

Tutorial for School Personnel
on the *Anti-Bullying Bill of Rights Act* (ABR)

Part 3: Intervention

About this tutorial...

- This is the third of three tutorials designed to help school personnel implement the ABR. Part 1 provides an orientation to the requirements in the ABR. Part 2 addresses harassment, intimidation and bullying (HIB) prevention.
- This tutorial is organized in a question and answer format.
- Where applicable, requirements and suggestions are differentiated. If there is no differentiation, the information is either suggested or a reflection of the research literature.
- The following topics are covered in this tutorial:
 - HIB intervention policy requirements.
 - Suggested practices for HIB investigations.
 - HIB and crime.

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Tutorial, cont.

- HIB off school grounds.
- Requirements of various school roles.
- Requirements regarding parents.
- The role of students in HIB intervention.
- Responses to HIB incidents.
 - Consequences and remediation for offenders and victims.
- Resources.
- Test.

Introduction

HIB Intervention

- Training and clear procedures on HIB identification and intervention are essential, particularly since research reports indicate that educators might not recognize students identified by their peers as students who bully (www.stopbullying.gov).
- Research studies have demonstrated that a reduction in HIB occurred in schools where teachers and students were willing to intervene, treat each other fairly and demonstrate that they care about how all students are treated.
- All school staff should know the signs of HIB and the procedures for appropriate interventions when there is a reason to believe that HIB may be occurring, which is important both for the protection of students and for establishing the norm that HIB is not acceptable behavior.

What are the basic policy requirements regarding HIB intervention?

- Reporting procedures
- Investigation procedures
- Establishment of a range of responses to HIB
- Chief school administrator (CSA) actions
- Parent information and actions
- Board of education (BOE) actions
- NOTE: While not required, since bystander support can reinforce HIB behaviors, district BOEs might consider including a statement prohibiting active or passive support for acts of HIB their HIB policies.

- Detailed information for each required area is provided on the following slides. -

What are the required procedures for HIB reporting?

- **Verbal Report** – All acts of HIB must be reported verbally to the school principal on the same day when a school employee or contracted service provider witnessed or received reliable information regarding the incidents.
 - **Anonymous Report** – The reporting procedures must include a provision that permits a person to report an act of HIB anonymously, and formal disciplinary action may not be taken solely on the basis of an anonymous report.
- **Parent Contact** – The principal must inform the parents of all student offenders and victims involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services.
- **Written Report** – All acts of HIB must be reported in writing to the school principal within two school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to HIB.

- N.J.S.A. 18A:37-15b(5) -

What are the required procedures for conducting HIB investigations?

The BOE must establish a procedure for prompt investigation of reports of HIB violations and complaints, which must include, at a minimum the following:

- **Initiation** – HIB investigations must be initiated by the principal or the principal’s designee within one school day of the verbal report of the incident.
- **Investigation** – HIB investigations must be conducted by a school anti-bullying specialist (ABS).
 - The principal may appoint additional staff who are not ABSs to assist in the investigation.
- **Completion** – HIB investigations must be completed as soon as possible, but not later than 10 school days from the date of the written report of the HIB incident.
- **Results** – The results of the investigation must be reported to the CSA within two school days of the completion of the investigation.
- **Amended Report** – In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the ABS may amend the original report of the results of the investigation to reflect the information.

- N.J.S.A. 18A:37-15b(6)(a) and (b) -

What are the procedures required of the principal regarding HIB investigations?

- Receive all reports of HIB.
 - Verbal report received on the same day as the incident or the same day information was received on the incident; and
 - Written report received within 2 days.

- Initiate HIB investigations within 1 day of verbal report.
 - Appoint staff in addition to school anti-bullying specialist (ABS), as necessary, to assist with investigations.
 - Coordinate with ABS in investigating reported incidents.
 - Submit results of investigations to the CSA within 2 school days of the completion of the investigations.

- *N.J.S.A. 18A:37-15b(5) and (6)* -

What procedures should be followed if a HIB incident also might be a crime?

