

The 10 Steps of the HIB Complaint and Investigation Process

A school is required to take specific steps when HIB is reported. For information on a school district's or a school's procedure for reporting, please contact the school's main office. Tables of parent's rights and the section of the ABR that applies to the rights are provided in Appendix A.

The steps a school district and school must take when addressing a suspected incident of HIB are provided below. These steps can be found in N.J.S.A. 18A:37-15 of the ABR:

- **Step 1: The Verbal Report** – All reports of HIB acts must be reported to the principal the *same day* the incident occurs when a school staff member, a contractor or a volunteer:
 - Personally witnesses an act of HIB; or
 - Receives reliable information indicating that a HIB act occurred.

Parents, students and others also may make verbal reports.

- **Step 2: Parent Notification** – As soon as possible following any verbal report of HIB to the principal, the principal must inform the parents of all suspected student offenders and suspected student victims. Depending on the school's procedure and the facts of each incident, the principal might inform the parent by phone, letter or some other form of communication. If it is appropriate to the situation, the principal may discuss the availability of counseling and other intervention services.
- **Step 3: The Investigation** – One school day after receiving the verbal report, the principal or the principal's designee must start an investigation of the act. The school anti-bullying specialist conducts the investigation, in coordination with the principal.

Length of Investigation – The investigation should be completed as soon as possible, but must be completed no later than *10 school days* from the date of the *written* report (see Step 4: The Written Report below). During the investigation:

- The principal might appoint other school staff to help with the investigation; and
 - The principal might administer discipline or take other steps under the board of education's anti-bullying policy or code of student conduct if the facts show there is enough information to do so.
- **Step 4: The Written Report** – Within *two school days* of the verbal report, the school employee, contractor or volunteer must also report the act of HIB to the principal, in writing. The written report requirement does not apply to parents.
 - **Step 5: The Investigation Report** – Within *two school days* of the completion of the investigation, the results of the investigation must be reported to the CSA.

Amending the Investigation Report (Depends on the Facts): If there is information related to the investigation that is received after the 10 school day deadline, the ABS may amend the original results of the report to include the information. There is no deadline for making an amendment to the report. The district would make a decision on the way to respond to the additional information, depending on the facts.

- **Step 6: CSA Actions** – Based on the investigation report, the CSA may choose to take any one of the following additional actions:
 - Impose discipline;
 - Provide intervention services;
 - Create training programs to reduce HIB, improve school climate and make the school safer and more accepting of all students;
 - Order counseling; or
 - Take any other actions necessary to address the incident or reduce HIB in the schools.

- **Step 7: The CSA’s Report to the Board of Education** – The CSA must report the results of the investigation and any actions taken to the board of education by its next meeting following the completion of the investigation.

- **Step 8: Information to Parents** – Within *five school days* after the results of the investigation are reported to the board of education, the school district must provide the parents with information about the investigation that is limited to the following:
 - The type of investigation that was conducted;
 - Whether or not the district found evidence of HIB, as defined in the ABR; and
 - Whether or not discipline was imposed or services were provided to address the HIB.

Limited Information and Student Privacy Laws: Due to student records and privacy laws and regulations, parents are only entitled to review their child’s educational records; a parent is not entitled to view the records of other students. This means that parents are not permitted to receive the entire HIB investigation report if it in any way would identify a student other than their own. If parents believe they are entitled to more information than has been provided by the school district, the parents may request a hearing before the board of education. The process for the board hearing and other options available to parents are explained in the following section (Based on 20 U.S.C. §1232g, the Family Education Rights and Privacy Act, and N.J.A.C. 6A:32-7, Student Records).

- **Step 9: Optional Hearing or Appeal** – After receiving the information on the investigation, parents have the right, but are not required, to request a hearing with the board of education, if they are unsatisfied with the investigation findings or any other actions taken by the school or school district. If the parent requests this hearing, it must be held within 10 days of the parents’ request. Information on other reporting options can be found in the section of this guide titled Other Reporting Options (pages 19-20). More information on other appeal options is explained in the section of this guide titled Options for Appeals on pages 20-22.

- **Step 10: Board of Education Decision** – At the board of education’s next meeting following its receipt of the CSA’s report (Step 7), the board must produce a decision, in writing. The decision must either uphold, reject or change the CSA’s decision.



