

What Every Parent/Guardian Needs to Know About Harassment, Intimidation & Bullying (HIB)

Frequently Asked Questions

What is “harassment, intimidation, and bullying” (HIB) under the school anti-bullying law?

The Anti-Bullying Bill of Rights defines HIB as “Any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either 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, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3), that 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, 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; (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.”

Although not all incidents may fall under the definition of HIB, incidents that are conduct infractions will be subject to the school's Code of Student Conduct.

Are all conflicts bullying?

Conflict and bullying are very different. Conflict is considered to be “mutual” – meaning that all of the participants play some part in initiating, continuing, or engaging in the disagreement. This can range from a simple disagreement to a verbal argument or a physical altercation.

	Bullying, on the other hand, is one-sided. There is no mutual participation in the actions. It may or may not involve several people.
How do you report a suspected instance of harassment, intimidation, or bullying?	Suspected instances of HIB should be reported to the school as soon as possible. Families and caregivers will be asked to fill out the HIB 338 Form . Teachers and school employees will fill out the HIB 338 Form for School Personnel if they witness or are notified of a suspected instance of HIB.
What happens after a suspected instance of HIB is reported?	Please refer to the HIB timeline using this link .
Can the school still proceed with an HIB investigation if law enforcement is conducting a criminal investigation of the same incident?	If law enforcement is conducting a criminal investigation of a suspected HIB incident, the school may be asked to suspend or stay the school HIB investigation. Once law enforcement notifies the school that the criminal investigation has concluded, the school will resume its HIB investigation following all applicable timeframes.
Can a parent/ guardian refuse to allow school staff to speak with their child?	The school does not need parent consent to speak with their child. School personnel will determine with whom and when they will discuss school matters with students. In order to protect the identity and personal information of the students involved and to guard the integrity of the investigation, parents are not permitted to sit in with their children when the incident is discussed.
What happens after the HIB investigation is concluded?	Please refer to the HIB timeline using this link .
Is the school district required to provide the parents of offenders and victims with the investigation report?	The ABR does not require the provision of the investigation report to parents. Parents are only entitled to the following information: <ul style="list-style-type: none"> ● the nature of the investigation; ● whether the district found evidence of HIB; and ● whether any discipline will be imposed, or services provided to address the act of HIB.

<p>Can parents/guardians speak to the Board of Education regarding an HIB investigation?</p>	<p>A parent/guardian may request a hearing before the Board of Education after receiving information about the outcome of the investigation. A request for a hearing must be filed with the Board Secretary no later than sixty calendar days after the written information is received by the parents. The Board shall hold the hearing in executive session within ten business days of the request.</p>
<p>What happens if a parent/guardian disagrees with the Board of Education's written decision to affirm, reject, or modify the Superintendent's decision?</p>	<p>The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, no later than ninety days after the issuance of the Board's decision.</p>
<p>If a parent/guardian has questions about HIB, whom should they call?</p>	<p>Parents'/guardians' first point of contact is the school Principal, and then, the district Anti-Bullying Coordinator.</p>