



# Understanding and Applying the Anti-Bullying Bill of Rights (ABR)

Guidance on the Functions of District Anti-Bullying  
Coordinators, School Anti-Bullying Specialists

*P.L.2010, c.122*



*New Jersey*  
LEGISLATURE



# Purpose of the ABR

**Improve harassment, intimidation & bullying (HIB) laws adopted in 2002; amended in 2007 & 2008 by:**

- Establishing clearer standards for the definition of HIB;
- Clarifying and strengthening standards on preventing, reporting, investigating and responding to HIB incidents that occur on school grounds\* and off school grounds;
- Using existing resources to increase school safety; and
- Reducing the risk of suicide.

**Consult the NJDOE Website below for comprehensive documents on the new law.**

<http://www.state.nj.us/education/students/safety/behavior/hib/#si>

# Definition of “School Grounds”

*“School grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.*

*\*Underlines added.*

# Reasons for the ABR

## **Significant Recent Research Since the Original 2002 NJ Anti-Bullying Law**

### **2009 U.S. Departments of Justice and Education Study:**

- 32% of the students ages 12 through 18 were bullied in the previous year.
- 25% of reporting schools indicated bullying was a daily or weekly problem.

# Reasons for the ABR, cont.

## **2009 “Youth Risk Behavior Surveillance” US Center for Disease Prevention and Control:**

- Percentage of students bullied in NJ is 1% higher than the national median.

# Bullying: Learned Behavior

Research clearly indicates bullying is learned behavior and detrimental to the academic, physical, social and emotional development of all involved – bullies, targets and the bystanders who witness it .... A wave of recent bullying incidents with tragic outcomes has shed a renewed light on this issue. The advent of technology allowing for impulsive, anonymous and rapid communication, has expanded the opportunities for bullying to a degree that necessitates more innovative and immediate responses than ever before.

**Source:** *DuPage County Anti-Bullying Task Force Model Bullying Policy (2011).*

**Overarching GOAL of ABR: To develop and sustain safe, supportive and civil schools in which HIB does not occur.**

**In this session we will help you reach this goal through:**

1. Explanations of school and district responsibilities under the ABR to help you comply with the law, and
2. Information on short-and long-term practices for HIB prevention.



# Learning Outcomes for the Session

**Understand the provisions of the ABR, including the requirements for:**

- *Board of Education, Chief School Administrator, Principal, Anti-Bullying Coordinator, Anti-Bullying Specialist, School Safety Team and Parents;*
- *HIB policies and procedures;*
- *Reporting, investigating and remediating HIB incidents; and*
- *In-Service training, HIB programs and data collection and reporting.*

**Understand best practices for HIB prevention and intervention, including:**

- *Comprehensive programming for HIB prevention, intervention and remediation;*
- *School culture and climate improvement;*
- *Proactive and practical uses of data; and*
- *Action planning.*



# Putting ALL the ABR Pieces Together

**A COMPREHENSIVE HIB  
PROGRAM: 5 COMPONENTS**



# Build on Existing Initiatives

***Review existing HIB components and amend or add to them to achieve the goal.***

*For example, based on a review of the law, extend or build upon:*

- ❑ HIB Policy and Code of Student Conduct;
- ❑ HIB Prevention Program, Approach or Other Initiative;
- ❑ School Climate Committee, PLC or Other Group;
- ❑ HIB Training for Staff; and
- ❑ HIB Discussions with Students.

# Build on Existing Initiatives, cont.

- ❑ HIB/Violence Reporting and Data Collection Systems (e.g., EVVRS)
- ❑ Investigative Procedures
- ❑ Web Postings
- ❑ Board of Education Proceedings
- ❑ Mechanisms for Consulting with Community Partners
- ❑ Other

# ABR Consistent with Previous HIB Law

**The ABR primarily adds to, rather than repeals or changes, most requirements districts have been observing since 2002, with three main exceptions:**

## **HIB Investigations**

- New Law - Anti-bullying specialist (ABS) conducts in coordination with the principal.
- Previous Law – Principal conducted.

## **Range of Responses**

- New Law - Principal, in cooperation with the ABS, determines the responses to be implemented, as appropriate to the situation, that have been established by the board of education (BOE).
- Previous Law - The BOE established the range of responses.

## **HIB Off School Grounds**

- New Law - Required under specified HIB conditions.
- Previous Law – Permitted, not required.

# HIB Interpretations

- There is no one answer that can be applied to each HIB case, since each case is fact specific.
- A review of various court cases reflects the unpredictability of court rulings on challenges involving school responses to HIB and free speech.
- The presenters are not attorneys and the NJDOE cannot provide legal advice on specific cases or possible scenarios.

# ABR Definition of HIB

HIB means any gesture, any written, verbal or physical act, or any electronic communication, ***whether it be a single incident or series of incidents***<sup>\*</sup>, 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,
- takes place on school property, at any school-sponsored function, ***or off school grounds as provided for in section 16 of P.L. 2010, c 122,***
- ***substantially disrupts or interferes with the orderly operation of the school or the rights of other students, and that:***

<sup>\*</sup>***Bold italics print indicates changes from previous law.***

## ABR Definition of HIB, cont.

- 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;
- 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.***

# Points on ABR Definition of HIB

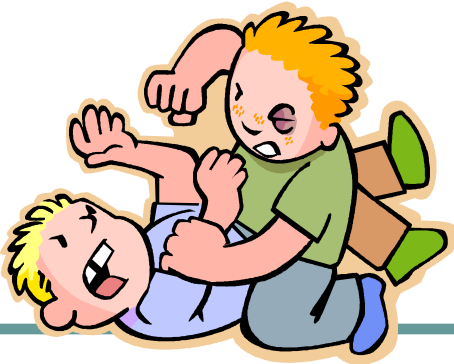
- School staff must follow the statutory procedures for all reported HIB incidents and protect students.
- School staff are responsible for the definition of HIB under the ABR, although the ABR definition of HIB may differ from definitions used by program professionals.



# Difference between Conflict and HIB

## Conflict

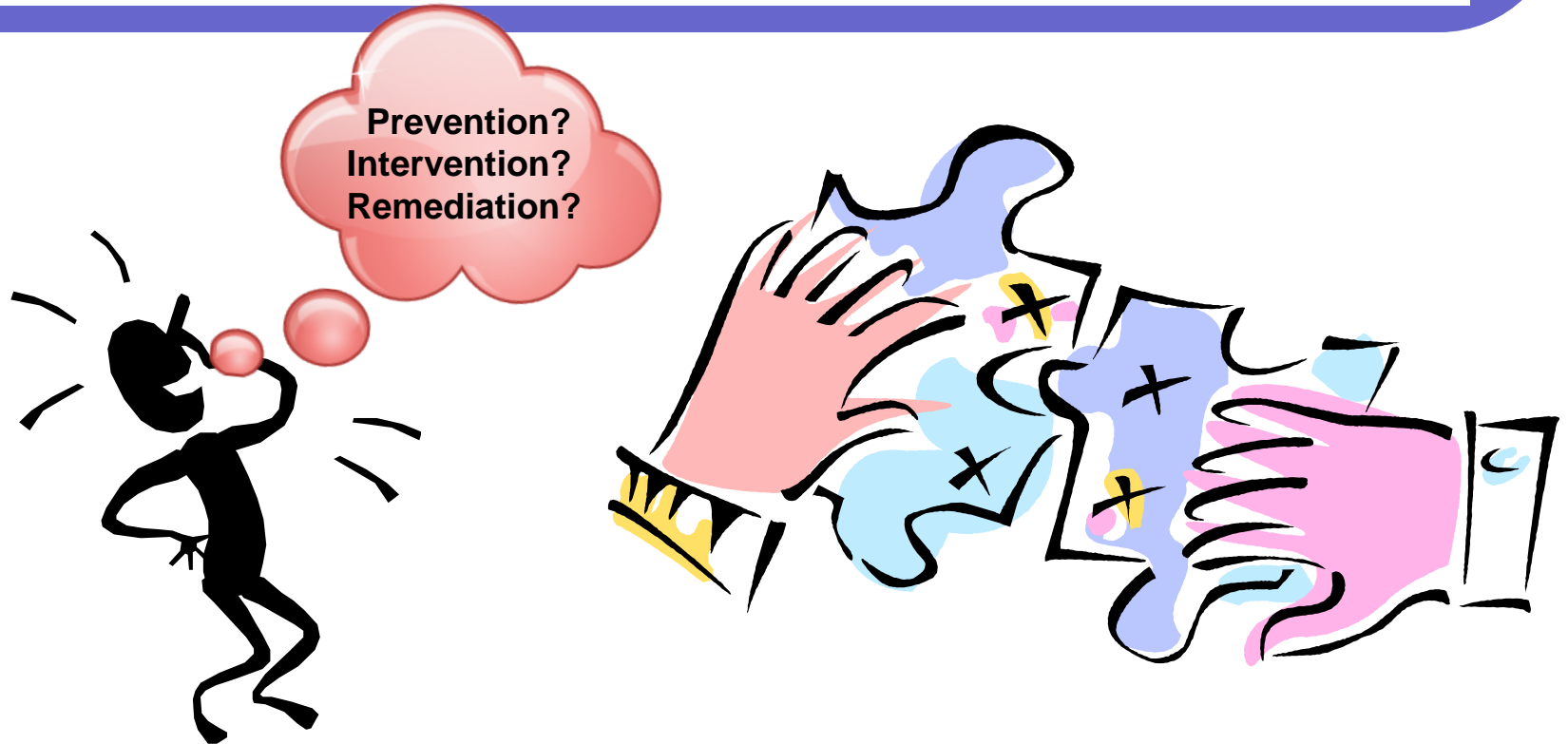
- “Mutually” competitive or opposing action or engagement.
- Includes disagreements, arguments and fights.
- A normal part of growing up and of life.