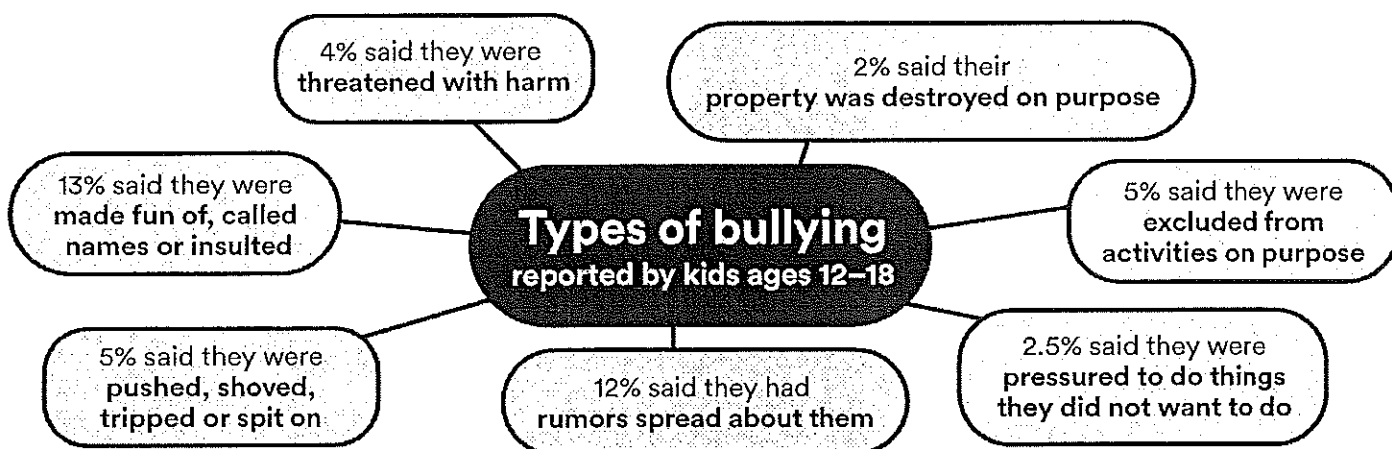
Bullying Fact Sheet

Bullying is...

- ✓ **Any unwanted aggressive behavior** involving an observed or perceived power imbalance. Bullying can happen in person or online.
- ✓ **Widespread.** In a nationwide survey, 1 in 5 middle schools, 1 in 7 high schools and 1 in 12 grade schools said they dealt with bullying at least once a week.
- ✓ **More common among kids with IEPs.** For example, middle- and high-schoolers with learning issues like dyslexia were 31% more likely to experience high levels of victimization than kids in general education.

Bullying is *not*...

- ✗ **Something to brush aside.** Bullying can have long-term effects on physical and mental health as well as academic achievement.
- ✗ **Always a clear-cut problem.** Many victims of bullying also bully others. Kids with learning and attention issues may be more likely to respond aggressively to being bullied and to be identified as bullies. Bystanders can be helpful or can add to the victimization.
- ✗ **Solved by “zero tolerance” or “three strikes, you’re out.”** Suspending or expelling kids who bully does not reduce bullying behavior.



Ways to prevent bullying



Multi-tiered systems of supports (MTSS) identify struggling students early and provide supports that can be intensified if needed.



Positive behavioral interventions and supports (PBIS) teaches all kids about behavioral expectations and helps kids meet those expectations. PBIS.org has free tools to help schools prevent bullying.



Social-emotional learning programs can help students identify bullying, stand up to it safely and know how to report it.

Laws that can help

- All states have enacted **anti-bullying laws**. These laws vary from state to state.
- There are **federal laws** that protect kids with disabilities if bullying is affecting their right to a free and appropriate public education (FAPE). If a child with a disability is being bullied or is bullying others, one of the first steps should be to have an IEP or 504 team meeting.



Conflict vs. Bullying - What's the difference?

Conflict

- Disagreement or argument in which both sides express their views
- Equal power between those involved
- Generally stop and change behavior when they realize it is hurting someone

Bullying

- Goal is to hurt, harm, or humiliate
- Person bullying has more power*
- Continue behavior when they realize it is hurting someone.

* "Power" can mean the person bullying is older, bigger, stronger, or more popular.



PACER's
National Bullying Prevention Center.
The End of Bullying Begins with You.



