

HIB Law
&
The Anti-Bullying Program in the
The Newgrange School

Newgrange School

An extraordinary place to learn



What is HIB?

"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**, that;
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 his/her person or damage to his/her 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.

Cyber Harassment

Recently approved legislation, P.L. 2021, c.388 - S1790 ctd.

- If student commits crime of "**cyber harassment**" the law creates option for municipal court to order that a minor, under age 16, along with parent or guardian, attend a class or training related to cyber-harassment
- The parent or guardian may be fined up to \$100 for a first offense; up to \$500 for subsequent offenses for failing to comply with court order
- The parent or guardian can be liable in a civil action if parent demonstrates willful or wanton disregard in the exercise of supervision of a minor (related to cyber harassment)

Examples of Distinguishing Characteristics

Race/ Ethnicity/ Religion

Skin color, culture, family background, language, religious beliefs and practices

Disability

Academic, Athletic, Physical, or Mental

Physical Appearance

Comments about height, weight, clothing, appearance

Sexual Orientation

A person who identifies as LGBTQ+

Socioeconomic Status

Comments about financial status, clothing, location, appearance, materials

Gender Identity

A person who may identify as another pronoun

The Investigation Process

Initial Report

An initial report is made verbally to the Principal on the same day. A [formal report](#) is given by the next day. All parents are contacted by the Administrator on the same day.

Conclusion

After interviews, the Anti-Bullying Specialist and Principal consult and determine if the incident falls under HIB. Remedial measures and consequences are put into place. The final report is shared with the CEO/Principal (Mr. Sheeley) who makes the final decision.

Investigation

The Anti-Bullying Specialist will interview all students to discuss the report and take a formal assessment. This includes the alleged victims, accused students, and witnesses.

There are 10 days to complete this.

Follow-Up

The report goes to the Board, Parents receive notification of results. Parents may contest the results if they choose within 60 days. Remedial measures continue to be implemented over time.

Anti-Bullying Specialist Role

- **Leads HIB Investigations, interviewing all involved parties**
- **Works with students; both the accused and the victims, to provide support, remedial measures, and restorative practices.**
- **Develops a School Safety Team** (with staff, community members, school leaders, parents, and a student) that meets minimally 2 times a year, that discusses:
 1. Trends/Patterns of HIB and recent reports
 2. Ideas to address HIB patterns/trends
 3. Development of anti-bullying programs and school climate initiatives
 4. Agenda for each meeting & an action plan
- **Coordinates activities for the Week of Respect**
- **Identifies needs for anti-bullying programs and initiatives:** Speakers, SEL activities, HIB instruction, School-wide initiatives, small group and individual counseling to address bullying issues

Remedial Measures & Consequences

Remedial Measures	Consequences
Individual Counseling	Conference with Administration
Group Counseling	Detentions/Lunch Detentions
Classroom lessons	Suspensions (multiple offenses)
Conflict resolution (for non-HIB cases)	Schedule changes/student separation
Social-emotional learning	Student Intervention Plan / Review of Placement

- **Consequences are paired with remedial measures** to implement reflection opportunities and restorative practices.

Bullying vs. Conflict

Not all incidents are confirmed HIBs. Sometimes there are ongoing conflicts between students. It is important to understand the difference between HIB, bullying, and conflict.

Bullying

- One-sided
- Imbalance of power
- No back and forth
- Emotional/physical harm towards victim
- No remorse or empathy
- Does not try to solve issue

vs.

Conflict

- Mutual, two-sided
- Disagreement, argument, fight
- Sometimes name-calling which can resemble HIB characteristics, but if both parties are involved then it would be conflict
- Tries to resolve the issue

Preventing HIBs

- Create building and classroom **social norms** that reflect kindness, respect, acceptance, and empathy.
- Promote and reflect the **character education initiatives** such as the Griffin PRIDE and LEGEND awards.
- Encourage “**Upstander**” behavior, and teach students to say something if they see something.
- **Communication** with key stakeholders when there are potential issues to discuss course of action
- Development and maintenance of school-wide initiatives on **character education, social-emotional learning**, and **HIB instruction**
- Keep **ongoing and open communication** in the school building and use opportunities for **teachable moments** with students.
- **Educate students, parents, and staff** through programs and workshops on the HIB law, bullying, kindness, respect, and prevention
- **School-wide theme weeks** and **activities, lessons** and **presentations**
- **School Climate Team / School Safety Team**

Building Initiatives at Newgrange

- Social Strides Program
- Teacher reporting conflicts
- Health/PE Lessons
- Training for teachers, staff, and students.
- Student Recognition Program
- Conflict resolution (Counseling sessions, communicating with families)

Scenario # 1

Paul, a student with a disability, and Rich, a general education student, both sophomores, were punching each other in the hallway when the wrestling coach ordered the boys to break it up. When they did not stop, the coach stepped between the boys in an attempt to stop the fight, and Paul struck him on the side of the head. Horrified that he struck the coach, Paul immediately stopped punching and apologized many times.

What are you reporting?

Could this meet the criteria for HIB?

Scenario # 1

Reporting

Report the incident as a Fight. Additionally, since Paul acted recklessly and injured the coach, also report this as an Assault with the coach as the victim.

The student that struck the coach was not aware of the coach's presence.

Considerations

The boys mutually engaged in a physical confrontation. The fact that Paul did not stop after the coach intervened was reckless and caused an injury to the coach.

Even though one of the students has a disability, it does not mean the fight was due to this perceived characteristic.



Scenario #2

As Mike was walking out of the boys' bathroom, Steven made a derogatory comment in reference to Mike's religious background and also made a derogatory gesture with his hand. Mike became angry and forcefully punched Steven in the stomach. A teacher approached just as the punch was thrown.

What are you reporting?

Could this meet the criteria for HIB?

Scenario # 2

Reporting

Mike purposely attempted to cause bodily injury to Steven.

Steven's comments about Mike's religion and Mike's reaction to them indicate that the incident was motivated by bias. Steven's statement and gesture also alarmed or harmed Mike.

Considerations

Report the incident as an Assault with Steven as victim.

Report the incident as an Assault with Steven as victim. If the investigation reveals the incident was motivated by an actual or perceived characteristic related to Mike's religion and had the effect of insulting or demeaning Mike and the decision was affirmed, Report a HIB with Steven as the offender and Mike as the victim.

Scenario #3

Jordan was waiting in the hallway for his teacher and a Andy taps him on the shoulder. He begins to make fun of his test score from Math class and makes comments about him having a low IQ. This affects Jordan for weeks to come because it keeps happening.

What are you reporting?

Could this meet the criteria for HIB?

Scenario # 3

Reporting

Violating the school Code of Student Conduct

Report as HIB with Jordan as the victim and Andy as the offender.

This would warrant a HIB investigation.

Considerations

Jordan is being affected by this and it is impacting the educational environment.

Repeated

It's a clear perceived characteristic.



Thank you!

If you have any questions or would like additional information, please reach out to Mr. Chis: gchisluca@thenewgrange.org