

## **Leonia Harassment, Intimidation and Bullying Information**

The Leonia School District takes bullying very seriously in all of our schools and complies with the State of New Jersey's Anti-Bullying Bill of Rights Act (ABR). The following Frequently Asked Questions are provided to help parents and community members understand the ABR and learn how we respond to bullying in our schools. Additional information can be found on the District's [Anti-Bullying page](#) on the District website.

### **Frequently Asked Questions:**

#### **1. How is Bullying Defined in the ABR?**

The ABR defines harassment, intimidation and bullying (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 an actual or perceived characteristic,
- takes place on school property, at any school-sponsored function, on a school bus, or off school grounds,
- that substantially disrupts or interferes with the orderly operation of the school or the rights of other students,
- and that 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;
- or 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. (N.J.S.A. 18A:37-14)

#### **2. How Do Schools Decide Whether Conduct is Considered HIB?**

The school must first conduct an investigation when bullying is reported. A school must consider many different factors to decide whether a behavior is HIB as defined in the ABR.

#### **3. Where does bullying most frequently occur?**

Schools must find out where the bullying took place before deciding if it is HIB. Bullying is most likely to occur outside of the classroom, in places where there is the least amount of adult supervision. Some examples of areas, during school, where bullying may occur include: school playgrounds, hallways, lunch rooms, locker rooms, and buses.

#### **4. What's the difference between conflict and bullying?**

During a conflict, name-calling, threats and other conduct that might look like bullying can occur. However, a conflict and bullying are very different. Unlike bullying, during a conflict people are equally involved in some type of disagreement. Conflict is considered mutual, meaning everyone is more or less 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). When bullying occurs, there is no mutual participation in a disagreement; it is one-sided. Bullying victims have a hard time defending themselves. The victims want the bullying to stop, but the bully continues the behavior.

#### **5. What must New Jersey public schools do to meet the requirements of ABR?**

The ABR requires staff in school districts and school buildings to meet several requirements. The requirements provide the structure for schools to prevent bullying and investigate reports of bullying. The main duties of a schools district are to:

- Appoint a School Anti-Bullying Specialist (N.J.S.A. 18A:37-20a) – Every school principal and charter school lead person is required to appoint a school anti-bullying specialist (ABS) for the school.
- Appoint a District Anti-Bullying Coordinator (N.J.S.A. 18A:37-20b) – The CSA must appoint an anti-bullying coordinator (ABC) who serves the entire school district.
- Create a School Safety Team (N.J.S.A. 18A:37-21) – Each school is required to have a school safety team (SST).
- Develop an Anti-Bullying Policy that Includes the ABR Requirements and is Approved by the Board of Education (N.J.S.A. 18A:37-15) – Each district is required to develop its own anti-bullying policy. The policy provides the requirements that school employees must follow when responding to bullying. The policy must include all of the components that are required in the ABR. The district may not take away requirements in the ABR or create a policy that is any less strict than the ABR.
- Include Parents and Other Groups when Creating Their Anti-Bullying Policy (N.J.S.A. 18A:37-15a)
- Implement Anti-Bullying Prevention Programs (N.J.S.A. 18A:37-17a) – Each year a school district must implement and review their anti-bullying programs and approaches.
- Provide Training (N.J.S.A. 18A:37-17b) – All school staff members, volunteers, contractors, leaders and board of education members must participate in trainings on preventing and responding to bullying.
- Publicly Report HIB Incidents (N.J.S.A. 18A:17-46) – The district must provide public reports on the bullying incidents in the schools.
- Post Anti-Bullying Grade on Websites (N.J.S.A. 18A:17-46) – Each district and school will be assigned a grade by the New Jersey Department of Education on the schools' and school district's efforts to meet the requirements in the ABR.

## **6. What happens if bullying is reported to the school?**

The following 10 steps outline the HIB process:

### **The 10 Steps of the HIB Complaint and Investigation Process**

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:

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:
  - a. Personally witnesses an act of HIB
  - b. Receives reliable information indicating that a HIB act occurred.

Parents, students and others also may make verbal reports to the principal.
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.
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. 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
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.
5. The Investigation Report – Within two school days of the completion of the investigation, the results of the investigation must be reported to the Superintendent
6. Superintendent Actions – Based on the investigation report, the Superintendent may choose to take any one of the following additional actions:
  - a. Impose discipline
  - b. Provide intervention services
  - c. Create training programs to reduce HIB, improve school climate and make the school safer and more accepting of all students
  - d. Order counseling

- e. Take any other actions necessary to address the incident or reduce HIB in the schools
7. The Superintendent's Report to the Board of Education – The Superintendent 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.
  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:
    - a. The type of investigation that was conducted
    - b. Whether or not the district found evidence of HIB, as defined in the ABR
    - c. 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).

9. 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.
10. Step 10: Board of Education Decision – At the board of education's next meeting following its receipt of the Superintendent's report (Step 7), the board must produce a decision, in writing. The decision must either uphold, reject or change the CSA's decision.