

2022 HIB Amendments

- Cyber-Harassment Option in Municipal Court
 - Minor, under 16 along with parent/guardian may be ordered to attend a class or training to raise awareness / reduce tendency to repeat behavior
 - Provides that parent or guardian may be fined up to \$100 for a first offense, and up to \$500 for subsequent offenses for failing to comply with court order
- Creates potential for parent or guardian to be liable in a civil action if parent demonstrates willful or wanton disregard in the exercise of supervision of minor
- Preliminary Determination Districts
 - Supt must be notified in writing of each determination and has authority to order HIB investigation
 - SD must maintain data on the number of times an incident was determined to be outside HIB definition and not investigated as a HIB
 - NJDOE shall review data as part of state monitoring process
- Provides parameters for responding to first, second or subsequent acts of HIB by a student
 - 1st offense – copy of investigation placed in student record, student may be subject to remedial measures (counseling, behavior intervention services, discipline determined by principal in consultation with appropriate staff)
 - 2nd offense – Same as 1st offense
 - 3rd offense – Same as 1st offense PLUS school principal required to develop individual student intervention plan which shall be approved by superintendent (may require parent and student to complete a class or training program)
 - Supt. and principal shall consult with law enforcement regarding reporting obligations under MOA
- NJDOE Report Form
 - Written reports of alleged HIB filed by staff member/contracted service provider shall be filed on a numbered form developed by NJDOE
 - Form submitted promptly by principal to superintendent EVEN IF preliminary determination made not to do HIB investigation
 - Kept on file at school, NOT part of student record unless incident results in discipline for other reasons or otherwise required to be maintained (educationally relevant)
 - Must make forms available for online submission as part of anonymous reporting
- Other Additions
 - SD must include NJDOE Document “Guidance for Parents on the ABBR” on its website
 - <https://www.state.nj.us/education/students/safety/behavior/hib/ParentGuide.pdf>
 - Position of School Climate State Coordinator created
 - SD must keep written record of date, time and manner whenever SD notifies parent/guardian about alleged HIB incident