



## FAQs

### **ANTI-BULLYING BILL OF RIGHTS (ABR): HARASSMENT, INTIMIDATION AND BULLYING (HIB)**

**Q. What is HIB, or bullying, and why does it seem like the term is defined differently vs. when I was in school?**

- A.** In 2011, the legislature of the state of NJ created an official definition for harassment, intimidation, and bullying (HIB) and introduced a series of laws and procedures that schools must follow.

*In order for an event to be considered an incident of HIB, there are specific criteria that must be met. Those criteria are:*

1. The event can be any gesture, written, verbal, or physical act, or electronic communication, whether it is a single incident or a series of incidents.
2. The event must be seen by a reasonable person as being motivated by any actual or perceived characteristic. This might include race, color, religion, ancestry, national origin, sexual orientation, gender identity, an expression, disability, or **any other** distinguishing characteristic.
3. The event takes place on school property, at any school-sponsored function, on a school bus, or off school grounds (if it substantially disrupts or interferes with the orderly operations of the school).
4. One of the following criteria must also be met:
  - The event has 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
  - The event 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 the student's education or by severely or pervasively causing physical or emotional harm to the student.

**Q. Why did the school's administration share limited information about the incident when they called about my child being involved in a HIB investigation?**

- A.** Behavioral investigations have always taken place in schools in order to ensure a full understanding of the details of an event. In the past, such investigations were typically completed, or at least partially completed, before parent phone calls were made. Under the HIB legislation, however, parent contact is required to be made before the investigation has been completed. This prevents the relay of specific information to parents until the process has been completed.

**Q. How long will it take to complete the HIB investigation?**

- A.** School districts have a very specific timeline to follow when investigating incidents under the lens of the HIB law. After receiving a report from the building principal, the anti-bullying specialist has ten school days in which to conduct the investigation.

**Q. What happens once an investigation is completed?**

- A.** Once the investigation is completed and submitted to the building principal, it is then submitted to the Superintendent for review. The Superintendent is required to review cases of HIB *anonymously* with the Board of Education no later than the date of the next Board meeting following the investigation. Once that is done, follow up communication is provided via a letter from the district and the school's administration can be called upon to provide more information.

**Q. Are parents present during a student interview?**

- A.** Anti-bullying specialists and principals conduct student interviews regarding a multitude of activities and incidents going on in school buildings every day. A HIB investigation is conducted in the same fashion. Parents are not involved in these interviews, but are updated on the content of these conversations as the investigation is concluded.

**Q. Can a parent refuse to allow school staff to speak with their child about an incident of HIB?**

- A. School personnel are required by law to conduct investigations which require those who are involved to report what occurred. Investigations of HIB engage the anti-bullying specialist, typically a member of the counseling staff, to conduct these interviews as they are trained to help students manage the emotions that often arise during interviews.

**Q. What should a parent do if they believe their child is being bullied?**

- A. If you suspect that your child is being bullied at school, report the matter to school officials, fill out a HIB 338 form, and assure your child that school personnel will assist in helping to resolve the problem. **8.**

**Q. What happens if an incident occurs off school grounds?**

- A. Actions that occur off school property, including social media postings that occur outside of school hours, must cause a substantial disruption to the student's school day in order for school personnel to investigate the situation under the HIB law.

**Q. What should I do if my child is accused of harassment, intimidation, or bullying?**

- A. Please don't panic. Conflict between students is an age-appropriate behavior that needs to be addressed for students to learn. The Anti-Bullying Bill of Rights is not a criminal statute, and throughout the process of a HIB investigation, all students are treated with respect and care by the school staff. As a parent, you may have many questions and your child will be a primary source of information. Parents should ask specific questions about the situation; encouraging their child to be forthcoming with facts, reflective of their actions, and willing to work through the situation in a respectful manner. The school will use the situation to further develop skills in conflict resolution, coping and self-management, problem-solving, and learning to be respectful and accepting of differences among peers. All skills essential for success in adulthood.

**Q. Will my child be labeled a “bully” as a result of an investigation?**

- A.** At no point is any child ever labeled a “bully” by the school. ALL children make mistakes and are subjected to others' mistakes as they develop socially. The school has a responsibility to follow the guidelines in the statute, but more importantly, to SUPPORT and TEACH children how to deal with emotions, manage behaviors, and develop positive relationships.

**Q. What happens if a student is found to have violated the Anti-Bullying Bill of Rights?**

- A.** When any incident is investigated, regardless of the findings, the district will take appropriate steps to address what took place and support our students. If it is determined that an HIB incident *has* occurred, there are supportive measures the school will provide all students based on the needs that surface during the investigation. Supportive measures could include counseling, HIB education, lessons on self-regulation, discussions about responsible decision making, etc. If the action violates the school’s Code of Conduct, consequences will also be given in alignment with the recommendation in the school’s Student Handbook.

**Q. What happens when the results of an HIB investigation do not confirm a violation of the Anti-Bullying Bill of Rights but do confirm a negative interaction or act took place?**

- A.** When any incident is investigated, regardless of the findings, the district will take appropriate steps to address what took place and support our students. It is not uncommon for incidents to fail to meet the criteria for HIB, but still result in a Code of Conduct violation. In these instances, consequences and supportive measures are also imposed.

**Additional Resources:**

[Guidance for Parents on the Anti-Bullying Bill of Rights Act](#)

Wall Township District Anti-Bullying Coordinator: [Tiffany A. Steiner](#)  
School Climate State Coordinator Contact Information: [HIB@doe.nj.gov](mailto:HIB@doe.nj.gov)