

HIB Handbook

HIB - Harassment, Intimidation and Bullying

Policies and Procedures

North Wildwood School District

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Harassment, Intimidation and Bullying Policy Statement

The North Wildwood School District prohibits acts of harassment, intimidation or bullying of a student. A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. Since students 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.

For the purposes of this Policy, the term "parent," pursuant to the N.J.A.C. 6 A: 16-1.3, means the natural parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

Definition of Harassment, Intimidation, or Bullying

"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:

1. Is reasonably perceived as being motivated by either 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.
2. 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. 18A:37-15.3;
3. 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, that the act(s) 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 their person or damage to their property; or

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.

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Definition of Harassment, Intimidation and Bullying

Types of Behaviors include:

- Any gesture
- Any written, verbal or physical act
- Any electronic communication
- Can be a single incident or series of incidents

Motivation for HIB behavior:

- Any actual or perceived characteristic
- Examples: race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, mental/physical/sensory disability or any other distinguishing characteristic(s)

Location of Incident:

- On school property
- At school sponsored function
- On a school bus
- Off school grounds (including cyberspace)

Must meet with one of the following conditions in addition to causing substantial disruption or interference:

- Has the effect of insulting or demeaning student or a group of students
- Creates a hostile environment for the student by interfering with the educational process
- Severely or pervasively causing physical or emotional harm to students

Types of Bullying Behaviors

Understanding **Different Types of Bullying Behavior Bullying** can occur in many ways.

Bullying can be **Direct** ("face to face") or **Indirect** ("behind someone's back).

The type of bullying can affect the way parents describe or approach their child or a school about a bullying incident. Generally, there are four types of bullying behaviors:

- **Verbal** – Includes name calling, taunting, constant teasing or making threats
- **Physical** – Includes hitting, punching, shoving, spitting, or taking or damaging personal belongings
- **Emotional** – Includes spreading rumors, purposefully keeping people from activities and breaking up friendships or other relationships
- **Electronic** or **cyber bullying** – Includes using the internet, mobile phone or other electronic equipment to intentionally harm others.

Conflicts vs. Bullying

During a conflict, name-calling, threats, and other conduct that might look like bullying can occur. However, conflict and bullying are very different. Unlike bullying, during conflict people are equally involved in some type of disagreement.

Conflict is considered mutual, meaning everyone is evenly involved.

Bullying, on the other hand, involves one or several people (the bullies) intentionally committing a mean or violent act against another person(s) or group of people (the victims)

Students with Disabilities

Judicial decisions and federal guidance concerning bullying and students with disabilities have focused primarily on the rights of students with disabilities who are on the receiving end of the harmful conduct. However, there are a range of situations in which districts must consider the rights of students who engage in behavior that may constitute bullying under the IDEA, the ADA, and Section 504. This includes students who have been identified under the IDEA as well as those suspected of having a disability and needing special education and related services.

Discipline Under Section 504 and IDEA

Discipline and Special Education is another area where the right procedures are critical to student success and state and federal compliance and is often an intersection of Special Education and Discipline.

Disabilities can influence school discipline and behavior, although it's important to be careful not to automatically attribute all behavioral issues to a disability. Here are some ways student behavior may be impacted by a student's disability:

- **Emotional and Behavioral Disorders:** Some students have disabilities that specifically impact their behavior. For example, students with Oppositional Defiant Disorder (ODD) or Conduct Disorder (CD) may exhibit disruptive, defiant, or aggressive behaviors.
- **Impulsivity and Hyperactivity**: Students with Attention-Deficit/Hyperactivity Disorder (ADHD) might struggle with impulsivity, hyperactivity, or inattention, which can sometimes lead to disciplinary issues if not properly managed.
- **Communication Disorders:** Students with speech and language impairments might struggle to communicate effectively, which can lead to frustration and potentially challenging behavior.
- **Autism Spectrum Disorders (ASD):** Students with ASD might have difficulties with social interactions and communication, which could be interpreted as misbehavior. They may also have a hard time coping with changes in routine or sensory overload, leading to outbursts or other challenging behaviors.
- **Learning Disabilities:** Students with learning disabilities might exhibit behavior problems out of frustration or as a way to avoid tasks that are difficult for them.
- **Mental Health Issues:** Students with conditions like anxiety or depression might exhibit behaviors such as withdrawal, inattentiveness, or acting out, which could potentially lead to disciplinary issues.

In many cases, these behaviors are not intentional acts of defiance, but rather **manifestations of the student's disability**. This is why it's critical for educators to be aware of a student's disabilities and to have strategies in place to address behavioral challenges appropriately.