## HIB

- HIB is one-sided.
- One or more students are victims of one or more person's aggression, as it applies to the HIB definition under the ABR.
- The intent is to physically or emotionally hurt someone.

# Let's see how we can fit the pieces together to comply with the law.

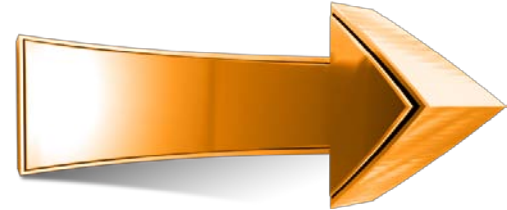


**The Law aims to help schools fit the pieces together to ward off bullying BEFORE it starts and intervene effectively WHEN it occurs through consistently enforced policy and procedures.**

# Follow the Path of a HIB Complaint

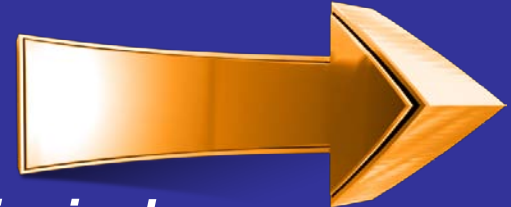
## ***Handling of HIB Report***

- **Verbal or anonymous report**
- **Provide for student safety**
- **Parent contact**
- **Written report (for verbal reports)**
  - *Within 2 school days of verbal report*



## ***Investigation***

- **Investigation initiated by principal**
  - *Within 1 school day of verbal report.*
- **Conducted by ABS in coordination with principal.**
- **Written investigation report**
  - *Completed within 10 school days of written HIB incident report.*
  - *Submitted to CSA within 2 school days of investigation completion.*



# Follow the Path of a HIB Complaint, cont.

## **CSA Action**

- Makes decisions based on the report.
- Reports results of investigation to BOE at their meeting following the completion of the investigation.
- Provides parents with information from the investigation within 5 school days after the report to the BOE.



## ***Parent may request hearing of BOE***

- Held within 10 days of the request.
- Held in executive session.



## **BOE Action**

- Issues a written decision at the BOE meeting following its receipt of the report.
  - *Decision must affirm, reject or modify the CSA's decision.*



# Follow the Path of a HIB Complaint, cont.

## ***Optional Parent Actions***

- Appeal BOE decision to Commissioner of Education no later than 90 days after the BOE decision.
- Appeal Commissioner decision to the Appellate Division of the Superior Court.
- File a complaint with the Division of Civil Rights within 180 days of the occurrence of HIB based on membership in a protected group.



# District Anti-Bullying Coordinator (ABC)

*The chief school administrator (CSA) must make every effort, but is not required, to appoint an employee of the school district to this role.*

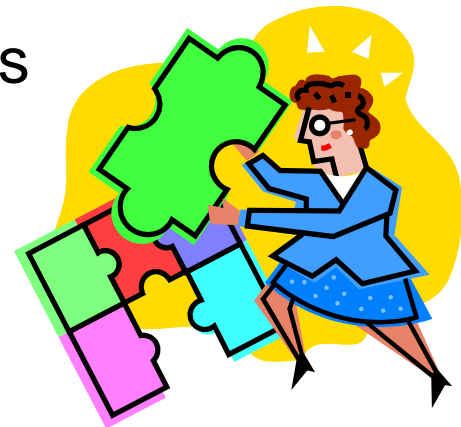
## **The ABC is responsible to:**

- Coordinate and strengthen the school district's HIB policies to prevent, identify and address HIB of students.
- Collaborate with the school anti-bullying specialist(s) (ABS), the BOE and the CSA to prevent, identify and respond to HIB acts in the district.



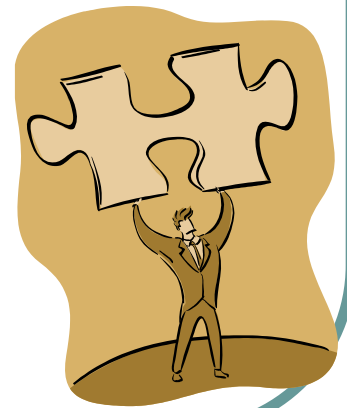
# District Anti-Bullying Coordinator (ABC), cont.

- Provide data, in collaboration with the CSA, to the NJDOE regarding HIB of students.
- Meet with school anti-bullying specialist(s) at least 2 times each year to discuss and strengthen procedures and policies to prevent, identify and address HIB in the district.
- Execute other duties related to HIB as requested by the CSA.



# Suggested Practical ABC Tasks

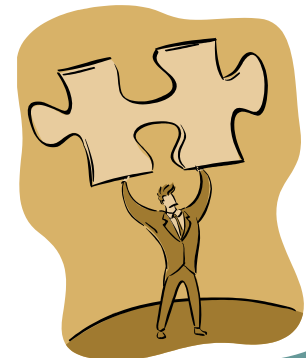
- Assist with the development and use of all policies and procedures.
- Develop goals, objectives and action plans for implementation of HIB requirements and local priorities.
- Facilitate universal understanding of differences between HIB and conflict.
- Assist with curriculum coordination, program development and evaluation.
- Collaborate with school leaders to ensure that all staff receive HIB prevention training and identify other professional development needs.





# Suggested Practical ABC Tasks, cont.

- Coordinate data collection and administration of surveys to aid in determining HIB issues, including school climate.
- Analyze data to monitor progress and effectiveness of bullying programs, policies and ABS.
- Serve as a resource and support for all aspects of the comprehensive HIB program.
- Serve as a “trouble shooter” who identifies and resolves problems.
- Facilitate networking and problem solving among all ABSs in the district.



# School Anti-Bullying Specialist (ABS)



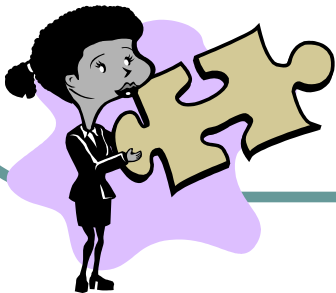
*The principal appoints a guidance counselor, school psychologist or other school employee trained as an ABS.*

## **The ABS is responsible to:**

- Chair the School Safety Team (SST).
- Lead, in coordination with the principal, the investigation of reported HIB incidents.
- Act as the primary school official responsible for preventing, identifying and addressing incidents of HIB in the school.
- Assist the principal in determining the responses to be implemented that have been established by the BOE.
- Provide input to the BOE on the annual re-evaluation, reassessment and review of the HIB policy.
- Provide input for a BOE hearing, in executive session, on reported HIB incidents, recommendations for discipline or services and any programs instituted to reduce these incidents.

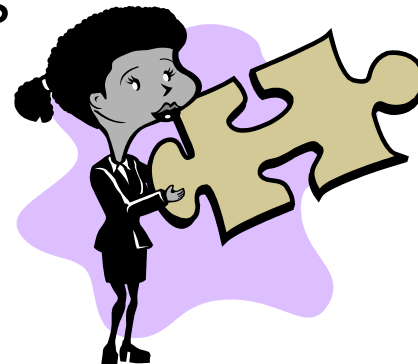
# Suggested Practical ABS Tasks

- In cooperation with SST, analyze local data, measure school climate and address areas of needed growth.
- Set SST agenda, generate tangible plans, assignments, accomplishments or products for each meeting and publicize efforts.
- Engage colleagues and school committees in HIB prevention.
- Aid ABC in data collection and reporting.
- Build community relationships (e.g., with law enforcement through the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*).
- Enlist the help of parents in HIB prevention.



