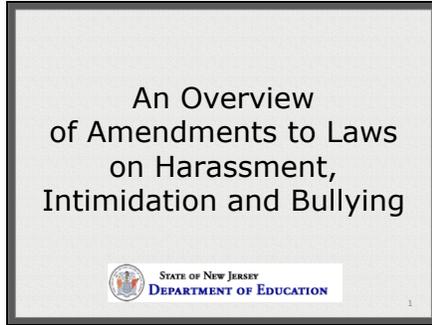
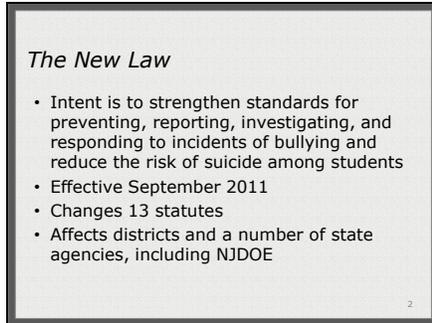


Slide 1



Slide 2



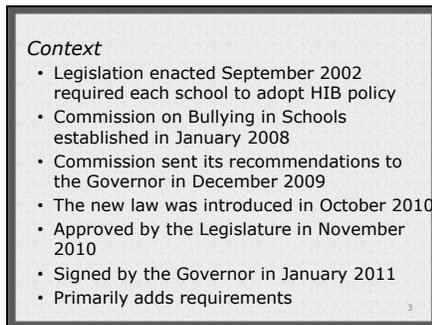
AN ACT concerning harassment, intimidation, 1 and bullying in

school settings, amending various parts of the statutory law and supplementing P.L.2002, 4 c.83 (C.18A:37-13 et seq.) and chapter 3B of Title 18A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

2f. It is the intent of the Legislature in enacting this legislation to strengthen the standards and procedures for preventing, reporting, investigating, and responding to incidents of harassment, intimidation, and bullying of students that occur in school and off school premises:

Slide 3



On January 13, 2008, Governor Jon S. Corzine signed into law Public Law 2007, Chapter 303, Section 9, establishing the Commission on Bullying in Schools (“Commission”). The Commission consisted of fourteen members and included ex-officio and public members. The two ex-officio members were the Commissioner of the Department of Education and the Director of the Division on Civil Rights (or their designees).

•Commission on Bullying in Schools established in January 2008 by law to study and make recommendations concerning NJ HIB law and implementation

•Commission rendered a report of its recommendations on December 2009

•Sparked by Tyler Clementi tragedy at Rutgers in September 2010:

- BOR introduced in October 2010
- Signed by the legislature in November 2010

- Signed by the governor in January 2011

Slide 4

Major Changes

- Definition of HIB
- District Staff Functions
- Policy and Procedures
- Programs
- Training Requirements
- Public Reporting

Note:
Underline = New text.
 Brackets = Removed text.

4

Slide 5

New HIB Definition

"Harassment, intimidation or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory [handicap] disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function [or], on a school bus, or off school grounds as provided for in section 16 of P.L.2010, CHAPTER 122, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

5

P.L.2010, c.122 (C.18A:37-14)

- Legislature specified that a single incident and not just a series of incidents needed to be addressed.
- On or off of school grounds
- Still related to characteristics of particular group

Slide 6

New HIB Definition

a) a reasonable person should know, under the circumstances, will 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; [or]

b) has the effect of insulting or demeaning any student or group of students [in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school]; or

c) creates 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.

6

P.L.2010, c.122 (C.18A:37-14)

- Physical or emotional impact
- Creates hostile educational environment

Slide 7

New District Staff Functions

- Anti-Bullying Coordinator (district)
- Anti-Bullying Specialist (school)
- School Safety Team (school)

7

Slide 8

- Anti-Bullying Coordinator (district)*
- Appointed by Superintendent
 - ✓ Supt. must make every effort to appoint an employee of school district as anti-bullying coordinator
 - Coordinates and strengthens district HIB policy to prevent, identify, and address HIB
 - ✓ Collaborates with anti-bullying specialists, board of education and supt.
 - ✓ Meets at least twice a school year with the anti-bullying specialists
 - Provides data, in collaboration with the supt. to the NJDOE
 - Performs other related duties

P.L.2010, c.122 (C.18A:37-20)

b. The superintendent of schools shall appoint a district anti-bullying coordinator. The superintendent shall make every effort to appoint an employee of the school district to this position. The district anti-bullying coordinator shall:

