

Montclair Public Schools

UNDERSTANDING THE PROCESS:

Anti-Bullying Bill of Rights Act (ABR)/HIB Process...Code of Conduct Incidents Department of Pupil Services

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Link to: [School Climate/Anti-Bullying Rights Acts \(HIB\) Information - Montclair Public Schools](#)

1. Purpose of the ABR Act

- Clearly Define HIB
- Strengthen School Communities & Enhance School Climate
- Ensure that Approaches, Programs & Trainings are Implemented (SSDS)
- Establish, Reinforce and Monitor Reporting & Investigation Procedures

2. Role & Responsibilities:

- Principal
- ABS
- School Climate Team
- ABC
- Superintendent
- Board of Education

3. Code of Conduct Incident/HIB:

- Reporting, & Investigation Timeline
- Appeal Timeline



~Those who plant a garden, plant happiness~

PURPOSE OF THE ABR is to clearly define HIB:



1. Any gesture, any written, verbal or physical act, or any electronic communications, whether it be a single incident or a series of incidents that:



2. Is reasonably perceived as being motivated by any actual or perceived characteristic, *or by any other distinguishing characteristic*; **AND**



3. Takes place on **school property**, at any school sponsored function, on a school bus, or **off school grounds**; **AND**



4. Substantially **disrupts or interferes** with the **orderly operation** of the school or the **rights** of other students; **AND**

ALL OF THESE
AND AT LEAST ONE (1)
of the following...

...AND MUST MEET ONE (1) OF THE FOLLOWING...

__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

__b. Places a student in reasonable **fear of physical or emotional harm** to his/her person or damage to his/her property

OR

__c. Has the effect of **insulting or demeaning** any student or group of students

OR

__d. 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

HIB Criteria → 1, 2, 3, 4

AND

(a) or (b) or (c) or (d)

PURPOSE OF THE ABR:

Strengthen School Communities &
Enhance School Climate

*it is NOT
to punish or label students!*



- Proactive approach to preventing incidents
- Establish reporting & investigation procedures
- Provide guidance for responses (remediation & supports)
- Encourage reflection & reinforce schools' commitment to providing ongoing professional development (SSDS/HIB Assessment)
- Respond to research on the incidence, prevalence and effects of HIB
- Support the use and better management of existing resources to increase school safety
- Establish role & responsibilities of the School Climate Committee
- Reduce the risk of suicide due to HIB.

PURPOSE OF THE ABR:

The ABR established guidelines for districts to implement, document and assess HIB prevention programs; approaches; or other initiatives involving school staff, administrators, students, parents, law enforcement, other community members and volunteers **(SSDS/Self-Assessment)**

Trainings/Programs – school district must provide ongoing, age-appropriate instruction on the prevention of HIB, in accordance with the Core Curriculum Standards.

Week of Respect – School districts must be annually observe this week, beginning with the first Monday in October. The purpose of the week is to recognize the importance of character education by providing age-appropriate instruction focusing on the prevention of HIB.



Roles in the HIB Process

At the Building Level, the following responsibilities are assigned to...

Principal

- Attend HIB training for Leaders
- Appoint the School Anti-Bullying Specialist (ABS) and School Climate Team members
- Receives allegations and predetermines if incidents are Code of Conduct or potentially meet HIB Investigation Criteria
- Initiate investigations and inform parents of all alleged offenders and alleged victims of the predetermination (within 1 day)
- Monitor investigation to ensure compliance with timeline
- Review reports and timelines with ABS and recommend remediations, supports, programs or discipline

Anti-Bullying Specialist (ABS)

- Attend required training on HIB
- Lead the School Climate team, including HIB training for staff and parents
- Conduct the investigation of HIB allegations in accordance with the ABR Timeline
- Primary school official responsible for preventing, identifying and addressing incidents of HIB in
- Assist the principal in determining the responses to be implemented
- Provide input on the annual re-evaluation, reassessment and review of the HIB policy
- Provide data for District and NJDOE reports

Roles in the HIB Process (cont)

At the Building Level, the following responsibilities are assigned to...

School Climate Team (Building Level)

- Develop, foster and maintain a positive school climate by focusing on practices in the school and addressing climate issues
- Meet, at a minimum, twice each school year (MPS practice is 4/+)
- Review incidents, investigations, determinations, and patterns of HIB and allegations
- Review and strengthen the school climate and the policies of the school to prevent and address HIB of students
- Educate students, teachers, administrative staff and parents to prevent and address HIB of students
- Participate in required training, including professional development opportunities that address effective school climate programs or approaches, and other training requested by the principal or ABC
- Collaborate with the ABC in the collection of district-wide data
- Collaborate with the ABC in the development of policies to prevent and address HIB of students
- **Parents serving on the SCT are not permitted to participate in these or other activities that may compromise the confidentiality of a student.*

Roles in HIB Process

At the District Level, the following responsibilities are assigned to...