- Since some acts of HIB may be bias-related acts and potentially bias crimes, school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern.
- The *Memorandum of Agreement Between Education and Law Enforcement Officials* (N.J.A.C. 6A:16-6.2(b)13) establishes the conditions under which school officials are required to report suspected bias-related acts and other crimes to law enforcement authorities.
<http://www.state.nj.us/education/students/safety/behavior/law/>
- Additionally, all incidents of HIB, including related offender and victim information, must be reported over the NJDOE's *Electronic Violence and Vandalism Reporting System*, pursuant to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. <http://homeroom.state.nj.us/index.htm>

How has the *Memorandum of Agreement Between Education and Law Enforcement Officials (MOA)* been changed in response to the ABR?

- The MOA (<http://www.state.nj.us/education/schools/security/regs/agree.pdf>) was modified in September 2011 to include the following new Articles:
 - Article 8.6: Harassment, Intimidation and Bullying
 - Article 8.6.1: Differing Terminology and Approaches
 - Article 8.6.2: Definition of HIB
 - Article 8.6.3: Consultations Regarding Adoption of HIB Policy
 - Article 8.6.4: Information Sharing; Obligation to Report Offenses and Preserve Evidence
 - ▶ Article 8.6.4.1: Disclosing Reports of Bullying to Schools
 - ▶ Article 8.6.4.2: Reporting Harassment, Intimidation or Bullying to Law Enforcement
 - ▶ Article 8.6.4.3: Preservation of Evidence; Chain of Custody
 - Article 8.6.5: Coordination of Investigations
 - Article 8.6.6: Law Enforcement Testimony at School Student Conduct Hearings; Required Notices to the County Prosecutor.

What are the procedures required of the school anti-bullying specialist regarding HIB investigations?

- Lead, in coordination with the principal, the investigations of reported HIB incidents.
- Complete the investigations within 10 days of the written report.
- Act as the primary school official responsible for preventing, identifying and addressing incidents of HIB in the school.
- Assist the principal in determining the responses to be implemented that have been established by the BOE.
- Appear at the board hearing in executive session when requested by the board of education

- *N.J.S.A. 18A:37-15b(5) and (6) and (d)* -

What are some guidelines to consider when conducting an investigation of an alleged HIB incident?

- ***Explanation*** – Explain the investigation process to those being interviewed.
- ***Privacy***
 - Stress confidentiality.
 - Separately interview the victim, the alleged bully and the bystanders.
- ***Interviews*** – Use developmentally appropriate interviewing strategies.
- ***Objectivity*** – Elicit specific facts about the incident.
- ***Support*** – Reassure the victim and ensure student safety.

What are the procedures required of the CSA regarding HIB investigations?

- **CSA Decision** – Based on the results of the HIB investigation, the CSA may decide to provide intervention services, establish training programs to reduce HIB and enhance school climate, impose discipline, order counseling or take or recommend other appropriate action.
- **CSA Report** – The CSA must report the results of each investigation to the BOE no later than the date of the next BOE meeting following the completion of the investigation, along with information on any services provided, training established, discipline imposed or other action taken or recommended by the CSA.
- **Parent Information** – The CSA must provide parents of the student offenders and victims with information about the investigation, including the nature of the investigation, whether the district found evidence of HIB, or whether discipline was imposed or services were provided to address the HIB, in accordance with federal and state law and regulation.
 - This information must be provided in writing within 5 school days after the results of the investigation are reported to the BOE.

- N.J.S.A. 18A:37-15b(6)(b), (c) and (d) -

What are the procedures required of the BOE regarding HIB investigations?

- **BOE Hearing** – If a parent requests a hearing before the BOE after receiving the report from the CSA, the hearing must be held within 10 days of the request.
 - The board must meet in executive session for the hearing to protect the confidentiality of the students.
 - At the hearing the board may hear from the ABS about the incident, recommendations for discipline or services, and any programs instituted to reduce HIB.

- **BOE Decision** – Whether or not a BOE hearing was held, at the next BOE meeting following its receipt of the CSA's report the BOE must issue a decision, in writing, to affirm, reject, or modify the CSA's decision.

- N.J.S.A. 18A:37-15b(6)(d) and (e) -

What is the role of the school when intervening with HIB incidents that occur off school grounds?