_____ (1) be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, and bullying of students;

_____ (2) collaborate with school anti-bullying specialists in the district, the board of education, and the superintendent of schools to prevent, identify, and respond to harassment, intimidation, and bullying of students in the district;

_____ (3) provide data, in collaboration with the superintendent of schools, to the Department of Education regarding harassment, intimidation, and bullying of students; and

_____ (4) execute such other duties related to school harassment, intimidation, and bullying as requested by the superintendent of schools.

c. The district anti-bullying coordinator shall meet at least twice a school year¹, once in the first semester and once in the second semester,¹ with the school anti-bullying specialists in the district to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.
18A:37-20c

Slide 9

Anti-bullying Specialist (school)

- Appointed by the principal from currently employed staff
 - ✓ Guidance counselor, school psychologist, or another individual similarly trained preferred
- Chairs the school safety team
- Leads the investigation of reported HIB incidents
- Acts as the primary school official responsible for preventing, identifying, and addressing incidents of HIB in the school
- Assists principal in defining range of ways to respond to HIB
- Provides input to local board on annual re-evaluation, reassessment, and review of policy

9

P.L.2010, c.122 (C.18A:37-20)

17. (New section) a. The principal in each school in a school district shall appoint a school anti-bullying specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the principal shall appoint that individual to be the school anti-bullying specialist. If no individual meeting this criteria is currently employed in the school, the principal shall appoint a school anti-bullying specialist from currently employed school personnel. The school anti-bullying specialist shall:

(1) chair the school safety team as provided in section 18 of P.L. c. , (C.) (pending before the Legislature as this bill);

(2) lead the investigation of incidents of harassment, intimidation, and bullying in the school; and

(3) act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

Slide 10

School Safety Team (School)

- Formed to develop, foster, and maintain a positive school climate, including HIB issues
- Meets at least 2x per school year
- Consists of the principal (*or designee, preferably a senior administrator*) **and** principal appointees:
 - a teacher in the school,
 - the school anti-bullying specialist (serves as chair),
 - a parent (as defined in N.J.A.C. 6A:16-1.3) of a student in the school, **and**
 - other members determined by the principal

10

P.L.2010, c.122 (C.18A:37-21)

18. (New section) a. A school district shall form a school safety team in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. A school safety team shall meet at least two times per school year ¹, once in the first semester and once in the second semester¹.

b. A school safety team shall consist of the principal or his designee who, if possible, shall be a senior administrator in the school and the following appointees of the principal: a teacher in the school; a school anti-bullying specialist; a parent of a student in the school; and other members to be determined by the principal. The school anti-bullying specialist shall serve as the chair of the school safety team.

c. The school safety team shall:

(1) receive any complaints of harassment, intimidation, or bullying of students that have been reported to the

principal:

(2) receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;

(3) identify and address patterns of harassment, intimidation, or bullying of students in the school;

(4) review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;

(5) educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;

(6) participate in the training required pursuant to the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.) and other training which the principal or the district anti-bullying coordinator may request;

(7) collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of students; and

(8) execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

d. The members of a school safety team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches.

¹e. Notwithstanding any provision of this section to the contrary, a parent who is a member of the school safety team shall not participate in the activities of the team set forth in paragraphs (1), (2), or (3) of subsection c. of this section or any other activities of the team which may compromise the confidentiality of a student.¹

Slide 11

School Safety Team (cont.)

- Receive any HIB complaints reported to principal*
- Receive copies of any HIB investigation reports*
- Identify and address patterns of HIB in the school*
- Review and strengthen school climate and policies in order to prevent and address HIB

* Parents shall not participate in these activities or any others that compromise student confidentiality

11

P.L.2010, c.122 (C.18A:37-21)

18. (New section) a. A school district shall form a school safety team in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. A school safety team shall meet at least two times per school year¹, once in the first semester and once in the second semester¹.

b. A school safety team shall consist of the principal or his designee who, if possible, shall be a senior administrator in the school and the following appointees of the principal: a teacher in the school; a school anti-bullying specialist; a parent of a student in the school; and other members to be determined by the principal. The school anti-bullying specialist shall serve as the chair of the school safety team.

c. The school safety team shall:

(1) receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;

(2) receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;

(3) identify and address patterns of harassment, intimidation, or bullying of students in the school;

(4) review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;

(5) educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;

(6) participate in the training required pursuant to the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.) and other training which the principal or the district anti-bullying coordinator may request;

(7) collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address

Slide 12

School Safety Team (cont.)