# Suggested Practical ABS Tasks, cont.

- Resolve HIB with proactive and restorative practices, rather than solely punitive practices.
- Coordinate with the SST to advance constructive responses to bullies, victims and bystanders.
- Enlist students in anti-bullying strategies (e.g., service-learning).
- Provide safe harbor for all students, including the “protected groups and special needs students.”
- Promote the norm for all students to act as “Upstanders.”

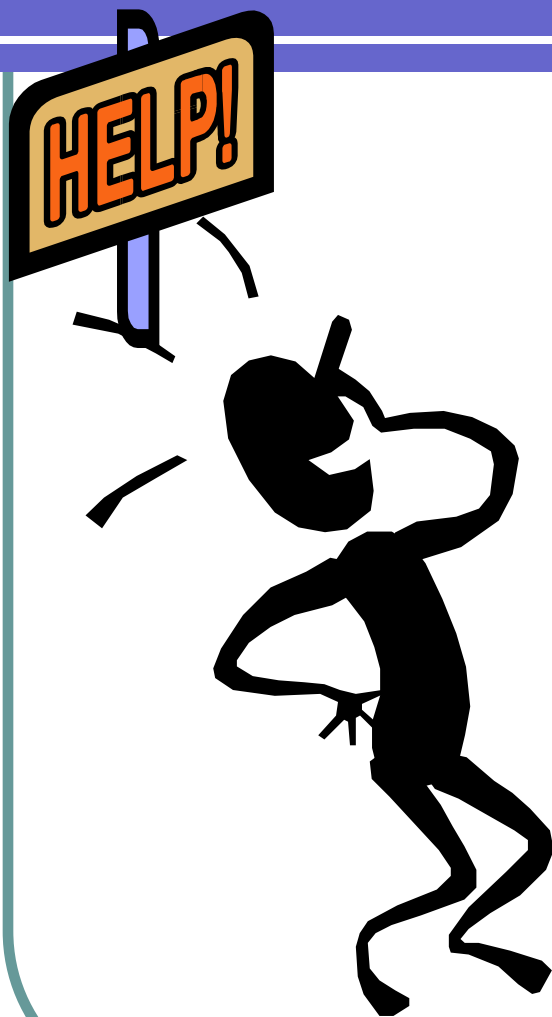


# ABC and ABS Contact Information

- The following information must be posted on the district's Website for the **ABC**:
  - *Name, school phone number, school address and school e-mail address.*
- The following information must be posted on the school's Website for both the **ABC and ABS**:
  - *Name, school phone number, school address and school e-mail address.*



# Need Help? Use Handy Resources



**NJDOE Website (Keeping Our Kids Safe, Healthy & in School):**  
(<http://www.state.nj.us/education/students/safety/behavior/hib/#si>).

- Model Policy and Guidance
- Guidance Document
- Online Tutorial
- HIB Compliance Checklist

**Stop Bullying Now Website: wealth of information/videos.**  
(<http://www.stopbullying.gov> )

**Q and A Handout: responds to frequently asked questions.**

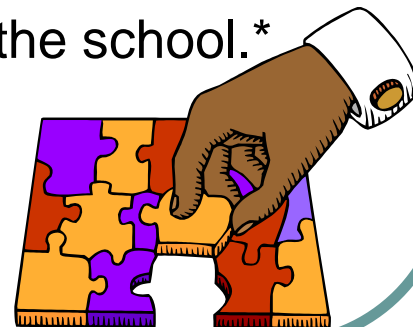
**Networking with Peers**

# The School Safety Team (SST)

*A SST is required in each school. The SST must consist of the principal or designee, a teacher in the school, an ABS, a parent of a student in the school, and other members determined by the principal.*

## **The team is responsible to:**

- Develop, foster and maintain a positive school climate by focusing on the ongoing, systemic practices in the school and addressing climate issues, such as HIB.
- Receive complaints of HIB of students that have been reported to the principal.\*
- Receive copies of investigative reports of HIB of students.\*
- Identify and address patterns of HIB of students in the school.\*
- Review and strengthen the school climate and the policies of the school in order to prevent HIB of students.

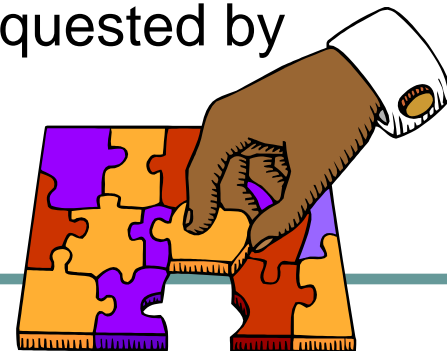


NJDOE

***\*Parents serving on the SST are not permitted to participate in these or other activities that may compromise the confidentiality of a student.***

# The School Safety Team (SST), cont.

- Educate the community, including students, teachers, administrators and parents to prevent and address HIB of students.
- Participate in the training required under the ABR and other training requested by principal, including professional development on effective practices for developing safe and supportive school climates.
- Collaborate with the ABC in the collection of district-wide data and in the development of district HIB policies.
- Execute other HIB-related duties as requested by the principal or the ABC.





# TIP: Shape the SST as a PLC!

Many New Jersey school districts have used Professional Learning Communities as way to weave social-emotional and character development into the fabric of the school. Through their examination of data, the PLCs have improved both school climate and student performance through improved professional practice and program delivery. Examples include:

## Districts

Hamilton (Mercer County)

Oxford

Pequannock

Spring Lake

Weymouth

## Schools

Alan Shepard ES

Colonia HS

Horace Mann ES

Sterling HS

Zane North ES

# Board of Education Policies and Procedures



- ❖ Each board has control over the content of the HIB policy, except that the policy must address required components.
- ❖ The school district may, but is not required, to adopt a policy that includes components that are more stringent than the following required components:

- **HIB Prohibition**: A statement prohibiting HIB of a student.
- **HIB Definition**: A definition of HIB no less inclusive than the ABR definition.
- **Student Expectations**: A description of the type of behavior expected from each student.
- **Consequences and Remediation**: Consequences *and* appropriate remedial action for a person (not only a student) who commits an act of HIB against a student.

# Board of Education

## Policies and Procedures, cont.



- **HIB Off School Grounds**: Provisions for appropriate responses to HIB occurring off school grounds, in cases in which a school employee is made aware of such actions.
- **HIB Reporting**: A procedure for reporting an act of HIB.
- **HIB Investigations**: A procedure for prompt investigation of reports of violations and complaints.
- **Range of Responses**: The range of ways in which a school will respond once an incident of HIB is identified—defined by the principal in conjunction with the school ABS. ***Responses must include an appropriate combination of counseling, support services, intervention services and other programs.***
- **Reprisal or Retaliation**: A statement that prohibits reprisal or retaliation against any person who reports an act of HIB, including the consequence and appropriate remedial action for a person who engages in reprisal or retaliation.

# Board of Education Policies and Procedures, cont.



- **Publication**: A statement of how the policy is to be publicized.
- **Website/Distribution**: A requirement that the policy be prominently posted on the district's homepage and annually distributed to parents.
- **District ABC and School ABSs**: A requirement that their contact information be maintained on district Websites.

# HIB Policy Adoption



- The HIB policy must be adopted through a process that includes representation of parents\* and other community representatives, school employees, school volunteers, students and school administrators.
- The first revised HIB policy must be submitted to the executive county superintendent (ECS) by September 1, 2011.

***Subsequent revisions must be submitted to the ECS within 30 days of board adoption.***

- Notice of the HIB policy must appear in any publication of the district that sets forth the comprehensive rules, procedures and standards of conduct for schools in the district and in any student handbook.
- The policy must be consistent with the provisions of *N.J.A.C. 6A:16-7, Student Conduct*, as appropriate.

# HIB Policy Adoption, cont.

- The code of student conduct must include policy and procedures regarding HIB and must be based on parent, student and community involvement which represents the composition of the schools and communities.
- The code of student conduct, which must include the HIB policy, must be based on locally determined and accepted core ethical values adopted by the district board of education.



# Annual HIB Policy Review

- The HIB policy must be annually re-evaluated, including input from the ABS, and revised as necessary.
- The code of student conduct, which must include the HIB policy, also must be reviewed annually and updated, as appropriate.



