

UTSD PARENT ACADEMY

HIB,
DISCIPLINE,
& YOU



What is the purpose of today's meeting?

Provide information and have dialogue for understanding....

Essential Questions:

- What is and is not a HIB case?
- What is our Code of Conduct?
- What can we do to assist students with their behavior?



What is HIB?

To be confirmed as HIB, an incident **MUST** meet 5 criteria:

- 1) Include gestures, written, verbal & physical acts, & electronic communication
- 2) Take place on school property, school-sponsored function, school bus, or off school grounds
- 3) Reasonably perceived to be motivated by any actual or perceived characteristic:
 - a) Race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, mental, physical or sensory disability or any other distinguishing characteristic (broadly interpreted)
 - Vegetarianism, lice, quiet, new kid, parents, etc.
 - HOWEVER, need evidence to support conclusion regarding characteristic
- 4) Substantially disrupt/interfere with the orderly operation of school or rights of other students (See next slide for details)
- 5) And one of the following:
 - a) Has effect of (or creates reasonable fear of) physical/emotional harm to student or damage to student's property, or
 - b) Has effect of insulting/ demeaning any student or group of students, or
 - c) Creates a hostile educational environment for the student by interfering with student's education or by severely or pervasively causing him/her physical or emotional harm.



What is a substantial disruption?



Substantially disrupts/interferes with the orderly operation of school or rights of other students:

- Only has to be for one student
- Can be dramatic or more subtle (change in demeanor, increased fear/anxiety)
- Interruption can manifest outside of school (loss of sleep, school refusal)
- Needs to be more than a momentary annoyance
- Refers to disruption for students, **not** adults

What is the procedure for a HIB?

Potential HIB incident occurs and ...

- Incident is reported by student, teacher, parent, or other staff member.
- Staff members must verbally report same day, **without exception**, and complete packet within 2 days.



Report Is Made

Principal has the ability to determine if an investigation is needed, or if the event does not meet HIB criteria. Can consult with ABS, anti-bullying specialist.



Decision

If the report does not fit the HIB description, a HIB investigation is not deemed necessary. It may be dealt with as code of conduct. (Must be documented)



Contacts

If a HIB investigation is deemed necessary, the Principal contacts the parents of the victims and aggressors. ABS begins interview process.



Investigation

The investigation must be done within 10 school days.

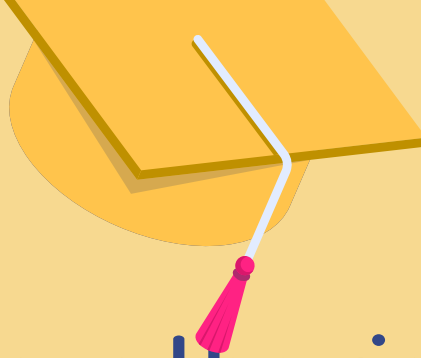


Finding HIB





Findings of HIB investigation are reported to the Principal. A report is completed by the Principal and approved by the ABC (anti-bullying coordinator). The board will approve the HIB finding at the next board meeting.

A person is sitting on a concrete surface, wearing a dark blue jacket with yellow and white striped cuffs and light blue jeans. They are holding an open book with yellow covers. To their left, on a white rectangular object, is a red onion and a pair of black-rimmed glasses. A bright pink folder or bag is also visible on the ground.

Let's review the
parental rights!








Parents have the right to ...

-  Know whether their child is a potential aggressor or victim
-  Know a general sense of the nature of the HIB
-  Know the timeline of the process
-  Appeal the final decision

Parents do not have the right to ...



-  Deny their child being interviewed
-  Sit in on the interview
-  Be contacted before the interview takes place
-  Know other children involved
-  Know specifics of the investigation

● If a student/parent reports a potential HIB incident but does not want it investigated, we *must* still investigate.

Who Can Commit an incident of HIB?

- A student to a student
- School employee to a student

NOT:

- An adult to an adult
- A student to an adult

Why would an incident not be considered a HIB?

Reason 1: Conflict

- Might look like bullying, however a conflict and bullying are very different.
 - People are equally involved in some type of disagreement.
- Conflict is considered largely mutual, meaning everyone is more or less evenly involved.
 - HIB is primarily one-sided, but not always 100% one-sided.
 - Incident may be HIB first, then become conflict, and vice versa.

Reason 2: Does Not Meet Definition

Despite being reported, the incident does not meet the legal HIB criteria
(Often due to lack of substantial disruption or motivated by characteristic)

Reason 3: Inconclusive

Not enough evidence is available to confirm one side or the other
(Substantial inconsistencies are found in the investigation)



Now that we are
familiar with HIB,
let's review our
“Code of Conduct”

UTSD Code of Conduct

1. I will respect others their possessions and school property.

By showing respect, we create a welcoming environment and take responsibility for our school.

Character Traits: Empathy, Kindness, Respect

2. I will follow directions, school practices, and procedures.

Stay focused by following directions and school procedures.

Being responsible and cooperative helps us learn effectively and work well together.

Character Traits: Responsibility, Self-Discipline, Cooperation, Honesty

3. I will speak and act kindly to others

Use kind words and actions to show empathy and compassion.

Building positive relationships creates a supportive and uplifting atmosphere.

Character Traits: Leadership, Responsibility

Code Of Conduct:

The Primary School, Elementary School, and Middle School utilize a progressive Code of Conduct designed to guide students to become active and respectful members of our school community.

Each building utilizes an ***age appropriate*** Code of Conduct to proactively educate students on appropriate school behaviors and address instances of student misconduct in a progressive manner.





We recognize that students are growing, maturing, and learning while making mistakes along the way. Therefore, we work to change behavior through positive reinforcement and immediate remediation. The overall goal of our Code of Conduct is to teach our students appropriate school behaviors through modeling and discussion. Punitive consequences are used for serious infractions only.

Primary School Progressive
Discipline Plan

Elementary School Progressive
Discipline Plan

Middle School Progressive
Discipline Plan

Let's Review:

-  Chain of Command
-  Communicate at the Source
-  Normal Childhood and Adolescent Behavior
-  Mistakes/Opportunities to Learn



We love your support!

- Social media and screen time
- React versus respond
- Escalated adults can't deescalate children
- They are watching and learning
- Confidentiality



Resources

[Sample HIB and Substantial Disruption Rubric](#)

[New Jersey School Law Decisions](#)

HIB Case Law

Let's check our understanding with some real scenarios!



K.C. v. Montgomery Twp. SD, Aug. 11, 2016

Scenario

- Students K.C. and G.T. were concerned about a friend's weight/appearance and thought she (M. M.) might have a possible eating disorder
- M. M. denied having an eating disorder (anorexia)
- K.C. used M. M.'s iPod to text M. M.'s boyfriend about the concern
- M. M. reported that she was placed in an awkward position of having to explain the message to her boyfriend, felt hurt, and cried in bathroom

What was the ruling?



W.D. and J.D. o/b/o G. D. v BOE of Twp. of Jefferson – November 26, 2018

Scenario

- Online video/text exchange among fifth grade female friends
- “Extraordinarily” offensive and vile language used towards each other
- Included sexual references, use of the N-word, and “egregious” words
- Victim's parents saw evidence of conversations and reported

What was the ruling?



A.J. o/b/o J. J. v. BOE of the Town of Boonton – July 10, 2020

Scenario

- Student J. J. allegedly used the N-word to several classmates
- J. J. was overheard by another student, who complained to school counselors
- J. J. denied using the N-word, but noted a distinction between the word with an “er” vs “a” ending, and that he sometimes uses the “a” ending as a term of endearment with friends
- HIB process was conducted

What was the ruling?