Addressing bullying behavior in the IEP

- Regardless of whether the behavior constitutes bullying, the IDEA implementing regulations provide that if a student's behavior impedes his learning, the IEP team must consider the use of positive behavioral interventions and supports and other strategies to address the behavior. 34 CFR 300.324 (a)(2)(i).
- If a student who engaged in bullying behavior is a student with a disability, the IEP team should review the student's IEP to determine if additional support and services are needed to address the inappropriate behavior. "In addition, the IEP Team and other school personnel should consider examining the environment in which the bullying occurred to determine if changes to the environment are warranted." *Dear Colleague Letter*, 61 IDELR 263 (OSERS/OSEP 2013).

Additional Resources:

US Department of Education: Effective Evidence-Based Practices for bulling: http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/bullyingdclenclosure-8-20-13.pdf

Office of Civil Rights, Prohibited Disability Harassment letter (2000) and (2010): http://www2.ed.gov/about/offices/list/ocr/docs/disabharassltr.html http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.html

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Implementation of the HIB Legislation

Anti-Bullying Assignments

- Establishment of a District Anti-Bullying Coordinator
- Establishment of Anti-Bullying Specialists in each school
- Establishment of School Safety Team

New Investigation Procedures

- Detailed, specific timelines
- Verbal reports must be made to the **Principal/Anti-Bulling Specialist** on the **same day incident occurs**
- Follow-up written report must be completed within **two (2) school days** of verbal report; written by whoever reports the incident
- **Principal/Anti-Bullying Specialist** must initiate investigation within **one (1) school day** of receiving verbal report
- **Principal/Anti-Bullying Specialist** must contact parents/guardians and inform them about incident within one **(1) school day** of receiving verbal report
- Investigation must be conducted by **Anti-Bullying Specialist**
- **Principal** may appoint others to assist
- Investigation must be completed as soon as possible; no later than ten **(10) school days** from date of written report
- **Principal/Anti -Bullying** Specialist must give report to Superintendent within **two (2) school days** of completing the investigation
- **Superintendent,** in collaboration with principal, must decide actions to be taken:
    - Intervention services
    - Training programs
        - Impose discipline
        - Order counseling
    - **Superintendent** reports results of the investigation to the Board of Education at the first Board meeting following completion of the investigation

Due Process Rights for Alleged Accused and Alleged Victim(s)

- Parents of all parties involved have the right to receive information – includes parents of alleged victim and alleged bully (report includes allegations and findings)
- District must provide information to both parties within five **(5) school days** after the results of the investigation were reported to the board
- Parents may request a hearing of the board after receiving information; hearing of the board must be provided within ten **(10) school days** of the request
- Board must issue a decision in writing at the first Board meeting following the receipt of the report
- Parents of alleged victim may separately file a complaint with the NJ Division on Civil Rights within **180 calendar days** of alleged incident
- Parents may also file in Superior Court

Anti Bullying Team

- North Wildwood Board of Education
- Mr. Jonathan Price - Superintendent of Schools
- Mrs. Carolyn Morey - (Principal) Supervisor of Pupil Personnel/Supervisor of Child Study Team
- Ms. Michelle Shaw - District Anti-Bullying Coordinator
- Ms. Alison Dardine - Anti Bullying Specialist
- School Safety Team- Members include Principal, Anti-Bullying Specialist, Teacher and a Parent

Anti-Bullying Coordinator Responsibilities

- Be responsible for coordinating and strengthening the school district's policies to prevent, identify and address harassment, intimidation or bullying of students

- Collaborate with Anti-Bullying Specialists in the district, the Board of Education and the Superintendent to prevent, identify and respond to Harassment intimidation or bullying of students in the district

- Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation or bullying of students

- Execute such other duties related to school harassment, intimidation or bullying as requested by the Superintendent

- Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify and address harassment, intimidation and bullying in the district

Principal Responsibilities

- Initiate the investigation by the Anti-Bullying Specialist
- Contact parent(s)/guardian(s) to inform them of the incident
- Keep abreast of the situation
- Keep in close contact with the Anti-Bullying Specialist; update them with current information
- May appoint others to assist the Anti-Bullying Specialist as needed
- In conjunction with the Anti-Bullying Specialist, shall determine the "range" of ways to address the incidents of harassing and/or bullying behavior – this may include training, discipline actions, counseling or intervention programs
- Be an active participant in the School Safety Team
- Proceed in accordance with the Student Code of Conduct
- Submit appropriate reports to the Superintendent
- Provide training on the School HIB Policy to employees, contracted service providers and volunteers who have significant contact with students
- Shall annually conduct a reevaluation, reassessment and review of the HIB Policy with input from the School's Anti-Bullying Specialist, and recommend revisions and additions to the Policy as well as to harassment, intimidation and bullying prevention programs and approaches based on findings from the evaluation, reassessment and review
- Post the name, school phone number, address and school e-mail address of the School Anti-Bullying Specialist