- Educate the community (i.e., students, teachers, administrators, parents) to prevent and address HIB
- Participate in training (both required and requested)
- Collaborate with anti-bullying coordinator in data collection and development of policies to prevent and address HIB
- Other duties related to HIB requested by principal or anti-bullying coordinator

12

harassment, intimidation, or bullying of students; and

(8) execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

d. The members of a school safety team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches.

¹e. Notwithstanding any provision of this section to the contrary, a parent who is a member of the school safety team shall not participate in the activities of the team set forth in paragraphs (1), (2), or (3) of subsection c. of this section or any other activities of the team which may compromise the confidentiality of a student.¹

P.L.2010, c.122 (C.18A:37-21)

18. (New section) a. A school district shall form a school safety team in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. A school safety team shall meet at least two times per school year ¹[, once in the first semester and once in the second semester]¹.

b. A school safety team shall consist of the principal or his designee who, if possible, shall be a senior administrator in the school and the following appointees of the principal: a teacher in the school; a school anti-bullying specialist; a parent of a student in the school; and other members to be determined by the principal. The school anti-bullying specialist shall serve as the chair of the school safety team.

c. The school safety team shall:

(1) receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;

(2) receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;

(3) identify and address patterns of harassment, intimidation, or bullying of students in the school;

(4) review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;

(5) educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;

(6) participate in the training required pursuant to the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.) and other training which the principal or the district anti-bullying coordinator may request;

(7) collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of students; and

(8) execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

d. The members of a school safety team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches.

¹e. Notwithstanding any provision of this section to the contrary, a parent who is a member of the school safety team shall not participate in the activities of the team set forth in paragraphs (1), (2), or (3) of subsection c. of this section or any other activities of the team which may compromise the confidentiality of a student.¹

Slide 13

NJDOE Model HIB Policy

April 2011 Revision

<http://www.state.nj.us/education/parents/bully.htm>

- Background
- Format
- Content

Note: Underlines below indicate new language.
Brackets below indicate removed language.

13

On January 5, 2011, Governor Chris Christie signed into law P.L.2010, Chapter 122, an act concerning HIB in school settings that amended various parts of the statutory law. In particular for school policies and procedures, the act amended N.J.S.A. 18A:37-13 et seq., which include the requirements for the prevention and intervention of HIB on and off school grounds*, at school-sponsored functions and on school buses.

P.L.2010, c.122 (C.18A:37-15d(2))

To assist each district board of education in revising its HIB policy to comply with the new statute, the amended legislation required the Commissioner of Education to revise the New Jersey Department of Education's (NJDOE) model HIB policy applicable to grades kindergarten through twelve (K-12). Therefore, this document includes revisions to the model policy originally published in September 2003, revised in April 2006, April 2007 and November 2008, and includes appropriate references to statutes and emergent information on HIB.

Slide 14

Requirements

Each school district shall adopt a policy prohibiting HIB. The school district shall [attempt to] adopt the policy through a process that includes representation of parents*, school employees, volunteers, students, administrators, and community representatives.

* As defined in N.J.A.C. 6A:16-1.3

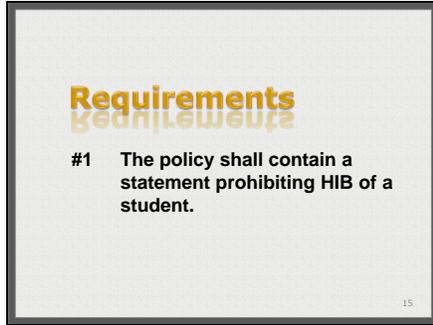
14

Current Statutory and Regulatory requirements PLUS additions from BOR (effective September 2011 noted)

P.L.2010, c.122 (C.18A:37-15)

Each school district shall adopt a policy prohibiting harassment, intimidation or bullying on school property, at a school-sponsored function or on a school bus. The school district shall [attempt to] adopt the policy through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives. (18A:37-15)

Slide 15

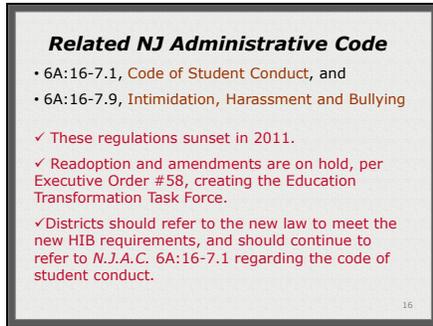


P.L.2010, c.122 (C.18A:37-15)