- For school staff to address HIB that occurs off school grounds, at a minimum, two criteria must apply to reported HIB acts, as described below:
 - 1) ***Substantial Disruption*** – There must be reason to believe, at a minimum, that the alleged HIB has substantially disrupted or interfered with the orderly operation of the school or the rights of other students; ***and***
 - 2) At a minimum, one of the following criteria must apply:
 - ***Physical or Emotional Harm*** – A reasonable person should know, under the circumstances, that the behavior would 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;
 - ***Insulting or Demeaning*** – The behavior had the effect of insulting or demeaning any student or group of students; or
 - ***Hostile Educational Environment*** – The behavior created 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.
- Once a determination has been made that these criteria apply, school staff must implement the BOE's HIB policy and code of student conduct for the reported HIB.

What are districts/boards of education required to provide to parents?

- ***Notification of Investigation*** – Parents must be contacted by the principal when their children have been reported to be involved as an offender or a victim in an alleged HIB incident.
 - The principal may choose to discuss, as appropriate, the availability of counseling and other intervention services with parents.

- ***Information about the Investigation***
 - Parents of the student offenders and victims must receive information about the investigation, in accordance with Federal and State law and regulation. The information required to be provided is:
 - The nature of the investigation;
 - Whether the district found evidence of HIB; or
 - Whether discipline was imposed or services provided to address the incident of HIB.
 - The information to parents must be provided in writing within five school days after the results of the investigation are reported to the BOE.

- N.J.S.A. 18A:37-15b(5) and (6)(d), (e) and (f) -

What timelines apply to parent actions?

- ***BOE Hearing*** – A parent may request a hearing before the BOE after receiving the information.
 - The hearing must be held within 10 days of the request.
 - The BOE must meet in executive session for the hearing to protect the confidentiality of the students.
- ***Appeal to Commissioner of Education*** – The BOE’s decision may be appealed to the Commissioner of Education no later than 90 days after the issuance of the BOE’s decision.
- ***Civil Rights Complaint*** – A parent, student, or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of HIB based on membership in a protected group as enumerated in the “Law Against Discrimination,” (*N.J.S.A. 10:5-1 et seq.*).

- *N.J.S.A. 18A:37-15b(5) and (6)(d), (e) and (f)* -

Introduction

Student Involvement

- Students play a pivotal role in helping to eradicate HIB in school.
- Students may not know how to respond if they witness a HIB incident or become the target of HIB.
- If adults do not provide the intervention students need, students are likely to take matters into their own hands.
- Although it is recommended that primary responsibility for solving HIB problems is placed with adults at school, it is important that students learn appropriate ways to address HIB, particularly since bystander support can reinforce HIB behaviors.

What can districts do to empower victims of HIB?

- School staff should explore with students specific ways of responding to HIB. Students should be guided in determining the responses that align with their personal characteristics and likely HIB situations, and in considering the most effective and safe ways for applying the responses. The following responses might not be appropriate for all students in all situations, but could be included in the options explored with students:
 - Ignore the bully's behavior whenever possible.
 - Protect themselves emotionally and physically (without using retaliation).
 - Use social skills, such as assertiveness, negotiating, sharing, taking turns, inviting others to participate, assisting others, and asking for permission instead of using aggression and intimidation (when the victim is also a bully).
 - Leave the situation.
 - Request that the bully stop, and walk away. If this does not work, tell a teacher or another school official.
 - Use humor.
 - Agree with the bully (this can take the power away from the bully).
 - Spend time with groups of students; avoid being alone.
 - Practice responses in front of a mirror or with friends, siblings or supportive adults.

What can districts do to empower bystanders to intervene?

- Help them understand that their silence makes aggressive students more powerful and contributes to the harm done to the target.
- Help them find ways to reach out in friendship to targets of HIB and isolated peers.
- Discourage them from confronting aggressive youth directly about their behavior in most situations, and instead, problem solve with them to find a wide range of safer and more effective interventions. Student bystanders should not get involved in a *physical* confrontation. Instead, the student should immediately get the help of an adult.
- Encourage them to tell adults about cruel behavior
- Model positive behavior they can observe and adopt.
- Protect them from retaliation for speaking up about HIB incidents.
- These strategies can be introduced through classroom meetings, school assemblies and conversations with individual students or groups of students, but should be consistently practiced and reinforced.