Tips for Parents about Bullying

#1 Listen and validate your child's feelings about the bullying.

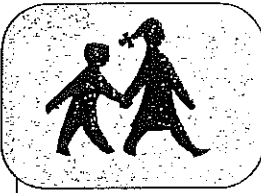
#2 It is important to understand the difference between tattling and telling in order to convey this clearly to your child.

#3 Deal with bullying situations as early as possible.

#4 Don't advise children to respond aggressively. Help them to understand and use assertive responses.

#5 Be your child's best advocate.

#6 Model good problem solving for children and help them to practice it.



KEEPING KIDS BULLY FREE

Tips for Parents

1. If you think your child is being bullied, *ask your child*. Many children won't volunteer this information; they're ashamed, embarrassed, or afraid. Adults need to take the initiative. Ask for specifics and write them down.

If you suspect that your child won't want to talk about being bullied, try approaching the topic indirectly. You might ask a series of questions like these:

- "So, who's the bully in your classroom?"
 - "How do you know that person is a bully? What does he or she do?"
 - "What do you think about that?"
 - "Who does the bully pick on most of the time?"
 - "Does the bully ever pick on you?"
 - "What does the bully say or do to you? How does that make you feel?"
2. If your child tells you that he or she is being bullied, *believe your child*. Ask for specifics and write them down.
 3. Please DON'T:
 - confront the bully or the bully's parents. This probably won't help and might make things worse.
 - tell your child to "get in there and fight." Bullies are always stronger and more powerful than their victims. Your child could get hurt.
 - blame your child. Bullying is *never* the victim's fault.
 - promise to keep the bullying secret. This gives the bully permission to keep bullying. Instead, tell your child you're glad that he or she told you about the bullying. Explain that you're going to help, and you're also going to ask the teacher to help.
 4. Contact the teacher as soon as possible. Request a private meeting (no students should be around, and ideally no students except for your child should know that you're meeting with the teacher). Bring your written record of what your child has told you about the bullying, and share this information with the teacher. Ask for the teacher's perspective; he or she probably knows things about the bullying you don't. Ask to see a copy of the school's anti-bullying policy. Stay calm and be respectful; your child's teacher wants to help.

Ask what the teacher will do about the bullying. Get specifics. You want the teacher to:


- put a stop to the bullying
- have specific consequences for bullying in place, and apply them toward the bully

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KEEPING KIDS BULLY FREE Tips for Parents (continued)


- help the bully change his or her behavior
- help your child develop bully resistance and assertiveness skills
- monitor your child's safety in the future
- keep you informed of actions taken and progress made

 **Important:** It takes time to resolve bullying problems. Try to be patient. The teacher will need to talk with your child, talk with the bully, talk with other children who might have witnessed the bullying, and then decide what's best to do for everyone involved.

5. Make a real effort to spend more positive time with your child than you already do. Encourage your child to talk about his or her feelings. Ask your child how the day went. Praise your child as often as possible. Give your child opportunities to do well—by helping you with a chore, taking on new responsibilities, or showing off a talent or skill.
6. Help your child develop bully resistance skills. Role-play with your child what to say and do when confronted by a bully. Here are a few starter ideas:
 - Stand up straight, look the bully in the eye, and say in a firm, confident voice, "Leave me alone!" or "Stop that! I don't like that!"
 - Tell a joke or say something silly. (Don't make fun of the bully.)
 - Stay calm and walk away. If possible, walk toward a crowded place or a group of your friends.
 - If you feel you're in real danger, run away as fast as you can.
 - Tell an adult.

Ask your child's teacher or the school counselor for more suggestions. Also ask your child for suggestions. It's great if your child comes up with an idea, tries it, and it works!

7. Consider enrolling your child in a class on assertiveness skills, friendship skills, or self-defense. Check with your child's teacher or community resources—your local public library, YMCA or YWCA, community education, etc.

 **Important:** Self-defense classes aren't about being aggressive. They're about avoiding conflict through self-discipline, self-control, and improved self-confidence. Most martial arts teach that the first line of defense is nonviolence.

8. If your child seems to lack friends, arrange for him or her to join social groups, clubs, or organizations that meet his or her interests. This will boost your child's self-confidence and develop his or her social skills. Confident children with social skills are much less likely to be bullied.

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