A school district shall have local control over the content of the policy, except that the policy shall contain, at a minimum, the following components:

- a statement prohibiting harassment, intimidation or bullying of a student;

Slide 16



The HIB policy must be consistent with each district's code of student conduct:

Each district board of education's **code of student conduct must include a policy and procedures regarding harassment, intimidation and bullying, and must be based on parent, student and community involvement which represents the composition of the schools and communities, pursuant to N.J.A.C. 6A:16-7.1(a)1.**

The code of student conduct, which must include the harassment, intimidation and bullying policy, **must be based on locally determined and accepted core ethical values adopted by the district board of education, pursuant to N.J.A.C. 6A:16-7.1(a)2.**

The code of student conduct, which must include the harassment, intimidation and bullying policy, **must be reviewed annually and updated, as appropriate, pursuant to N.J.A.C. 6A:16-7.1(a)3.**

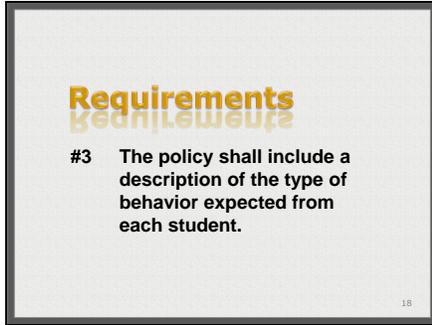
Slide 17



HIB definition must be no less inclusive than the statutory definition of HIB.

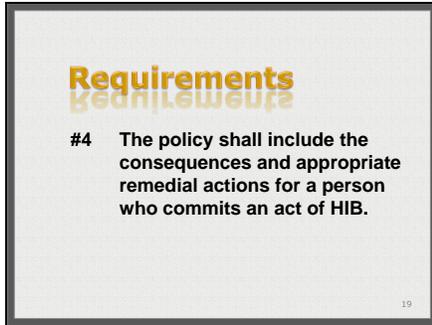
(2) a definition of harassment, intimidation or bullying no less inclusive than that set forth in section 2 of P.L.2002, c.83 (C.18A:37-14)

Slide 18



(3) a description of the type of behavior expected from each student; (18A:37-15)

Slide 19



(4) consequences and appropriate remedial action for a person who commits an act of harassment, intimidation or bullying (18A:37-15)

The policy shall include the consequences and appropriate remedial actions for a person who commits an act of harassment, intimidation or bullying. N.J.S.A. 18A:37-15(3)(b)(4), N.J.A.C. 6A:16-7.9(a)2iv and N.J.A.C. 6A:16-7.9(a)2vi

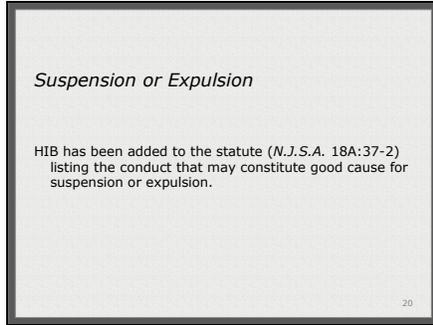
iv. Appropriate remedial action for a student who commits an act of harassment, intimidation or bullying that takes into account the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance and that may include the following:

(1) A behavioral assessment or evaluation including, but not limited to, a referral to the child study team, as appropriate; and
(2) Supportive interventions and referral services, including those at N.J.A.C. 6A:16-8;

v. Consequences for a student who commits an act of harassment, intimidation or bullying that is:

(1) Varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance; and
(2) Consistent with the provisions of N.J.A.C. 6A:16-7, as appropriate;

vi. Appropriate consequences and remedial action for any staff member who commits an act of harassment, intimidation or bullying;



P.L.2010, c.122 (C.18A:37-2)

10. N.J.S.18A:37-2 is amended to read as follows:

Any pupil who is guilty 1 of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a pupil guilty of such conduct shall include, but not be limited to, any of the following:

- Continued and willful disobedience;
- Open defiance of the authority of any teacher or person, having authority over him;

c. Conduct of such character as to constitute a continuing danger to the physical well-being of other pupils;

d. Physical assault upon another pupil;

e. Taking, or attempting to take, personal property or money from another pupil, or from his presence, by means of force or fear;

f. Willfully causing, or attempting to cause, substantial damage to school property;

g. Participation in an unauthorized occupancy by any group of pupils or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the principal or other person then in charge of such building or facility;

h. Incitement which is intended to and does result in unauthorized occupation by any group of pupils or others of any part of a school or other facility owned by any school district;

i. Incitement which is intended to and does result in truancy by other pupils; [and]

j. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises;