What are some considerations for intervening with an alleged HIB incident?

While a clearly written HIB policy provides a universal foundation for investigating incidents, the following information provides specific suggestions for investigating a HIB complaint:

- Always ensure *student safety*. In all cases, action should be taken during and after investigations to assure that students are protected while receiving a thorough and efficient public education.
- Determine a *strategy for investigating* the complaint.
- Once the strategy has been decided, conduct the investigation but *remain flexible* in response to new information.
- *Review all relevant documentation* for consistency and for completeness of the record.

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Intervention considerations, cont.

- Based upon the facts from the investigation, ***reach a conclusion*** on whether the incident meets the statutory definition of HIB or another violation of the code of student conduct. If a conclusion cannot be readily drawn, double check the facts, follow-up with the involved parties or request assistance from colleagues.
- The ***report to the CSA*** should be made, and should reflect whether a determination has or has not been made based on the facts.
- Always ***monitor the victim and the bully*** to prevent ongoing incidents, ensure the safety of the victim and redirect the bullying behavior.

Introduction

Range of Responses

- The ABR requires boards of education to establish a *range of responses* to HIB incidents, and requires the principal and ABS to appropriately apply these responses.
- The responses must include *remedial* actions provided for and *consequences* imposed on a student or a staff member who commits an act of HIB against a student.
- The range of responses must include an appropriate combination of counseling, support services and other programs, as appropriate to each incident.
- Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses, consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the code of student conduct and *N.J.A.C. 6A:16-7*.

Range of Responses, cont.

- Consequences and appropriate remedial actions for a student or staff member who commit one or more acts of HIB may range from positive behavioral interventions up to and including suspension or expulsion, as set forth in the board of education's code of student conduct.
- Additionally, remedial measures should be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take correction for documented systemic problems related to HIB.
- Since *N.J.S.A. 18A:37-15(b)(4)* establishes that the response to a person (not only a student) who commits an act of HIB must include both consequences and appropriate remedial action, school officials are responsible for taking all appropriate steps to understand and rectify the problem, which by law involves *more than traditional punitive actions*.

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Range of Responses, cont.

- The overall school climate and school culture and the individual and institutional factors that contribute to climate and culture might overtly or inadvertently support HIB behaviors; these factors *always* should be considered in the response to an act of HIB.
- Additionally, in all cases the district should attempt to *actively involve parents* in the remediation of the behaviors(s) of concern.

What are the requirements for imposing consequences and remediating HIB behavior?

- BOE's are required to include in their HIB policies:
 - **Consequences** – Consequences for a person (i.e., student or adult) who commits an act of HIB against a student;
 - **Remediation** – Appropriate remedial action for a person (i.e., student or adult) who commits an act of HIB against a student; and
 - **Range of Responses** – The range of ways in which a school will respond once an incident of HIB against a student is identified, which must be applied by the principal in conjunction with ABS, but must include an appropriate combination of counseling, support services, intervention services, and other programs.

- *N.J.S.A. 18A:37-15b(4) and (7)* -
- **Consequences and Remediation** – Consequences and remedial actions are graded according to the severity of the offenses, consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, and include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions per the code of student conduct and *N.J.A.C. 6A:16-7*.

- *N.J.A.C. 6A:16-7.1(c)5* -

What could be included in the “range of responses” to HIB incidents?

- While consequences and remedial actions typically are different, they can overlap and have complementary purposes: modifying bullying behavior.
- Consequences and appropriate remedial actions for a student or staff member who commit one or more acts of HIB may range from positive behavioral interventions up to and including suspension or expulsion, as set forth in the BOE’s code of student conduct.
- Remedial measures should be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and correct documented systemic problems related to HIB.
- The range of responses to confirmed HIB acts should include *individual, classroom, school or district responses*, as appropriate to the findings from each incident.

What are some examples of individual, classroom, school or district responses to HIB?

- ***Individual responses*** can include:
 - Positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups, community service); and
 - Punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report or other legal action).

- ***Classroom responses*** can include:
 - Class discussions about an HIB incident, role plays focused on skill building and that are sensitive to the needs and experiences of the students, research projects, observing and discussing audio-visual materials on HIB and related subjects, and skill-building lessons in courtesy, tolerance, assertiveness and conflict management.

