

# Nutley School District: HIB Staff Training

## Anti-Bullying Bill of Rights (K-12):

- Effective September 1, 2011
- Applies to public schools and colleges



# Goals of the Anti-Bullying of Rights Act and the Nutley School District HIB Policy:

1. Create a safe school climate
2. Investigate any alleged incidents of harassment intimidation and bullying



# H.I.B. Training Requirements:

- Current and new school employees
- Administrators
- Teachers
- Student Support Services
- Administrative/Office Support
- Transportation
- Food Service
- Facilities/Maintenance
- Contracted Service Providers
- Volunteers

➤ **who have significant contact with students**



# Definition

Harassment  
Intimidation  
And  
Bullying



# H.I.B. violates the law if it is:

## *Definition of H.I.B.*

H.I.B. means any gesture, any written, verbal, or physical act, or any electronic communication whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived **characteristic...or**

By any other distinguishing characteristic;  
and that



# “Characteristics” under the Anti-Bullying Bill of Rights:

- ❑ Reasonably perceived as being motivated by either any actual or perceived characteristic such as:
  - Race
  - Color
  - Religion
  - Ancestry
  - National Origin
  - Gender
  - Gender Identity / Expression
  - Sexual Orientation
  - Mental, Physical, Sensory Disability
  - Or, “any other distinguishing characteristic”
  - including the choice to wear or not wear a mask used for the purpose of preventing disease transmission

(Nutley addendum 4/22)



# Any other Distinguishing Characteristic

any and all other actual or perceived personal characteristic, behaviors, beliefs, affiliations, including, but not limited to

- Academically gifted children
- Wearing glasses, hair color, hair style
- Acne
- Height / weight
- Small or physically weak children
- Wear braces
- Children perceived unattractive/unfashionable
- Athletic ability
- Academic stereotype
- Socio-economic status
- Grade level
- New student in school



***Definition of  
H.I.B.***

2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds that
3. 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, that the act(s) 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/her person or damage to his/her property;  
or





***Definition of  
H.I.B.***

- b. Effect of insulting or demeaning any student or group of students; or
- c. Create 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.

Schools are required to address HIB occurring off school grounds, when there is a nexus between the HIB and school (disrupts or interferes with the operation of the school or the rights of other students).



***Definition of  
H.I.B.***

- ❑ A reasonable person should know, under the circumstances, that the act(s) will have the effect of:
- ❑ “Reasonable person” = an adult member of the school community.
- ❑ “Under the circumstances, will have effect of” = means person must treat and respond to the behavior as presented, not as reported.

# Case Law

## “Distinguishing Characteristic”

K.L. v. Evesham School District

(App. Div. 2011)

What a personal characteristic is not:

*Harmful or demeaning conduct motivated only by another reason, for example, a dispute about relationships or personal belongings, or aggressive conduct without identifiable motivation, does not come within the statutory definition of bullying.”*



# Anti-Bullying Staff

□ Anti-Bullying Coordinator: Joseph Cappello, JHWMS  
(973) 661-8989

➤ Appointed by the Superintendent

## Responsibilities:

1. Coordinates/strengthens district H.I.B. policy to prevent, identify, and address H.I.B.
2. Collaborates with Anti-Bullying Specialists, BOE and Superintendent to prevent, identify, and respond to H.I.B. of students.
3. Meets at least twice a school year with the Anti-Bullying Specialists.
4. Provides data, in collaboration with the Superintendent, to the NJDOE.
5. Performs other related duties such as train staff, present to the Nutley BOE, and attend parent meetings.