And

k. Harassment, intimidation, or bullying. (cf: P.L.1981, c.59, s.1)

Slide 21

Requirements

#5 The policy shall include a procedure for reporting an act of HIB, including a provision that permits a person to report an act of HIB anonymously; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

21

18A:37-15

(5) a procedure for reporting an act of harassment, intimidation or bullying, including a provision that permits a person to report an act of harassment, intimidation or bullying 1 anonymously; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report

viii. A procedure for prompt investigation of reports of ...

(1) Reports and complaints include, but are not limited to, oral reports, written reports or **electronic reports**;

6A:16-7.9(a)2viii(1)

Slide 22

New Reporting Procedures

- All acts of HIB must be reported verbally to the principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident
- Principal must inform parents of all students involved in the alleged incident
 - ✓ May discuss the availability of counseling and other intervention services
- All acts of HIB also must be reported in writing to the principal within 2 school days of when the school employee or contracted service provider witnessed or received reliable information

22

P.L.2010, c.122 (C.18A:37-15)

All acts of harassment, intimidation, or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident. The principal shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services. All acts of harassment, intimidation, or bullying shall 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 harassment, intimidation, or bullying.

New Reporting Expectations

A member of a board of education, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

23

P.L.2010, c.122 (C.18A:37-16)

13. Section 4 of P.L.2002, c.83 (C.18A:37-16) is amended to read as follows:

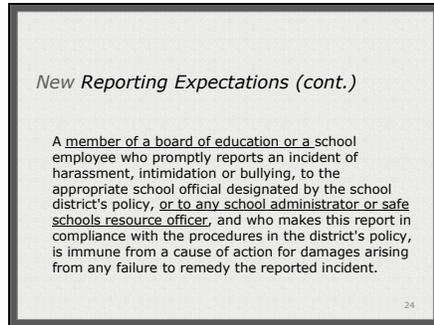
4. a. A member of a board of education, school employee, student or volunteer shall not engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying.

b. A member of a board of education, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

c. A member of a board of education or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in the district's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

d. A school administrator who receives a report of harassment, intimidation, or bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

(cf: P.L.2002, c.83, s.4)



13. Section 4 of P.L.2002, c.83 (C.18A:37-16) is amended to read as follows:

4. a. A member of a board of education, school employee, student or volunteer shall not engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying.

b. A member of a board of education, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

c. A member of a board of education or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in the district's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

d. A school administrator who receives a report of harassment, intimidation, or bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

(cf: P.L.2002, c.83, s.4)

Slide 25

Requirements
Red Hill Schools

#6 The policy shall include a procedure for prompt investigation of reports of violations and complaints, [identifying either the principal or the principal's designee as the person responsible for the investigation.] which procedure shall at a minimum provide that:

25

18A:37-15

(6) a procedure for prompt investigation of reports of violations and complaints, [identifying either the principal or the principal's designee as the person responsible for the investigation] which procedure shall at a minimum provide that:

Slide 26

New Investigation Procedures

- Initiated by the principal or designee within 1 school day of the verbal report
- Conducted by the anti-bullying specialist
- Principal may appoint additional personnel to assist with investigation
- Investigation shall be completed ASAP, but not later than 10 days from date of written report
- If additional, anticipated information relevant to investigation is not received within 10 days, anti-bullying specialist may amend original report to reflect information

26

P.L.2010, c.122 (C.18A:37-15)

(a) the investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. The principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation. The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying . 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 school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information

Slide 27

New Investigation Expectations

A school administrator who receives a report of HIB from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of HIB and fails to take sufficient action to minimize or eliminate the HIB, may be subject to disciplinary action.