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Examples of individual, classroom, school or district responses, cont.

- *School responses* can include:
 - Theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected student behavior.

- *District-wide responses* can include:
 - Community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations) and dissemination of information on the core ethical values adopted by the district board of education's code of student conduct, per *N.J.A.C. 6A:16-7.1(a)2*

How are remediation and consequences different?

Clear distinctions exist between remediation and consequences:

- **Remediation** is intended to correct the problem behavior, prevent a recurrence of the behavior, protect and provide support for the victim and take corrective action for documented systemic problems related to HIB. Remedial measures provide the student with an opportunity to reflect on behavior, learn pro-social skills and make amends to those affected by the bullying behavior.

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Remediation and Consequences Differences, cont.

- Punitive consequences (e.g., out-of-school suspension) frequently appear in school policies. However, punitive measures:
 - Are not directly related to student behavior;
 - Typically are not effective in correcting behavior and can be counterproductive since they are not designed to educate the student about the behavior(s) of concern and tend not to motivate students to change;
 - Should be used only when appropriate and absolutely necessary; and
 - Almost always should be used in conjunction with remedial measures.

- Logical consequences on the other hand, are complementary to remedial strategies, in that they are designed to correct the behavior of concern, while the bully also experiences the negative effects of his or her behavior.
 - Logical consequences require a student to make things “right” and are cognitively connected to misbehavior.
 - Logical consequences can be used in place of positive or negative reinforcement, punishment or praise.
 - There must be a connection between the consequences and the student's behavior for them to be effective.

Remediation Considerations

In all instances, the district should respond in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution.

➤ *HIB vs. Conflict*

- HIB is not a conflict. Conflict is mutual engagement. HIB is one-sided, where one or more students are victims of one or more person's aggression, with the intent to physically or emotionally harm the victim(s).
- While well-intentioned, peer mediation is an inappropriate strategy for addressing victimization, because mediation is designed to help resolve conflict. Victims of HIB need adult intervention to stop the victimization.
- Mediation only serves to further victimize the target of the HIB, rather than provide relief from HIB for the victim, and increases the chances and severity of repeated HIB.

What are examples of factors that should be considered when determining remedial responses to HIB behavior?

- Personal Factors – Life skill deficiencies; social relationships; strengths; talents; interests; hobbies; extra-curricular activities; classroom participation; and academic performance.
- Environmental Factors – School culture and climate; student-staff relationships; classroom management; crisis management; socio-emotional and behavioral supports; social relationships; community activities; neighborhood or family situation; and local data, including survey responses.

What screening strategies can be used to identify appropriate supports for HIB victims?

➤ *Screening*

- It is important to understand the victim's point of view and accordingly align the remediation. Gather important information from and about the victim:
 - Review academic records or Individualized Education Programs (I.E.P.), if applicable.
 - Observe the settings and situations where HIB occurs.
 - Interview the victim.
 - Interview key school staff familiar with the situation and/or students involved in the situation.
 - Consult school-based student intervention teams [e.g., Intervention and Referral Services Team (I&RS)].
 - Have the student complete checklists and/or rating scales about the incident(s) to gain insight into their views.

What are examples of supports for HIB victims?

In providing support for victims of HIB, the district should identify a range of strategies and resources, which could include the following actions for individual victims:

➤ ***Environmental Arrangements*** –

- Establish an obvious ***adult presence*** in the vicinity of “hot spots,” incidents or the victim’s activities using teacher aides, “shadows,” hallway or playground monitors, before- and after-school supervision or school transportation supervision;
- Change the victim’s seat or schedule;
- Arrange school transfers;
- Provide staff training; and
- Focus on the school climate and culture issues that contribute to the HIB.

Examples of Supports for HIB victims, cont.

- ***Social skill instruction*** that assists the victim in responding to incidents of HIB.
- ***Increase positive contacts with adults*** through adult-student mentoring, counseling or therapy.
- ***Provide counseling*** to ensure he or she does not feel responsible for the HIB behavior.
- Involve victims in activities that ***build self concept and self esteem***, particularly those that support the victim in experiencing success.
- ***Build relationships and peer supports*** by teaching peer helpers to provide support to vulnerable or victimized peers.