Anti-Bullying Specialist Responsibilities

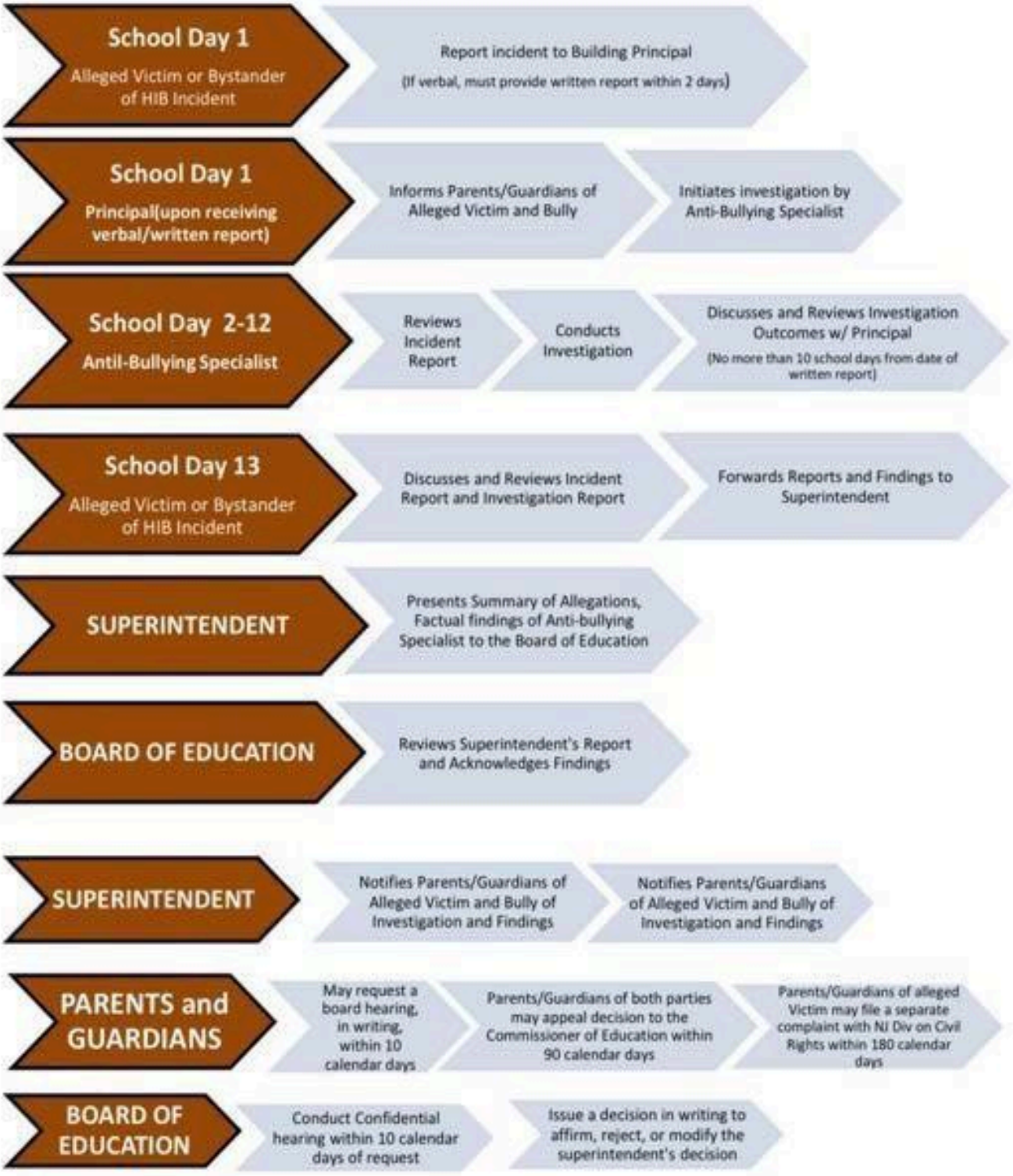
- Chair the School Safety Team as provided in N.J.S.A. 18A:37-21
- Lead the investigation of incidents of harassment, intimidation or bullying in the school
- Act as the primary school official responsible for preventing, identifying and addressing incidents of harassment, intimidation or bullying in the school
- Execute other duties related to school harassment, intimidation or bullying as requested by the principal and/or the Anti-Bullying Coordinator
- Meet at least twice a year with the school Anti-Bullying Coordinator to discuss and strengthen procedures and policies to prevent, identify and address harassment, intimidation and bullying in the district