**Measure the effectiveness of your HIB Policy and Code of Student Conduct annually and revise as needed.**

# Other District Board of Education (BOE) Requirements

**In addition to the responsibility for developing HIB policy, the BOE has the following responsibilities:**



## **HIB Training**

- Within 1 year of being elected/appointed, each BOE member must complete a NJSBA training program on HIB & district's responsibilities.
- Ensure that existing and new school leaders,\* full- and part-time staff, volunteers who have significant contact with students and persons contracted to provide services to students, receive training on the BOE's HIB policy.
  - Ensure that the training includes instruction on preventing HIB based on the protected categories identified in the ABR and other distinguishing characteristics that may incite incidents of discrimination.
- Provide time for staff to attend in-service training during the usual school schedule to ensure staff are prepared to act as the ABC and the ABS.



# Other District Board of Education (BOE) Requirements, cont.

## HIB Remediation

- Receive CSA's report on results of each HIB investigation.
- Hold hearings, in executive session, within 10 days of requests from parents of HIB offenders or victims.
  - Hear from the ABS and others about the HIB incident, recommendations for discipline or services and any programs instituted to reduce such incidents.
- Issue a written decision to affirm, reject or modify the CSA's decision at the regularly scheduled BOE meeting following receipt of an HIB report.





# Chief School Administrator's (CSA's) Role in HIB

## Policy

- Develop the HIB policy in consultation with parents and other community representatives, students, school employees, school volunteers and other school administrators for BOE adoption (with input from stakeholders).
- Post a prominent link to the HIB policy on the homepage of the district's Website.
- Annually disseminate the HIB policy to parents who have children enrolled in the school district.
- Include notice of the HIB policy in any district publication setting forth the rules, procedures and standards of conduct and in any student handbook.

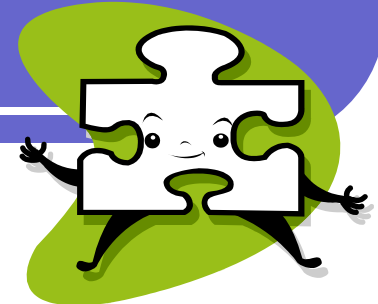
# CSA's Role in HIB, cont.



## Remediation

- Receive the HIB report from the principal within 2 days of investigation completion. Decide whether to provide intervention services, establish HIB or school climate training program, impose discipline, order counseling, or take or recommend other appropriate action.
- Provide BOE with HIB report no later than the BOE meeting following the completion of the investigation.
- Provide parents of HIB offenders and victims with written information about the investigation within 5 days of the report to the BOE. This includes the nature of the investigation; whether evidence of HIB was found; and whether discipline was imposed or services provided to address the HIB.

# CSA's Role, cont.



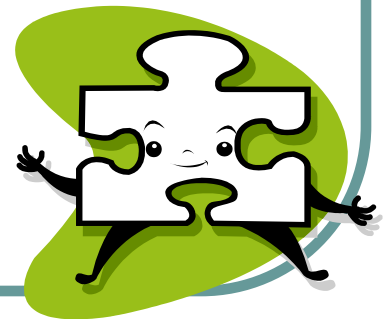
## Program

- Appoint the ABC.
- Ensure that existing and new school leaders, full- and part-time staff, volunteers who have significant contact with students and persons contacted to provide service to students receive training on HIB policy, including instruction on the prevention of HIB based on the protected categories, and other distinguishing characteristics that might incite incidents of discrimination.
- Develop a process for discussing the district's HIB policy with students.
- Ensure that the district annually establishes, implements, documents and assesses bullying prevention programs (involving stakeholders).

# CSA's Role, cont.

## Program

- Ensure that the district's HIB programs are designed to create school-wide conditions to prevent and address HIB.
- Provide ongoing age-appropriate instruction on HIB prevention throughout the school year.
- Observe the "Week of Respect" beginning with the first Monday in October of each year (separate from *School Violence Awareness Week*).
- Complete HIB training for school leaders.



# CSA's Role, cont.

## Public Reporting

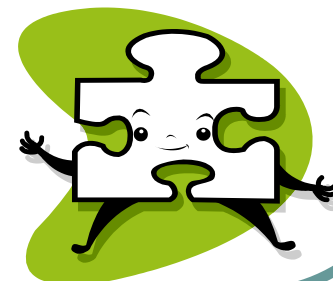
- **Report at a public hearing to BOE 2 times each year all acts of violence, vandalism and HIB occurring during the previous reporting period including:**
  - Number of reports of HIB,
  - Status of all HIB investigations,
  - Nature of the HIB based on the protected categories.
  - Names of investigators,
  - Type nature of discipline imposed, and
  - Any other measures imposed, training conducted or programs implemented to reduce HIB.

**Must report between 9/1 & 1/1  
and between 1/1 & 6/30.**

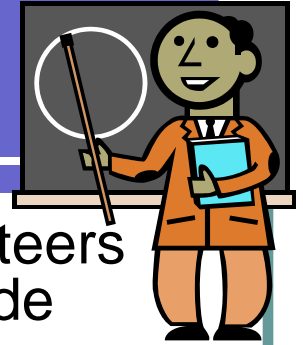


## CSA's Role, cont.

- **Provide the information above to the NJDOE, broken down by schools and district-wide, in accordance with NJDOE's procedures.**
- **Post the grades, according to NJDOE procedures, as follows:**
  - School and district grade on the homepage of the school's Website, and
  - Grades for the district and for each school in the district on the homepage of the district's Website.

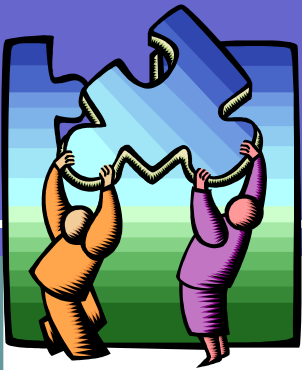


# District Requirements for HIB Training



- In-service training for all school employees and volunteers who have significant contact with students must include instruction on preventing bullying on the basis of the protected categories and other distinguishing characteristics.
- Training for new employees must include information regarding the school district policy against HIB.
- Each public school teacher must complete at least two hours of instruction on HIB prevention in each professional development period; must also complete two hours in suicide prevention training.
  - The training must include information on the relationship between the risk of suicide and incidents of HIB and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.



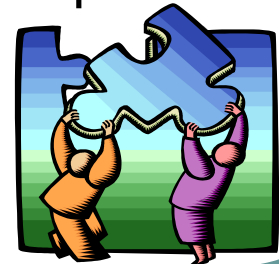


# The Principal's Role in HIB

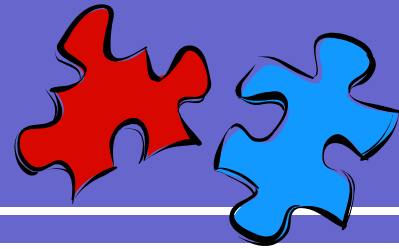
- Appoint the ABS: The ABS must be a guidance counselor, school psychologist or another current school employee trained to act as the ABS.
- Receive all reports of HIB: Verbal on the same day as the incident or the same day information received on the incident; written within 2 days.
- Initiate investigations of HIB within 1 day of the verbal HIB report and contact parents of all offenders and victims.
  - Appoint additional staff to assist with investigations, as needed.
- Coordinate with the ABS in investigating reported HIB incidents.

# The Principal's Role in HIB, cont.

- Assure investigations are completed ASAP or within 10 days of the written report.
- Provide for student safety.
- Implement, in conjunction with the ABS, the range of responses to HIB established by the BOE.
- Submit written reports of HIB investigations to CSA within 2 days of the completion of the investigations.
- Serve as a member of the SST.
- Assist the SST in fulfilling its responsibilities, and provide information on HIB complaints and HIB investigation reports.
- Complete HIB training for school leaders.



# Parent Rights and School Responsibilities to Parents

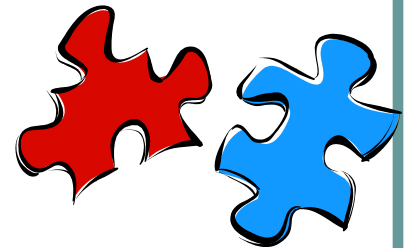


- Parents must be involved in the process for developing the HIB policy.
- Parents must be involved in annually establishing, implementing documenting and assessing HIB prevention programs, approaches or other initiatives.
  - The programs must be designed to create school-wide conditions to prevent and address HIB.
- A parent of the school must serve as a member of the SST.
  - A parent member is not permitted to participate in the activities of the team which may compromise student confidentiality.
- Parents must have access to the NJDOE's HIB guidance publication through the Websites of each school district, the NJDOE and the Division on Civil Rights.
- Parents must annually receive the BOE's HIB policy.

