

H.I.B. Key Terms and Definitions

The key terms and definitions below will help guide you as a parent/guardian during the Harassment, Intimidation, and Bullying investigation process. As the information below is **legally** defined by NJ State Law, you are welcome to explore more information [here](#). Key terms and explanations are also listed below.

Key terms:

- **Incident** - any gesture, written act, verbal act, physical act, or electronic communication
- **Investigation** - process by which the principal, or his or her designee, in consultation with the anti-bullying specialist, makes a preliminary determination as to whether a reported incident or complaint, assuming all facts presented are true, is a report within the scope of *N.J.S.A. 18A:37-14*
- **Interview** - meeting between alleged target(s), aggressor(s), and/or witness(es) as part of the investigation process, where the Anti-Bullying Specialist, building principal, and/or other designee may ask a series of questions to elicit information regarding the reported incident
- **Substantial disruption** - a dramatic or more subtle interference with the orderly operation of school or rights of one of the students involved that occurred during or as a result of an incident
- **Distinguishing characteristic** - anything real or perceived that can be identified as the motivation that particular child was targeted in a given incident
- **Target** - student(s) alleged to have been recipient of behavior in documented incident
- **Aggressor** - student(s) alleged to have committed documented incident
- **Witness** - students included in investigation to provide further information regarding incident
- **Anti-Bullying Specialist (ABS)** - trained district and/or principal designee with the responsibility of completing the investigation process and chairs the School Climate Team
- **Anti-Bullying Coordinator (ABC)** - trained district designee that collaborates with the ABS to strengthen policies that prevent, identify, and respond to harassment, intimidation, and bullying of students
- **Protected class** - individuals belonging to certain categories based on distinguishing characteristics that may incite incidents of discrimination as outlined in the NJDOE HIB Bill of Rights

Examples of Protected Classes:

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| ● Race | ● Pregnancy | ● Nationality |
| ● Creed | ● Sex | ● Marital/domestic partnership/civil union status |
| ● Color | ● Religion | ● Affectional or sexual orientation |
| ● National origin | ● Disability | ● Gender identification or expression |
| ● Ancestry | ● Military service | ● Hair (Crown Act - 2019) |
| ● Age | ● Atypical cellular blood trait | |
| ● Genetic information | | |

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What is conflict?

During a conflict, name-calling, threats and other conduct that might look like bullying can occur. However, conflict and bullying are very different:

- Unlike bullying, during a conflict people are equally involved in some type of disagreement. Conflict is considered mutual, meaning everyone is more or less evenly involved.
- Bullying, on the other hand, involves one or several people (the bullies) intentionally committing a mean or violent act against another person(s) or group of people (the victims). When bullying occurs, there is no mutual participation in a disagreement; it is one-sided.
- Bullying victims have a hard time defending themselves. The victims want the bullying to stop, but the bully continues the behavior.

Conflicts and bullying can interrupt the school day, damage property and cause injuries to the people involved. However, when the behavior involves a conflict, the school will take action based on its code of student conduct instead of the ABR.

Bullying occurs when:

- One or more students are victims of unwanted or uninvited aggression, as the behavior applies to the definition of harassment, intimidation and bullying in the ABR;
- The aggressor's behavior would lead a person to reasonably believe that the aggressor is motivated by a desire to physically or emotionally hurt someone;
- The aggression is one-sided; and
- The behavior is not an attempt to positively or negatively address or resolve a problem.

Source: NJDOE Guidance for Parents on the Anti-Bullying Bill of Rights Act (P.L.2010, c.122)