

A PARTIAL LIST OF POTENTIALLY USEFUL AND INFREQUENTLY UTILIZED DOCUMENTS FOR USE IN HIB LITIGATION[©]

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Federal Documents

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, and Other Students, or Third Parties U.S. Department of Education, Office for Civil Rights
<http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>

- Detailed guidance for interpreting Title IX Regulations regarding sexual harassment.
- Excellent definitions of terms such as “effective response.”
- Guidance on investigatory requirements.

Dear Colleague Letter October 26, 2003: U.S. Department of Education, Office for Civil Rights
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>

- Recommended and required steps schools must take in response to HIB allegations.
- Descriptions of what constitutes harassment.

Protecting Students from Harassment and Hate Crime: A Guide for Schools. U.S. Department of Education, Office for Civil Rights
<http://www2.ed.gov/offices/OCR/archives/Harassment/harassment.pdf>

- Detailed investigatory guidance.
- Best practices in response strategies to combat HIB.

New Jersey Resources

An Introductory Manual for Affirmative Action Officers N.J. Department of Education
<http://www.state.nj.us/education/equity/aao.pdf>

- Guidance for implementing N.J.A.C. 6A:7: Managing for Equality and Equity in Education.
- Knowledge quiz for Affirmative Action Officers (AAOs): can help in depositions of administrators and AAOs.
- Regulatory compliance requirements for AAOs.
- Required training that must be conducted by AAOs.
- Procedures for investigating complaints and grievance procedures (includes model grievance procedure).

A Uniform State Memorandum of Agreement Between Education and Law Enforcement In cases in which law enforcement played or should have played a role
<http://www.state.nj.us/education/schools/security/regs/agree.pdf>

- Confidentiality between law enforcement and schools.
- Determination of when law enforcement must be notified.
- Information about cyberbullying.

A Guide for the Development of a Districtwide School Safety Plan N.J. Department of Education
http://www.state.nj.us/education/educators/school_safety_man.pdf

- Details relevant core curriculum standards regarding safety.
- Detailed information on a Code of Conduct requirements.
- Information about prevention programs.

Harassment, Intimidation and Bullying (HIB) Compliance Checklist
P.L.2010, Chapter 122 N.J.

<http://www.state.nj.us/education/students/safety/behavior/hib/checklist.pdf>

- Articulated requirements for determining whether a district's HIB Policy conforms to the law.

EVVRS Data Collection Form N.J. Department of Education

<http://www.state.nj.us/education/schools/vandv/0911/appb.pdf>

- Required documentation forms for HIB.
- See also detailed data from the EVVRS on HIB incidents on the NJ Department of Education Website.

NJSCA Handbook for Coaches Should be consulted in cases in which HIB occurred in relation to team sports.

<http://www.njsiaa.org/NJSIAA/CoachesHandbook.pdf>

- Standards for good sportsmanship and responsibilities of coaches.
- Supervisory responsibilities of coaches to ensure safety.
- Requirements for ensuring the safety of athletes.
- Guidelines for models of behavior by coaches.

District Policies and Procedures

- **Discrimination and Equity Policies (in addition to HIB Policy).**
- **Interscholastic Competition Policy (when relevant).**
- **Code of Conduct.**
- **Student, Parent, and Faculty Handbooks.**
- **Three Year Comprehensive Equity Plan.**
- **Written Grievance Procedures.**
- **Internet Postings of Information (e.g., name, function, and contact information about AAO).**
- **Job descriptions of pertinent administrators, including the AAO, Bullying Specialist, and Bullying Coordinator.**