# Parent Rights and School Responsibilities to Parents, cont.

## **If their child is involved in a reported HIB Incident:**

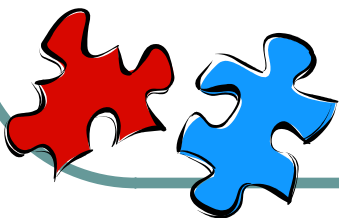
- Parents must be informed by the principal or designee the same day their child has been reported as a victim or offender in an HIB incident.
- Parents of HIB offenders and victims must be provided with the following written information about an HIB investigation affecting their child, in accordance with federal and state law and regulation, within 5 days after the results of the investigation are reported to the board:
  - The nature of the investigation
  - Whether the district found evidence of HIB
  - Whether discipline was imposed or services provided to address the incident of HIB.



# Parent Rights and School Responsibilities to Parents, cont.

## Parents Rights to a BOE Hearing

- Parents may request a hearing before the BOE after receiving the information.
  - The hearing must be held within 10 days of the request.
  - The hearing must be held in executive session to protect the confidentiality of the students.
- Parents must be notified of the BOE's written determination to affirm, reject or modify the CSA's decision.
  - Made at the BOE meeting following its receipt of the HIB report.



-- Parents have a right to appeal --



# How Schools Can Involve Parents

- Inform parents of the rates and harmful consequences of HIB.
- Encourage parents to discuss concerns and conflicts with school staff and to address problems.
- Conduct training sessions for parents.
- Make anti-bullying the focus of some PTA meetings.
- Encourage parents to monitor student's online activity.
- Publicize HIB policy and data through newsletters, cable access TV, posters, newspaper articles, programs for activities (e.g., concerts, sports, theater).
- Refer parents to the NJDOE's guidance document and online tutorial for information.



# How Schools Can Involve Parents, cont.

- Refer parents to other credible resources, such as the federal government's bullying site: Stop Bullying Now! (<http://www.stopbullyingnow.hrsa.gov/kids/>).
- Inform parents of the procedure for reporting HIB concerns.
- Explain the school's HIB investigation process and their role in the process, including their rights and resources for appealing HIB decisions.
- Help parents understand the requirements for parent involvement identified in the ABR.
- Ask parents to reinforce the school's anti-bullying message at home.

# Points on Handling an Investigation

## Steps for Conducting an Effective Investigation

- Separately interview the victim, the alleged bully and the bystanders.
- Use developmentally appropriate interviewing strategies.
- Elicit specific facts about the incident.
- Reassure the victim and ensure student safety.
- Stress confidentiality.
- Explain the investigation process.





# Points on Handling an Investigation, cont.

## Documentation of Important Information

- Verification that the incident took place
- Date, time, location of the incident
- Individuals interviewed; their accounts
- Nature of the HIB, per the ABR definition
- Pattern of offenses
- Parent notification
- Phone log; staff and agencies involved
- Interventions and follow-up
- Indication that “fact finding” is completed
- Report submitted to administrators
- Remediation and consequences (cite other resources)



# Investigating Complaints of Alleged HIB Incidents

## 1. Ensure student safety.

- 2. Determine the Investigation Strategy:** The ABS, in coordination with the principal, determines the strategy for investigating the report of HIB to confirm or refute the allegations and ensure the district's compliance with statute, regulations and BOE policies, which may include:
- Reviewing multiple records or other documents,
  - Interviewing school or school district staff,
  - Verifying information provided by district staff,
  - Observing the conditions related to the complaint,
  - Interviewing offenders, victims and bystanders,
  - Verifying facts, and
  - Verifying implementation of prior prevention and intervention actions.

# Investigating Complaints of Alleged HIB Incidents, cont.

**3. Conduct the Investigation:** In coordination with the principal, the ABS conducts the investigation.

- **Case File** – Maintain a file to retain relevant documentation. For example:
  - Verbal and written reports and related intake records
  - Notes from phone calls, conversations or interviews
  - Letters, emails, faxes
  - Newspaper articles
  - Documentation from the district

# Investigating Complaints of Alleged HIB Incidents, cont.

## 3. Conduct the Investigation (cont.)

- **Fact Finding - Conduct the following fact-finding activities, as appropriate:**
  - **Interview individuals** [e.g., victims, offenders, bystanders, the individual making the report, key involved district staff and parent(s)], as necessary, to:
    - ❑ Clarify allegations or concerns;
    - ❑ Identify parent and school actions taken; and
    - ❑ Identify both the preferred and acceptable remedies or outcome.

# Investigating Complaints of Alleged HIB Incidents, cont.

## 3. Conduct the Investigation (cont)

- **Review existing documentation on the alleged offender(s), the alleged victim(s)** (e.g., student files) and the school and district staff responses to the incident(s) and related complaints:
  - Review the accuracy and completeness of the relevant incident report (s) for the Electronic Violence and Vandalism Reporting System.
  - Review police report(s), if available and appropriate, or reports or records of other legal involvement.
  - Review nurses records, if available and appropriate.
  - Collect any and all other information as necessary.

# Investigating Complaints of Alleged HIB Incidents, cont.

## 4. Conclude the Investigation

- Conclude the investigation when all fact finding has been completed and there is adequate information to make determinations.
- Based on the findings, conclude whether:
  - The HIB incident met the criteria in the HIB definition;
  - School staff followed the board-approved HIB policies and procedures; and
  - Reasonable actions have been taken to ensure the victim(s) is safe and attending school and to remediate the offender's behavior consistent with the ABR, the BOE's policies and the code of student conduct.

# Investigating Complaints of Alleged HIB Incidents, cont.

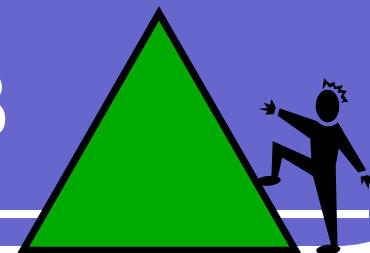
## **4. Conclude the Investigation (cont.)**

- Notify and consult with the principal of the findings and determinations, and, in coordination with the principal, prepare the report of the investigation for the CSA.

## **5. Monitor the Situation**

- While the matter is pending review by the CSA and BOE, monitor the situation to ensure:
  - Safety of student victim(s);
  - Remediation of the HIB behavior; and
  - Appropriate support for school staff and parents

# Remediation of HIB



## ***Factors for Determining Remedial Measures:***

**Personal** - Social relationships; strengths; talents; interests; extra-curricular activities; academic performance.

**Environmental** - School culture; student-staff relationships; socio-economic behavioral supports; social relationships; community activities; family situation; responses to surveys.

## ***Examples of Remedial Measures:***

**Personal** - Restitution and restoration; peer support group; anger management; corrective instruction; behavioral assessment management plan; therapy; counseling

**Environmental** - School climate change; staff training; monitoring “hot spots;” scheduling/traffic changes; community, parent support.



# Support for the Victim

## ***Youth that have been victims said that:***

- Reaching out to adults and friends for encouragement, advice and protection were among the most successful strategies.
- When adults listened to them, maintained supervision, gave them advice and support and checked in over time to make sure they were safe, things got better more often.

(Youth Voice Project – [www.youthvoiceproject.com](http://www.youthvoiceproject.com))

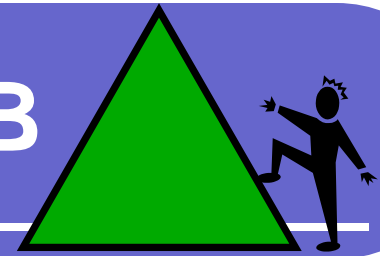
## ***Additional research shows that:***

- Victims who are friends with a non-victimized peer are less likely to internalize problems as a result of victimization.
- Peer influence can be a constructive or destructive force and should be handled with knowledge, skill and care.
  - Lack of peer support can undermine peer interventions.

(From “Bullying and Children’s Peer Relationships” –

[http://www.stopbullying.gov/references/white\\_house\\_conference/white\\_house\\_conference\\_materials.pdf#bullying\\_and\\_peer\\_relationships](http://www.stopbullying.gov/references/white_house_conference/white_house_conference_materials.pdf#bullying_and_peer_relationships))

# Consequences for HIB



## ***Factors for Determining Consequences:***

Age, developmental age; degree of harm; severity of behavior; past or continuing incidents; history of inappropriate behavior, relationships between parties; context of alleged incidents.

## ***Examples of Consequences:***

Admonishment; temporary removal from the classroom; deprivation of privileges; detention; referral to disciplinarian; after-school programs; in-school suspension; out-of-school suspension; reports to law enforcement; expulsion; bans from participating in school-district-programs or being in school buildings or on school grounds.