# Anti-Bullying Staff

## ❑ Anti-Bullying Specialists:

- Lincoln School: Nancy Thunell, (973)661-8502
- Radcliffe: Lauren Alfaro, (973)661-8820
- Spring Garden: Miranda Dambrot, (973)320-8384
- Washington: Kelli Cerniglia, (973)320-8383
- Yantacaw: Merrill Barbone, (973)320-8427
- JHWMS: Alisa Gennace, (973)661-8875
- NHS: Averil Surak, (973)661-8997

## Responsibilities:

1. Chairs the School Safety/School Climate Team
2. Leads the investigation of reported H.I.B.
3. Acts as the primary school official responsible for preventing, identifying, and addressing incidents of H.I.B. in the school



# Anti-Bullying Staff

- ❑ School Safety/School Climate Team
  - Consists of the principal or designee, the school ABS (serves as chair), a teacher in the school, a parent/guardian of a student in the school, and other members determined by the principal.
  - Meets at least 2 times per school year

## Responsibilities

1. Receive records of all H.I.B. complaints reported to principal.
2. Receive copies of all reports prepared after an investigation.
3. Identify and address patterns of H.I.B.
4. Review and strengthen school climate and policies to prevent and address H.I.B.
5. Educate stakeholders to prevent and address H.I.B.
6. Participate in trainings and execute other duties.



# Reporting Procedures

- ❑ All board members, school employees, volunteers and contracted service providers who have contact with students are required to:
  - 1) verbally report alleged violations to the principal or designee on the same day witnessed or received reliable information regarding any such incident.
  - 2) submit an Incident Report to the building principal or designee within two school days of the verbal report.





# HIB Incident Report Form

- Located in the *Harassment, Intimidation, Bullying* link on the district's homepage under "District" and on each school's homepage.

[HIB Incident Report Form](#)

- The H.I.B. Incident Report Form shall be sent to the building principal/vice principal and Anti-Bullying Specialist.





# Alleged Victims and Offenders

- The ABR applies to H.I.B. committed by an adult or youth against a student. Therefore, it is possible that a staff member may be identified as an alleged offender.
- Same procedural requirements apply regardless of whether the alleged offender is an adult or youth.
- The school's ABS will not conduct a H.I.B. investigation if in the same bargaining unit of a staff member who is the subject of a HIB investigation.



# Investigation Time Frames

1. Same day verbal report to principal.
2. Follow up 2 school days later with written report.
3. Principal initiates investigation within one school day of verbal report. ABS leads investigation.
  - Investigations concerning an adult shall not be investigated by member of same bargaining unit.
4. Principal informs parents/guardians of all parties involved.
5. Investigation to be completed ASAP, but no later than 10 school days from the date of the written report.
6. Within 2 days of ABS completing investigation, principal submits results to the superintendent who may decide additional actions to be taken.



# Investigation Time Frames

7. Superintendent reports incident (not individuals) to BOE at next board meeting.
8. Written report to parents/guardians within 5 school days after results are reported to BOE.
9. Parents/guardians can request BOE hearing in executive session within 60 calendar days of receiving written report. Hearing shall be held within 10 school days.
10. BOE must issue written decision (affirm, reject or modify Superintendent's decision) at next meeting
11. Appeal to Commissioner of Education no later than 90 days after BOE's decision.
12. Parents/guardians, student, organization may file complaint with Division of Civil Rights within 180 days of H.I.B. incident.



# Investigation Findings

- ❑ Superintendent informs parents/guardians of all victims and offenders involved in incident:
  - Nature of investigation
  - Evidence found
  - Consequences imposed and/or services provided
  - Parent can request BOE hearing in executive session within 60 calendar days of receiving written report.

\* In accordance with Federal and State law and regulation



# Investigation Findings

## Unfounded

- Incident did not meet the criteria of H.I.B.

## Unfounded - Code of Conduct Violation

- Incident did not meet the criteria of H.I.B., but identified as a code of conduct violation.

## Founded

- Incident did meet the criteria of H.I.B. as defined by the Anti-Bullying Bill of Rights / the district's H.I.B. policy.



# CONFLICT VS. H.I.B.

- ❑ Not all conflicts between students are H.I.B.
- ❑ There is a difference between a “conflict” and “H.I.B.”
- ❑ The response is different for each.

