation against a victim, witness, one with reliable information, or any person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The district shall develop a list consequences and appropriate remedial actions.

K. Consequences and Appropriate Remedial Action for False Accusation

The district shall develop and list consequences and appropriate remedial action for a person found to have falsely accused another as a means of retaliation or as a means of harassment, intimidation, and bullying.

L. Harassment, Intimidation, and Bullying Policy Publication and Dissemination

1. The Harassment, Intimidation, and Bullying Policy must be disseminated annually to all school employees, contracted service providers who have contact with pupils, school volunteers, pupils, and parents who have children enrolled in the school in the district, including a statement explaining the Policy applies to all acts of harassment, intimidation, and bullying that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.
2. Notice of the Harassment, Intimidation, and Bullying Policy must appear in any publication of the district that sets forth the rules, procedures and standards of pupil conduct and in any pupil handbook.

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3. Districts must develop a process for discussing the district's Harassment, Intimidation, and Bullying Policy with pupils.
4. A link to the district's Harassment, Intimidation, and Bullying Policy must be prominently displayed on the homepage of the school district's website.
5. Districts will notify pupils and parents the Harassment, Intimidation, and Bullying Policy is available on the school district's website.
6. Districts shall post the required information for the district Anti-Bullying Coordinator and the Anti-Bullying Specialists on the designated district websites.

M. Harassment, Intimidation, and Bullying Training and Prevention Programs

1. Districts must annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying and other initiatives in consultation with school staff, pupils, administrators, volunteers, parents, law enforcement, and community members.
2. Districts must provide training on the Harassment, Intimidation, and Bullying Policy to school employees, contracted service providers, and volunteers.
3. Teachers shall complete at least two hours of instruction in harassment, intimidation, and bullying prevention as part of the professional development requirement.
4. The required two hours of suicide prevention instruction for teachers shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying.
5. Board members shall be required to complete a training program on harassment, intimidation, and bullying.
6. Districts must annually observe a "Week of Respect", beginning with the first Monday in October.

N. Harassment, Intimidation, and Bullying Policy Re-evaluation, Reassessment, and Review

Districts must annually conduct a re-evaluation, reassessment, and review of their Harassment, Intimidation, and Bullying Policy including input from the school Anti-Bullying Specialist and revise as necessary.

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O. Reports to Board of Education and New Jersey Department of Education

1. The Superintendent shall report two times each school year at a public hearing all acts of harassment, intimidation, and bullying. The information shall also be reported to the New Jersey Department of Education.
2. The information reported to the Department of Education shall be used to grade each school in a school district and each district. The grade shall be posted on the appropriate district websites. A link to the report shall be available on the district website within ten days of receipt of the grade.

P. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and must be reported to law enforcement in accordance with the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

Q. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date, January 5, 2011.

R. Pupils with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a pupil with a disability with regard to disciplinary actions or to general or special education services and supports.