# HIB Investigations

## Effective Investigators Demonstrate:

### Personal Traits

- Supportiveness
- Objectivity
- Thoroughness
- Resourcefulness
- Willingness to ask for help

### Interviewing Skills

- Attentive Listening
- Questioning
- Paraphrasing
- Eliciting specific information

**-- Note Taking and Record Keeping--**

# HIB Investigations, cont.

***Use descriptive (D), not judgmental (J) questions.***

Who? What? Where? Why? When? How?

## **Victim**

**D.** *Tell us in your own words what happened?*

**J.** *What were you doing that caused the boys to taunt you?*

## **Offender**

**D.** *Why were you called to the office today?*

**J.** *Why did you and your friends make fun of Mark?*

## **Bystander**

**D.** *What did you see happen? What did the other students do?*

**J.** *Why didn't you help your friend?*

## **Parent**

**D.** *What are you noticing about your child's behavior at home?*

**J.** *Since this has happened before, are you doing anything to help your son deal with bullies?*

# HIB Investigations, cont.

## ***Open-ended (O) vs. Closed (C) Questions***

Who? What? Where? Why? When? How?

### **Victim**

**O.** *What did the boys say to you, Mark?*

**C.** *Did the boys say anything to you?*

### **Offender**

**O.** *What did you say to Mark?*

**C.** *Did you say anything to Mark?*

### **Bystander**

**O.** *How did the bystanders react to the incident?*

**C.** *How many bystanders were there?*

### **Parent**

**O.** *What has your child told you about this incident or other incidents?*

**C.** *Does your child speak to you about being bullied?*

# HIB Investigations, cont.

## ***Elicit SPECIFIC information, not GENERAL Responses***

Imagine the following responses were made by the victim, the offender and the bystander to the question, “Tell me what happened.” Frame a follow-up question that will elicit details.

### **Victim**

R. *“They were really mean to me. They’re always like that.”*

### **Offender**

R. *“We were just fooling around. We didn’t mean nothing.”*

### **Bystander**

R. *“The three of them ganged up on Mark. He was really afraid.”*

# What the HIB Research Tells Us:

***There is ...powerful evidence that school climate affects students' self-esteem and self-concept. School climate also colors school-based risk-prevention efforts. Effective risk- prevention and health-promotion efforts are correlated with a nurturing school climate. It also promotes academic achievement. As a result of these findings, fostering socially, emotionally, and physically safer schools has become a primary focus of the U.S. Department of Justice and virtually all state education departments.***

**Source:** Cohen, J. (2006). Social, Emotional, Ethical, and Academic Education: Creating a Climate for Learning, Participation in Democracy, and Well-Being. *Harvard Educational Review*, 76 (2), 201-237.

# Stamping out bullying is everyone's job.

## Specific Roles:

Anti-Bullying Coordinator  
Anti-Bullying Specialist  
School Safety Team

## Collaboration:

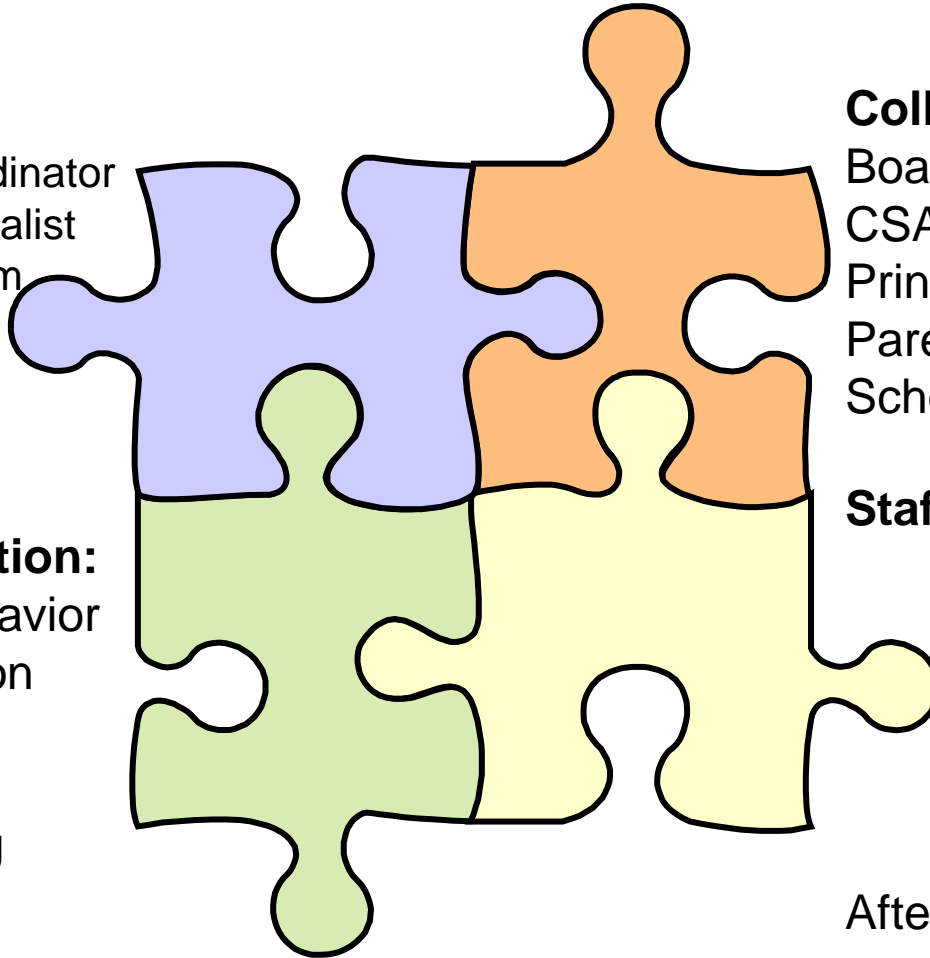
Board of Education  
CSA  
Principals  
Parents  
School Staff

## Staff Involvement:

Teachers  
Support  
Coaches  
Custodial  
Bus Drivers  
Food Service  
Afterschool Providers  
Volunteers

## Student Education:

"Upstander" Behavior  
Curricular Infusion  
Empathy  
Leadership  
Service Learning  
Mentoring





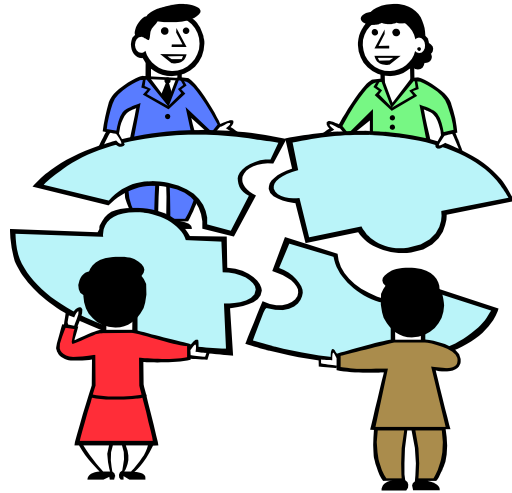
# The entire staff needs to be on board.

**The ENTIRE staff (instructional, extracurricular, student and administrative support, food services, custodial, transportation) should:**

- Recognize HIB (including cyberbullying) and know how to report it without fear of reprisal.
- Understand the HIB policy and other requirements under the ABR.
- Be alert to areas (“hot spots”) in the school where bullying may occur.
- Be specifically aware of the rights of “protected groups” as well as ALL students to a safe education.
- Learn and implement specific ways of preventing bullying.
- Recognize HIB off school grounds.

