

## **HIB Procedural Fact Sheet for Parents**

### **Definition of HIB – Harassment, Intimidation and Bullying from the Anti-Bullying Bill of Rights Act (P.L.2010, c122)**

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

- 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 by any other distinguishing characteristic

**AND**

- Takes place on school property, at any school-sponsored function or off school grounds as provided for in section 16 of P.L. 2010, c122

**AND**

- Substantially disrupts or interferes with the orderly operation of the school or the rights of other students

**AND THAT**

- 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;

**OR**

- Has the effect of insulting or demeaning any student or group of students;

**OR**

- 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.

### **Conflict vs. bullying**

Bullying is not a conflict between 2 students or among groups of students. Conflict is a mutually competitive or opposing action or engagement, including a disagreement, an argument or a fight which is a normal part of human development. Bullying is one-sided, where one or more students are victims of one or more person's aggression, which is intended to physically or emotionally hurt the victim(s).

### **Procedural Timelines**

1. Teacher / student makes an initial report to the principal regarding an incident on the day it happens or the day they become aware of the incident.
2. Within 2 school days of the oral report a written report of the incident is submitted.
3. Within 1 school day of the report the principal will initiate the investigation, which must be conducted by the school anti-bullying specialist.

4. The anti-bullying specialist has 10 school days from the date of the written report in which to complete the investigation, including the student interviews.
5. Upon completion it is signed by the principal and must be forwarded to the superintendent within 2 school days.
6. The superintendent reviews the HIB report and may agree or disagree with the findings. She has the authority to overrule the conclusion of the report.
7. The superintendent must report the results of the investigation to the Board of Education at the next regular meeting. In addition to the incident and findings she reports any consequences imposed or services provided. They must agree or disagree with the findings and issue a decision in writing.

### **Parent Notification**

- Parents are notified when a HIB has been reported involving their child. The identity of the other students involved is not disclosed nor the specifics of the allegations.
- If disciplinary consequences are to be assigned, they will be applied according to the Piscataway Code of Conduct. This may be handled separate from the HIB investigation by the appropriate administrator.
- Parents will receive written notification of the decision from the Board of Education within 5 days of the meeting. Parents are not entitled to view any HIB-related documentation that would violate student records and student privacy laws and regulations. Information provided will include the nature of the investigation, whether the district found evidence of HIB and if discipline was imposed or services provided to address the HIB incident.
- Upon receiving the written report from the Board of Education, the parent may request a hearing before the Board of Education. If dissatisfied with the Board of Education's determination following a hearing, a parent may appeal the determination to the Commissioner of Education under procedures set forth in the New Jersey Administrative Code Title 6A:3.