**Conflict:** Can use mediation

**H.I.B.:** No mediation



# CONFLICT VS H.I.B.

- Equal power, friends
- Happens occasionally
- Accidental
- Not serious
- Equal emotional reaction
- Not seeking power or attention
- Not trying to get something
- Remorse-take responsibility
- Effort to solve the problem
- Imbalance of power, not friends
- Repeated negative attentions
- Purposeful
- Serious — threat of physical harm or emotional or psychological hurt
- Strong emotional reaction on part of the target
- Seeking power, control
- Trying to gain material things or power
- No remorse — blames target
- No effort to solve the problem



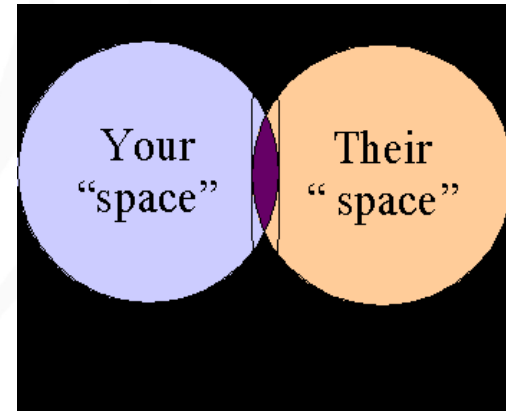


# Teasing is NOT Always H.I.B.

## MAKING FUN

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## HAVING FUN





# HAZING

- ❑ Hazing is not always H.I.B.
- ❑ Hazing is a process that is used by members of a group to keep hierarchy or pecking order within the group.
- ❑ The lower group member or person who wants to join gives direct or indirect consent to engage in the hazing activities which may be physically, psychologically or socially harmful.
- ❑ Unlike H.I.B., the victim allows himself or herself to be hazed as a way to prove that they are worthy to be a member.
- ❑ Once accepted, the victim becomes a bystander.
- ❑ Eventually, the bystander achieves senior status and power, and hazes others.
- ❑ Hazing, as is H.I.B., interferes with the development of a positive school climate.



# Staff Immunity

- A board member or school employee who promptly reports an incident of H.I.B. and who makes this report in compliance with the procedures in this policy is immune from a cause of action for damages arising from any failure to remedy the reported incident.



# Reprisal or Retaliation Prohibited

- ❑ Engaging in reprisal, retaliation, or false accusation against a victim, witness, one with reliable information, or any other person who has reliable information about an act of H.I.B. or who reports an act of H.I.B. is prohibited.
- ❑ All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses (consequences and/or remedial actions) will be made.



# Staff Responses:

## Prevention and Intervention

### □ Individual Level:

- Discipline (loss of privileges, detention, suspension, warning)
- Support services via School Counseling and Special Services Departments
- Assignments (apology letter, research project, reflection essay, reaction essay to a book/video)
- Misc. (parent conference; locker, seat and schedule change; staff monitoring)
- Contact with Nutley Police Department



# Staff Responses:

## Prevention and Intervention

### □ Classroom Level:

- Elementary character education program
- L.E.A.D. – Law Enforcement Against Drugs
- Sixth Grade Advisory Periods (2x per month)
- JHWMS Advisory Periods (2x per month)
- Competent Kids, Caring Communities Curriculum (Grades PreK-5)
- RULER Curriculum (Grades 6-12)
- Classroom lessons infused into curriculum or as a remedial measure to address an incident



# Staff Responses:

## Prevention and Intervention

### ☐ School Level:

- Assemblies
- Peer to Peer Activities:
  - ❖ Ambassadors, Real Raiders, CORE Ambassadors
- Parent and staff programs
- Supervision and monitoring
- Clubs
- Theme Days
- Fundraisers

### ☐ District-Wide Level:

- Week of Respect
- School Violence Awareness Week
- Red Ribbon Week



# Staff Responsibilities: Prevention and Intervention

- ❑ Community Level:
  - Nutley Clergy Association
  - Nutley Department of Public Affairs
  - Nutley Department of Public Safety
    - Nutley Police Department – Juvenile Division
    - Municipal Alliance Committee
  - Garden State Equality