Anti-Bullying Coordinator Ms. Maggie E. Dock

- Coordinate and strengthen the school district's HIB policies to prevent, identify and address
- Collaborate with the ABS, the BOE and the CSA to prevent, identify and respond to HIB
- Review HIB investigation reports and timeline compliance; gather & provide data to the NJDOE and the Board of Education, regarding HIB investigations
- Meet with ABS at least 2 times each year to discuss and strengthen procedures and policies to prevent, identify and address HIB in the district (4+)
- Informs parents of the determination, following the Board of Education vote

CSA/Superintendent Dr. Jonathan Ponds

- Appoint the district anti-bullying coordinator (ABC)
- Review HIB Cases and make additional recommendations for remediations, supports, or discipline
- Receive training on HIB policy, ensure that Board members receive training, provide training for those who work with students
- Ensure that schools annually establish, implement, document and assess their bullying prevention programs, including instruction on HIB prevention
- Observe the "Week of Respect" beginning with the first Monday in October of each year (separate from School Violence Awareness Week)

Board of Education (BOE)

- Adopt a policy prohibiting HIB
- Within one year of being elected or appointed, complete a training program provided by the New Jersey School Boards Association
- Review all HIB Cases/Appeals and vote to affirm, reject or suggest additional remediations, supports or programs.

Code of Conduct Incident/HIB REPORTING & INVESTIGATION TIMELINE (SSDS Report and HIB Self-Assessment)

REPORTING & INVESTIGATION TIMELINE

Reporting Forms (HIBster 12/23)

Staff/Personnel 338 Form AND Families/Caregivers 338 Form

Timeline

Day 1

- Verbal (or written) report is forwarded to the Principal
- Principal pre-determines if the incident is a *Code of Conduct (CC) Incident* or meets the criteria for an *HIB Investigation (Inv)*

Within 24 Hours

- Principal contacts parent/caregiver, providing the nature of the incident and predetermination
- HIB Inv, Principal informs ABS to begin
- CC Incident, proceed as usual

Within 2 days of receiving the verbal/written report

- Principal completes/forwards 338 to Central Office with predetermination

Within 10 Days

- HIB Investigation must be completed
- 2 Days Following the Completed Investigation
- ABS reviews HIB Investigation Report with Principal

2 Days Following the Investigatory Review

- ABS emails report to ABC for review

AFTER THE INVESTIGATION

Before the Next Board Meeting

- ABC presents case summaries

Next Board Meeting

- The Board of Education votes on the determination

Within 5 School Days of the Vote

- ABC emails determination letters to parent/caregiver

APPEAL PROCESS

Within 60 Days of Receiving Determination Letter

A written appeal request may be submitted to the Board Secretary

Within 10 School Days of the Receipt of the Request

Appeal Meeting is held in Executive Session and voted upon by the Board of Education

Within 90 Days of the Primary Pretermination (not the appeal date)-An appeals request may be submitted to the Commissioner of Education

Within 180 of the Primary Determination (not the appeal date) -A complaint to the Division on Civil Rights may be submitted

Day 1
PRINCIPAL receives verbal/written allegation (may be from any source) and makes a pre-determination whether the allegation will be addressed as a:
Code of Conduct Incident (CC)/338 OR warrants an **HIB Investigation**
 -Informs parents/caregivers **via email** (copying ABS) or email and call: the nature of the allegation and the predetermination (Must be completed on day 1)

Within 2 Days
PRINCIPAL receives or completes/reviews the 338 -Emails the 338 to the ABC, copying the Supt, Director and ABS. Subject Heading: “date of incident (CC/ “or “date of incident- **Inv**”
ABS completes applicable Genesis fields and uploads the CC/338 when **ABC** provides the Case #.

Code of Conduct (CC):
 Incident is addressed as usual by building administrator(s), including the completion of the Disciplinary Incident Report in Genesis (SSDS)

ABS starts the HIB investigation

Within 10 days

ABS completes the investigation

Within 2 days

ABS completes the written report and, **PRINCIPAL** reviews, and completes the timeline, signs the report & completes the Disciplinary Incident Report, in Genesis (SSDS)
ABS completes Genesis fields, uploads report & notes

HIB Reporting & Investigations Flowchart (HIBster eff. 12/23)

Within 5 days

ABC emails determination letters to parents/caregivers, copying Supt, Director, Principal and ABS.

Next Board Meeting

The Board Votes

ABC reviews the timeline, report, notes & Genesis fields, Presents case summary to Director, Supt & the Board of Education

Within 2 days

ABS emails the report and notes to **ABC**, copying Supt, Director, and Principal.
 Subject Heading: “Case #-HIB” or “Case #-NON-HIB”