What are examples of strategies for determining remediation interventions for students who bully others?

- Gather information about the purposes of the bully's behavior (i.e., what it provides for the bully):
 - Conduct interviews with the student and his or her parent(s).
 - Conduct observations of the student.
 - Review existing student conduct referral documentation.
 - Consult with school staff as needed, including the ABS, Child Study Team members, I&RS team members, school counselors, student assistance coordinators and others as appropriate.

What are examples of remediation interventions for students who bully?

- Develop a *behavioral contract* with the student, ensuring the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors, and schedule follow-up conferences with the student.
- Develop a *behavioral management plan*, with benchmarks that are closely monitored.
- Hold *parent conferences* or meetings with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations.
- Explain the long-term negative consequences of HIB on all involved, and *ensure understanding of consequences*, if HIB behavior continues.
- Meet with a school counselor, school social worker or school psychologist to consider mental health issues (e.g., what is happening and why?)

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Examples of remediation interventions for students who bully, cont.

- Provide *corrective instruction*, such as a learning plan that includes consequences and skill building.
- Provide *social skill training*, such as impulse control, anger management, developing empathy and problem solving;
- Arrange participation in a *peer support group*.
- Provide *relevant service experience*.
- Consider *student recommendations and peer input* from a student behavior or ethics council.
- Arrange *alternative placements* (e.g., alternative education programs) or programs (e.g., after-school programs).

Examples of remediation interventions for students who bully, cont.

- Consider *wrap-around support services* or after-school programs or services.
- Provide supportive *student intervention plans*, including participation of the Intervention and Referral Services team, pursuant to *N.J.A.C. 6A:16-8*.
- Conduct a *behavioral assessment or evaluation*, including, but not limited to, a referral to the Child Study Team, as appropriate.
- Arrange for an *apology*, preferably written.
- Require a *reflective essay* to ensure the student understands the impact of his or her actions on others.

Examples of remediation interventions for students who bully, cont.

- Assign *leadership responsibilities* (e.g., hallway or bus monitor).
- Have the student *research and teach a lesson* to the class about bullying, empathy or a similar topic.
- Arrange for *restitution* (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen.
- Explore age-appropriate *restorative* (i.e., healing, curative, recuperative) *practices*.
- Provide or recommend *student counseling, treatment or therapy*.

What are examples of remedial measures for school staff who commit an act of HIB?

Responses to adults who commit an act of HIB should be varied and graded according to the nature and history of the behavior and overall performance of the employee. Remedial measures are intended to correct the problem, prevent another occurrence and protect and provide support for the victim. Some examples of remedial measures for school staff include:

- **Restitution** to the victim or family – A letter of apology to the student and parents that is monitored by a school leader.
- **Restoration** of safety for the victim – Transfer of the adult bully to another location or “holding” space; class or school change for the victim; replacement of something that is broken or damaged as a result of the incident.
- **Mediation** between staff member and the student’s parents – Consider only if the adult bully is remorseful and this event does not further harm the victim. The mediation must be structured and focused on behavior change in the adult.

Remedial measures for school staff, cont.

- **Corrective instruction** to improve social skills, cultural sensitivity or other relevant learning. May include referral to the Employee Assistance Program (EAP) or a resource within the community.
- Institution of a **behavioral management plan** using the employee evaluation process that closely monitors improvement with benchmarks. Consistent oversight, mentoring or supervision can be used to support the plan.
- Referral for **counseling** after failure to reach benchmarks set within the behavioral management plan. May include referral to the EAP or a resource within the community.
- Referral for **treatment or therapy** after failed repeated attempts to change or documented deterioration of the staff member's ability to function within the workplace and appropriately perform his or her duties. This may include repeated acts of HIB or other behaviors/actions that seriously impair the staff member's interactions with students or other functioning in school.

What factors should be considered in determining consequences for HIB offenders?

➤ *Factors for Determining Consequences:*

- Chronological age; developmental age; degree of harm; severity of behavior; past or continuing incidents; history of inappropriate behavior; relationships between parties; context of alleged incidents.