# District Responsibilities

- ❑ School district shall:
  - Report all acts of H.I.B. to BOE two times per year at public portion of BOE meeting.
  - Post Self-Assessment grades of each school and the district on website of each school and district.
  - Post name and contact information of ABC on district website.
  - Post names and contact information of ABC and ABS on the homepage of each school's website.
  - Disseminate H.I.B. policy to staff and parents annually.
  - H.I.B. policy / procedures on website.
  - H.I.B. instruction to students.
  - Post contact information for NJ School Climate State Coordinator.
  - Post *Guidance for Parents on the Anti-Bullying Bill of Rights Act.*





# Types of H.I.B.

- ❑ Gesture: eye-rolling, hand gesture, facial expressions/dirty looks
- ❑ Written: notes, letters, graffiti
- ❑ Verbal: name-calling, put downs, threats
- ❑ Physical: pushing, kicking, punching
- ❑ Cyber: sending insulting messages and/or pictures electronically (e-mail, text, Snapchat, Instagram, Google Meet, YouTube, FaceTime, video games, apps such as TikTok, BeReal, X/Twitter, Discord)
- ❑ Social/Relational: ignoring, excluding, telling others not to be friends with victim



# Characteristics of a Victim

- Perceived as different: overweight/underweight, height, wear glasses, clothing, non-athletic, “nerdy”
- Perceived as weak or unable to defend themselves
- Are depressed, anxious, low self-esteem
- Are less popular than others and have few friends
- Poor social skills, limited sense of humor
- Viewed as annoying or provoking, or antagonize others for attention

[www.stopbullying.gov](http://www.stopbullying.gov)



# Characteristics of a Bully

- Some are well-connected to peers
  - Socially powerful, overly concerned about their popularity, like to dominate or be in charge of others
- Others more isolated from peers
  - Depressed or anxious, low self-esteem, less involved in school, easily pressured by peers, or not identify with the emotions or feelings of others
- Are aggressive or easily frustrated
- Have less parental involvement / issues at home
- Think badly of others
- Have difficulty following rules
- View violence in a positive way
- Have friends who bully others

[www.stopbullying.gov](http://www.stopbullying.gov)



# Warning Signs of H.I.B.

- Unexplainable injuries (bruises, cuts, scratches)
- Lost or destroyed clothing, books, electronics, or jewelry
- Frequent headaches or stomach aches (butterflies), feeling sick or faking illness
- Changes in eating habits, suddenly skipping meals or binge eating. Come home from school hungry because they did not eat lunch
- Declining grades
- Loss of interest in schoolwork
- Not wanting to go to school
- Difficulty sleeping or frequent nightmares
- Sudden loss of friends
- Avoid social situations



# Warning Signs of H.I.B.

- Running away from home – “let’s move”
- Seems socially isolated with few, if any, friends
- Afraid of going to school or other activities
- Appears sad, moody, angry, anxious or depressed
- Feeling helpless
- Talking about suicide
- Hurting themselves
- Often feels like they are not good enough
- Blames themselves for their problems
- Acts differently than usual

[www.stopbullying.gov](http://www.stopbullying.gov)



# Beliefs That Support H.I.B.

- It is best to ignore H.I.B. incidents, getting involved just adds fuel to the fire.
- Kids being mean; that's just the way it is and there is nothing I can do to change it.
- Kids learn these behaviors at home, I can't do anything to change this.
- Students do not expect me to get involved in their personal lives.
- I do not step in because I have no idea what to do.
- Bullying doesn't happen here.



# Beliefs That Prevent H.I.B.

- I am influential, and must model appropriate behavior.
- I have an open door policy and students know they can talk to me about anything.
- Even if I am not sure what to do, I have to step in if I see something. If I don't take a stand, who will?
- I will seek assistance when I suspect H.I.B. may be occurring. I will follow the policy.
- If I do not see H.I.B., it doesn't mean it isn't happening.
- I find ways to talk to students about H.I.B.





# H.I.B. Prevention

- Model How to Treat Others with Kindness and Respect**
- Assist Students**
  - Understand what is H.I.B.
  - How to get help
  - Help others
  - How to be assertive
- Keep the Lines of Communication Open**
- Encourage Students to Do What They Love**



# Resource

## Harassment Intimidation and Bullying Resource Page

\*Found on the district's homepage under  
"District" or on each school's homepage



# Thank You