**THEME: “We respect and protect each other here”  
should be the unifying theme of all staff and  
students.**

# How does an improvement in school climate help to deter HIB?

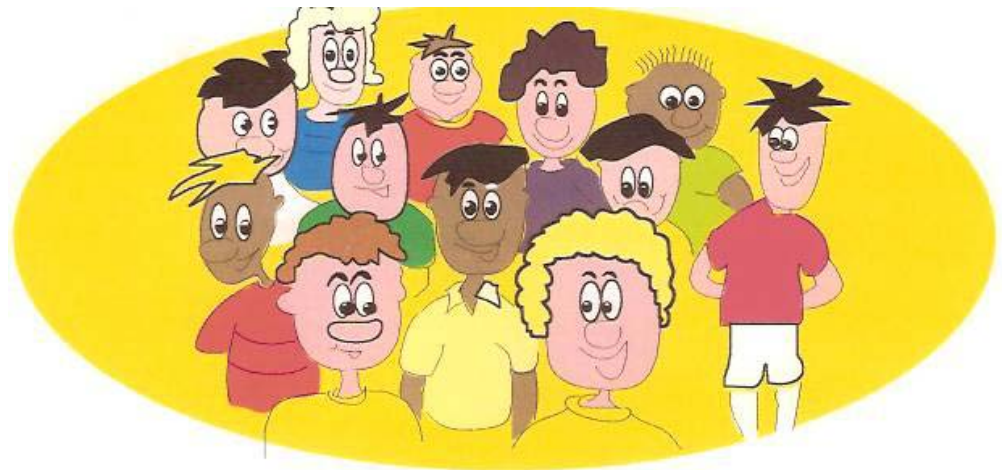


*“A standard has developed at our high school. It just isn't ‘cool’ to bully or be mean to people.”*

**Matt, Gr. 11, Hinsdale Central HS,  
Hinsdale, IL (2009 National  
School of Character)**

*“It’s not just how big the school is or how beautiful. It’s not the building, it’s the people. Here we do not have many races. We have only one—the human race.”*

**Zeinab, Gr. 8, Upper Merion Area MS, King of Prussia, PA  
(2010 National School of Character)**



# How to Improve School Climate

- Preparation and planning: Creating the foundation.
- Identification of data sources and analysis of data.
- Evaluation of activities.
- Understanding and application of evaluation findings and action planning.
- Implementation of the action plan: Instructional and systemic programmatic efforts.
- Re-evaluation and beginning the cycle anew.

**Source:** Adapted from National School Climate Center: [www.nsccl.org](http://www.nsccl.org)

# Guiding Questions for Data Review

- ☐ What are the school's **strengths**?
- ☐ What is the school doing that makes these areas strong?
- ☐ What are the **surprises** from data?
- ☐ What results did you think would be different? Why?
- ☐ What **practices** led to these results?
- ☐ Do **patterns** stand out (e.g., grade level, ethnicity, gender, type of behavior)?
- ☐ What are the school's **challenges**?

**Source:** Adapted from *Best Practices for Improving School Climate: Purpose, Engagement, and Voice*. Presented by Maurice J. Elias, Ph.D. Rutgers University and Developing Safe and Civil Schools. NASP Conference, December 4, 2009, Jamesburg, NJ.

# What kind of data should we examine?

***Annually collect and analyze data. Possible data sources include:***

- School culture and climate surveys.
- Electronic Violence, Vandalism and Substance Abuse Reporting System (EVVRS) (e.g., HIB and other violent incidents).
- Student conduct referrals and dispositions.
- Student and staff attendance records.
- Dropout rates.
- Standardized test performance.
- Process and outcome findings from HIB prevention programs.
- Focus group findings (e.g., school climate, “trouble or hot spots”).

# What the “Research” tells us works:

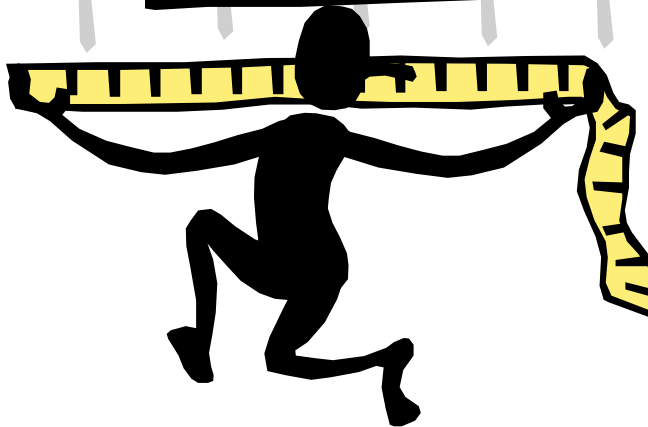
**“Multi-faceted approaches to reducing bullying are more likely to succeed than single-component programs.”**

DuPage County Anti-Bullying Task Force Model Bullying Policy (2011)

Assemblies?

Bully/Victim Focus

Improving School Climate?



**TIP: Developing a “Single School” Culture works!**

# Advice for Reducing Bullying

- Embed the anti-bullying initiative in the larger framework of social-emotional and character education development (SECD) programming and school culture and climate improvement.
- Make the HIB procedures easily understood.
- Train and hold accountable all staff, volunteers and contractors to recognize and immediately report and intervene in ALL HIB incidents.
- Consistently follow reporting, investigation and remediation procedures in an attentive, responsive, and supportive way.
- Use surveys and existing data to highlight and address problem areas.

**IMPORTANT NOTE: The ABR requires schools to annually establish, implement, document and assess their HIB prevention programs.**

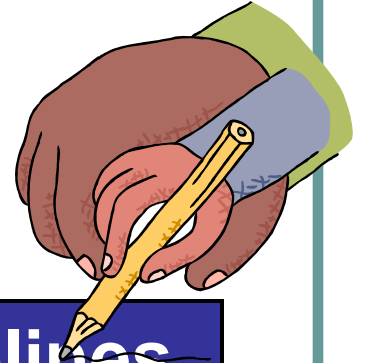
# Advice for Reducing Bullying, cont.

- Increase adult presence in “hot spots” for HIB.
- Normalize and reinforce pro-social behavior.
- Embed the anti-HIB message into the curriculum.
- Involve students in developing “rules” that they understand, believe in and enforce.
- Expect staff to behave respectfully and professionally towards each other and students.
- Encourage and maintain ongoing communication among students, staff, parents and community members.



# What conditions enable HIB to thrive?

- Adults who look the other way.
- Bystanders who look the other way.



**The new ABR provides specific guidelines for adults to act. District HIB policies and training should stress that bystanders should not look the other way.**

# Shaping Bystanders into “Upstanders”

- Emphasize the power of many, strength in numbers;
- Help them see that their silence makes aggressive students more powerful and contributes to the harm done to victims;
- Model positive behavior for them;
- Protect them from retaliation;
- Discourage them from directly confronting aggressive youth about their behavior. Instead, help them find a wide range of safer and more effective interventions to use;
- Encourage them to tell adults about the cruel behavior they see;
- Help them find ways to befriend targets of HIB and isolated peers.

**This can be done in classroom meetings, in school assemblies, and in conversations with individual students.**

Source: Adapted from [www.stopbullying.gov](http://www.stopbullying.gov)



# “Real Life” Stories of Preventing HIB

## National Schools of Character with Effective Anti-HIB Initiatives ([www.character.org](http://www.character.org)):

- District: Fox C-6 District, Arnold, MO.
- High School: Hinsdale Central, Hinsdale, IL.
- Middle School: Newport Mill, Kensington, MD.
- Elementary: Fuguitt Elementary, Largo, FL.

Additional articles/videos available on [www.edutopia.org](http://www.edutopia.org).



# NJ Promising Practices\* with Anti-HIB Initiatives

## Elementary

- **Project B.R.A.V.E. (Bullying Reduction and Anti-Violence Education)**  
Joseph H. Brensinger Public School # 17, Jersey City, New Jersey
- **Lunch and Learn**  
Kingston Elementary School, Cherry Hill, New Jersey

## Middle School

- **Diversity Appreciation Days**  
Timberlane Middle School, Pennington, New Jersey
- **Walk in My Shoes**  
Memorial Middle School, Fair Lawn, New Jersey

## High School

- **Young Gents: Empowering Tomorrow's Men**  
Lincoln High School, Jersey City, New Jersey
- **"HOST Program"**  
North Brunswick Township High School, North Brunswick, New Jersey

\*National Recognition by the Character Education Partnership <http://www.character.org/promisingpractices>



# The Dangers of Cyberbullying

- Victims often do not know the perpetrator or why they are being targeted.
- The hurtful actions and messages are viral – that is, a large number of people can be involved in the cyber-attack or incident very quickly and easily.
- It is easier to be cruel using the anonymity of computers and cell phones from distant locations. The perpetrator may not realize the harm done because the response of the target is not seen or known.
- Parents and adults have a difficult time monitoring the use of technology and may miss online events.

Over half of  
adolescents  
and teens have  
been bullied  
online.  
I-SAFE  
Foundation

**Source:** Cyberbullying Research Center ([www.cyberbullying.us](http://www.cyberbullying.us)) quoted in *DuPage County Anti-Bullying Task Force Model Bullying Policy* (2011).

# Student Activities for Preventing Cyberbullying

**TIP: Guide your students to lead the charge against cyberbullying. Here are some examples of student-centered activities:**

- **Create a public service announcement against cyberbullying.** It could also be posted on YouTube and Face Book.
- **Design a school-wide pledge.** Display it prominently in the school. Have students sign it. Students could also plan and present an assembly.
- **Build an awareness campaign.** Students produce creative t-shirts, buttons, pins, key chains, magnets or bumper stickers. Local businesses and organizations give financial support.
- **Cross-grade mentoring.** Older students team up with younger classes to create messages against cyberbullying.
- **Use Cyberbullying scenarios depicting the problem.** Students discuss them in class and offer possible solutions.