➤ *Examples of Consequences:*

- Admonishment; temporary removal from the classroom; deprivation of privileges; detention; referral to disciplinarian; after-school programs; in-school suspension; out-of-school suspension; reports to law enforcement; expulsion; bans from participating in school-district-programs or being in school buildings or on school grounds.

Are negative consequences appropriate responses to children who bully?

- If negative consequences are used, they should occur *in conjunction with* remediation interventions and should not be relied on as the sole intervention approach.
- All school responses to HIB behavior must:
 - Be graded according to the severity of the offenses;
 - Consider the developmental ages of the student offenders and students' histories of inappropriate behaviors; and
 - Include behavioral supports. (*N.J.A.C. 6A:16-7.1(c)4 and 5*)

What are examples of negative consequences that could be used in conjunction with remediation interventions?

- Admonishment
- Loss of privileges
- Detention
- Temporary removal from a classroom
- Referral to school “disciplinarian”
- Suspension (in or out of school)
- Report to law enforcement
- Expulsion

What are some examples of resources on HIB intervention?

- Garbarino, J. & deLara, E. (2003). Words can hurt forever. *Educational Leadership*, 60(6), 18-21.
- Stop Bullying Now, U.S. Department of Health and Human Services, www.StopBullyingNow.hsra.gov.
- *Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying on School Property, At School Functions, and on School Buses* (Revised April 2011) available at www.state.nj.us/education/parents/bully.htm
- U.S. Department of Health & Human Services, Substance Abuse And Mental Health Services Administration (CSAP), <http://pathwayscourses.samhsa.gov/index.htm>
- DuPage County Anti-Bullying Model Policy and Best Practices, Wheaton, Il., 2011., http://www.dupage.k12.il.us/main/antibullying/best_practices_manual.shtml

Test

For the Tutorial on HIB Intervention – School Personnel

- On the following slides are 10 true or false statements designed to test your knowledge of key points made in this tutorial.
- A slide with each true or false statement is followed by a slide that includes:
 - The true or false answer;
 - An explanation for the answer; and
 - The associated slide number(s) in the tutorial.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

1. All acts of HIB must be reported verbally to the school principal on the same day that a school employee either witnesses or receives information regarding an HIB incident

True or False?
(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

1. **True.**

See slide #6.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

2. The principal should not contact parents of alleged student offenders and victims about their children's involvement in a HIB incident, until after the investigation has been completed.

True or False?
(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

2. **False.**

The principal is *required* to inform the parents of all alleged student offenders and victims regarding *each reported HIB incident*, and may discuss, as appropriate, the availability of counseling and other intervention services.

See slide #6.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

3. The results of each HIB investigation must be reported to the chief school administrator (CSA) within five school days of the investigation.

True or False?
(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

3. **False.**

The results of each HIB investigation must be reported to the CSA within *two* school days of the completion of the investigation.

See slide #7.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

4. The *Memorandum of Agreement Between Education and Law Enforcement Officials* establishes the conditions under which school officials are required to report suspected bias-related acts and other crimes to law enforcement authorities.

True or False?
(*Answer on next slide.*)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

4. **True.**

See slide #9.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

5. The school anti-bullying specialist is responsible for conducting HIB investigations.

True or False?

(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

5. **True.**

See slide #7.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

6. There are specific conditions that apply to the enforcement of the board of education's HIB policy for HIB incidents that occur off school grounds.

True or False?

(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

6. **True.**

See slide #15.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

7. Parents of students allegedly involved in HIB incidents, have no recourse once the report of the investigation has been completed and submitted to the chief school administrator.

True or False?
(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

7. **False.**

A parent may request a hearing before the BOE after receiving the report from the CSA. The hearing must be held within 10 days of the request.

See slide #17.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

8. Students can be taught to take a pivotal role in helping to stop HIB in school.

True or False?

(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

8. True.

See slides #18, #19 and #20.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

9. The range of responses to confirmed HIB acts must include an appropriate combination of counseling, support services and other programs, as appropriate to each incident.

True or False?

(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

9. **True.**

See slide #23.

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

10. In all instances of HIB reports, a priority action should be to provide for student safety.

True or False?

(Answer on next slide.)

-continued-

Test Your Knowledge

Tutorial on HIB Intervention - School Personnel

10. **True.**

See slide #20.

-the end-