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School Safety Team Responsibilities

- Receive any complaints of harassment, intimidation or bullying of pupils that have been reported to the principal
- Receive copies of any report prepared after an investigation of an incident of harassment, intimidation or bullying
- Identify and address patterns of harassment, intimidation or bullying in the school
- Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation or bullying of students
- Educate the community, including students, teachers, administrative staff and parents to prevent and address harassment, intimidation of bullying of students
- Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request
- Collaborate with the District Anti-Bullying Coordinator in the collection of district wide data and in the development of district policies to prevent and address harassment, intimidation or bullying of pupils
- Execute such other duties related to harassment, intimidation or bullying as requested by the Principal or District Anti-Bullying Coordinator

Investigation Flowchart



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HIB REPORTING – CRITERIA CHECKLIST

Criteria for determining HIB according to the Anti-Bullying Bill of Rights Act (each of the 3 Criteria must be met):

Criteria 1	**YES**	**NO**
Did this incident (s) exploit one of the following protected categories (Please check all categories that apply)		
-Race		
-Color		
-Religion		
-Ancestry		
-Origin		
-Gender Identity and Expression		
-Disability		
-Other (explain)		

AND		
Criteria 2	**YES**	**NO**
Did the behavior substantially disrupt or interfere with the orderly operation of the school or the rights of other students?		

AND		
Criteria 3	**YES**	**NO**
(a) A reasonable person should have the knowledge under the circumstances that the behavior,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/her person or damage to his/her property.		
AND/OR		
(b) The behavior has the effect of insulting or demeaning any student or students. (c) Does behavior create a hostile educational environment for the students by interfering with a student's education or by severely or pervasively causing physical or emotional harm.		

HIB 338 Form Harassment, Intimidation, or Bullying (HIB) Reporting Form – Website		

HIB District Contacts

Michelle Shaw, **Anti-Bullying Coordinator –** 609-522-1454 **x 649 –** mshaw@mmace.com

Alison Dardine, **Anti-Bullying Specialist -** 609-522-1454 **x 646 -** adardine@mmace.com

Additional Resources

- **Centers for Disease Control and Prevention: Violence Prevention**
- **Collaborative for Academic, Social, and Emotional Learning (CASEL)**
- **PACER's National Bullying Prevention Center: Information for Parents webpage**
- **SAMHSA: For Parents and Caregivers of Children**
- **StopBullying.gov**
- **Very Well: Protecting Your Child From Bullying in School**

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Student Harassment, Intimidation and Bullying (HIB)

Contract Parent/Guardian Agreement

Student's Name: _____ **Grade:** _____
(Print) (Current)

Parent/Guardian Name: _____
(Print)

Directions: Please read the Parent/Guardian HIB Handbook and the District Harassment, Intimidation and Bullying Policy. Discuss the contents with your child. This agreement is in partnership with the North Wildwood District's Harassment, Intimidation and Bullying Policy, which can be found on the school district's webpage under HIB (www.mmace.com).

Parent/Guardian: By signing below, I certify that:

- I have read the Harassment, Intimidation and Bullying Policy and Regulations 5512 and understand their significance
- I have discussed the policy, regulations and handbook with my child
- I understand the Harassment, Intimidation and Bullying Policy will be fully enforced in all schools in the district
- I understand how to report an incident of Harassment, Intimidation and Bullying and the process that needs to be followed
- I understand the Due Process Rights for All Accused and Alleged Victim(s)

Parent/Guardian Name **Signature** **Date**

- **Student: By signing below I certify that:**

- I have read the Harassment, Intimidation and Bullying Policy, Regulations and Handbook or have them had read to me and understand their significance
- I have discussed the Harassment, Intimidation and Bullying Policy, Regulations and Handbook with my parents/guardians
- I understand and agree to abide by the rules stated in the Harassment, Intimidation and Bullying Policy, Regulations and Handbook
- I know that if I am an offender of harassment, intimidation or bullying and violate this contract disciplinary actions listed in the policy may be taken against me

Student Name **Signature** **Date**