**Source:** Adapted from [www.cyberbullying.us](http://www.cyberbullying.us)

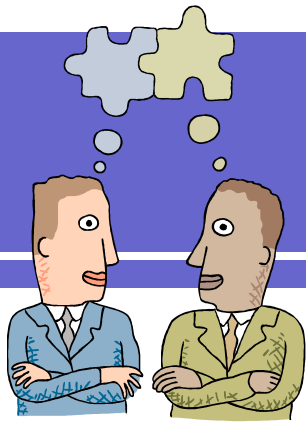


# Service Learning offers many ways for students to lead the anti-bullying charge.

- Designing Anti-Bullying Campaign: Long Branch MS, NJ.
- Cross-Grade Anti-Bullying Projects: Keansburg School District, NJ.
- Theatre Classes Writing and Presenting Skits on Tolerance: South Brunswick HS, NJ.



**Students teach TOLERANCE to one another.**



# Time for Reflective Sharing

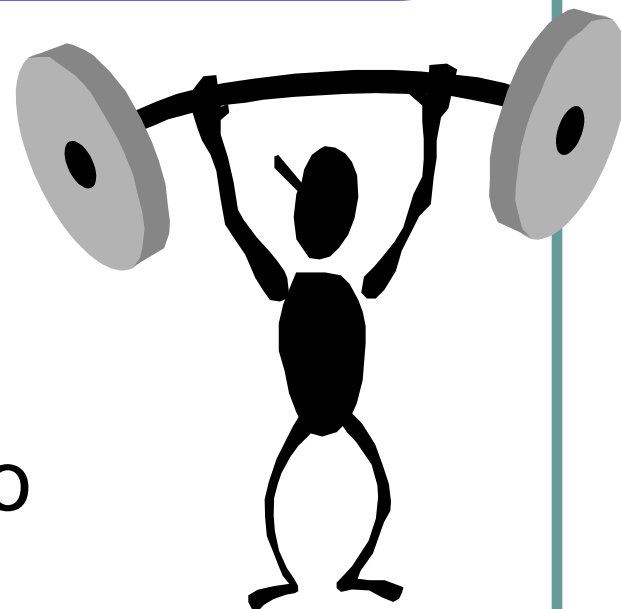
- Think of a successful strategy that your school uses to PREVENT the spread of HIB.
- SHARE that strategy with a neighbor.





# Key Prevention Program Elements

- Specific HIB Policy and Consistent Enforcement
- Administrative Support
- Comprehensive Approach to Improving School Climate
- Student Awareness and Support
- Ongoing Support by all Adults



# Action Planning

***If you do not have a plan, how will you know when you get there?***

- It is important to develop, at a minimum annually, a *written plan* for preventing HIB. The plan should be prepared in consultation among the ABC, ABSs, SSTs, school administrators and BOE.

## **Benefits:**

- Guides school and district staff in developing both a short-term and a comprehensive, long-range approach to preventing HIB.
- Provides timelines and benchmarks for achieving the plan, implementing the ABR and evaluating the activities of the plan.
- Sets forth specific strategies to address identified trouble areas.
- Yields data to aid in self-evaluation and reporting to the school community.
- Helps in determining and implementing next steps.

# Action Planning, cont.

## **The basic *steps* of action planning follow:**

- Map and assess current activities.
- Brainstorm and clarify tasks and issues.
- Develop a written, dynamic plan that:
  - Identifies primary tasks, action steps to implement them, responsible persons and completion dates.
  - Identifies the resources needed for the success of the plan.
  - Identifies barriers to success and strategies for overcoming them.

# Sample Action Planning Format

<b>Performance Indicator(s)</b>	<b>Measurable Target(s)</b>	<b>Activities to Achieve Measurable Target(s)</b>	<b>Person(s) Responsible</b>	<b>Timelines for Completing Activities</b>

# Getting Started

## **Resources for Getting Started:**

Use the various HIB resources on the NJDOE Keeping Our Kids, Safe, Healthy, and in School Website

(<http://www.state.nj.us/education/students/safety/behavior/hib/#si>), specifically:

- *Harassment, Intimidation and Bullying (HIB) Compliance Checklist*
  - Complete this checklist to determine the degree of compliance with all ABR provisions.(<http://www.state.nj.us/education/students/safety/behavior/hib/checklist.pdf>)
- *Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses* – Refer to this guidance, particularly when developing the HIB policy.  
(<http://www.state.nj.us/education/parents/bully.htm>)

# Getting Started, cont.

- ***Guidance for Implementing the Anti-Bullying Bill of Rights Act*** – Use this guidance to assist in implementing the ABR, resolving HIB complaints, and identifying best practices for HIB prevention, intervention and remediation (URL to be posted subsequent to training)
  - ***An Overview of Amendments to Laws on Harassment, Intimidation and Bullying*** – Use these Power Points to assist in education school and community members about the ABR.  
(<http://www.state.nj.us/education/students/safety/behavior/hib/overview.shtml>)
  - ***Online HIB Tutorial (name to be determined)*** – Refer parents and other community members, students, school staff and school administrators to this resource for basic information on HIB. (URL to be posted subsequent to training)
- Also: SAMHSA'S National Registry of Evidence-Based Programs and Practices*** – Use this searchable data base to identify evidence-based HIB prevention and intervention initiatives to address needs identified through data analysis. (<http://www.nrepp.samhsa.gov/>)

# Short-Term Steps

## September – October 2011

- ***HIB policy adopted by BOE.***
  - In consultation with school and community representatives.
  - Post on Website.
  - Distribute to parents.
  - Include notice of the policy in any district publication on the rules, procedures and standards of conduct.
  - Include notice of policy in student handbook.
- ***Appoint ABC and ABS.***
  - Post contact information on Website.
  - Provide time for staff to be trained as ABC and ABS.
- **Implement HIB Reporting, Investigation and Due Process Procedures.**
- **Plan and observe “Week of Respect”** (week of 1st Mon. in Oct.).
- **Plan and observe “School Violence Awareness Week”** (week beginning with 3rd Mon. in Oct.).

# Short –Term Steps, cont.

## Early in 2011 School Year

- ***Discuss HIB policy with students.***
- ***Form and convene SST.***
- ***Plan and deliver in-service training for existing and new staff.***
- ***BOE members attend training for newly elected or appointed BOE members.***
- ***Attend school leader training***
- ***Conducts public hearings* (9/1-1/1; 1/1-6/30) on violence and HIB occurring during previous period.**
- ***Review Memorandum of Agreement Between Education and Law Enforcement Officials.***



# Long-Term Steps



- ***CSA submits HIB data to NJDOE, in collaboration with ABC.***
  - EVVRS and NJ School Report Card.
- ***CSA conducts public hearings*** (9/1 - 1/1; 1/1 - 6/30) on violence and HIB occurring during previous period.
  - Posts link to reports on district's Website.
- ***CSA posts district's and school's grades on the district's and each school's Websites.***
  - Post the grades within 10 days of assignment.

# Long-Term Steps, cont.

- ***BOE annually assesses and implements HIB prevention programs, approaches or other initiatives.***
  - In consultation with school and community representatives.
  - Designed to create school-wide conditions to prevent and address HIB.
- ***BOE annually reviews HIB policy and revises.***
  - Include input from ABS.
  - Submit revisions to county office within 30 days of adoption.
  - Post on Website.
  - Annually disseminate to parents.



# Long-Term Steps, cont.

- Plan and deliver process for discussing HIB policy with students
- Ensure staff receive professional development in each 5-year cycle in:
  - Suicide prevention that includes HIB risk factors (2 hours)
  - HIB (2 hours)
- Plan and deliver in-service training for existing and new staff
- Review *Memorandum of Agreement Between Education and Law Enforcement Officials*

# Let's Review our Learning Outcomes

**Understand the provisions of the ABR, including the requirements for:**

- *Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety Team*
- *HIB Policies and Procedures;*
- *Reporting investigating and remediating HIB incidents; and*
- *In-Service training, HIB programs and data collection and reporting.*

**Understand best practices for HIB prevention and intervention, including:**

- *Comprehensive programming for HIB prevention, intervention and remediation;*
- *School culture and climate improvement;*
- *Proactive and practical uses of data; and*
- *Action planning.*

# Working together, we can succeed!



**Office of Student Support Services  
Division of Programs and Operations  
New Jersey Department of Education  
100 Riverview Plaza  
Trenton, NJ 08625-0500  
(609) 292-5935**

*September 2011*