27

P.L.2010, c.122 (C.18A:37-16)

13. Section 4 of P.L.2002, c.83 (C.18A:37-16) is amended to read as follows:

4. a. A member of a board of education, school employee, student or volunteer shall not engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying.

b. A member of a board of education, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, who shall immediately

Slide 28

New: Results of Investigation

- Results shall be reported to superintendent within 2 days of completing the investigation
- Superintendent may decide to:
 - Provide intervention services
 - Establish training programs to reduce HIB and enhance school climate
 - Impose discipline
 - Order counseling
 - Take or recommend other appropriate action
- Results reported to the board of education no later than the date of the next board meeting following the completion of the investigation, along with information on action taken or recommended by superintendent

28

initiate the school district's procedures concerning school bullying.
c. A member of a board of education or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in the district's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.
d. A school administrator who receives a report of harassment, intimidation, or bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.
(cf: P.L.2002, c.83, s.4)

P.L.2010, c.122 (C.18A:37-15)

(b) the results of the investigation shall be reported to the superintendent of schools within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the superintendent may decide to provide intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action;

(c) the results of each investigation shall be reported to the board of education no later than the date of the board of education meeting next 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 superintendent;

Slide 29

New: Results of Investigation (cont.)

- Parents of the students who are parties to the investigation entitled to receive information about the investigation
 - In accordance with Federal and State law and regulation
 - Including the nature of the investigation and whether evidence of HIB was found
 - Whether discipline was imposed or services provided
 - Provided in writing within 5 school days after results are reported to board
- A parent may request a hearing before the board
 - Must be held within 10 days of request
 - Board shall meet in executive session for the hearing
 - Board may hear from school anti-bullying specialist about the incident, recommendations for discipline or services, or programs instituted

29

P.L.2010, c.122 (C.18A:37-15)

(d) parents or guardians of the students who are parties to the investigation shall be entitled to receive information about the investigation, in accordance with federal and State law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the board. A parent or guardian may request a hearing before the board after receiving the information, and the hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents;

Slide 30

New: Results of Investigation (cont.)

- At the next board meeting following its receipt of the report the board shall issue a decision, in writing, to affirm, reject or modify the superintendent's decision.
- The board's decision may be appealed to the Commissioner of Education, no later than 90 days after the issuance of the board's decision
- A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights (DCR) within 180 days of the occurrence of any incident of HIB

30

P.L.2010, c.122 (C.18A:37-15)

(e) at the next board of education meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the superintendent's decision. The board's decision may be appealed to the Commissioner of Education, in accordance with the procedures set forth in law and regulation, no later than the 90 days after the issuance of the board's decision; and
(f) a parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.);

New: Investigation Complaints

- NJDOE, in consultation with DCR, shall develop a guidance document for use by parents or guardians, students, and school districts, to assist in resolving complaints concerning student HIB
- The Commissioner of Education shall establish a formal protocol to which the office of the executive county superintendent of schools shall investigate a complaint
 - ✓ Implemented prior to the law, in August 2010

31

P.L.2010, c.122 (C.18A:37-24)

21. (New Section) The Department of Education, in consultation with the Division on Civil Rights in the Department of Law and Public Safety shall develop a guidance document for use by parents or guardians, students, and school districts to assist in resolving complaints concerning student harassment, intimidation, or bullying behaviors and the implementation of P.L.2002, c.83 (C.18A:37-13 et seq.) by school districts. The document shall include:

- a school district's obligations under P.L.2002, c.83

- (C.18A:37-13 et seq.);

(2) best practices for the prevention, intervention, and remediation of harassment, intimidation, or bullying in schools, including methods to identify and assist student populations at high risk for harassment, intimidation, or bullying;

(3) a clear explanation of the procedures for petitioning the Commissioner of Education to hear and decide disputes concerning P.L.2002, c.83 (C.18A:37-13 et seq.);

(4) a clear explanation of the Division on Civil Rights' jurisdiction and services in regard to specific types of harassment, intimidation, or bullying; and

(5) a clear explanation of the process for appealing final agency determinations to the Appellate Division of the Superior Court.

b. The guidance document shall be available on the Department of Education's and the Division on Civil Rights' Internet sites and on every school district's Internet site at an easily accessible location.

22. (New section) a. The Commissioner of Education shall establish a formal protocol pursuant to which the office of the executive county superintendent of schools shall investigate a complaint that documents an allegation of a violation of P.L.2002, c.83 (C.18A:37-13 et seq.) by a school district located within the county, when the complaint has not been adequately addressed on the local level. The office of the executive county superintendent shall report its findings, and if appropriate, issue an order

Slide 32

Requirements
Kednileweure

#7 The policy shall contain the range of ways in which a school will respond once an incident of HIB is identified, which shall be defined by the principal in conjunction with the anti-bullying specialist, but shall include an appropriate combination of counseling, support services, intervention services, and other programs...

32

for the school district to develop and implement corrective actions that are specific to the facts of the case.

b. The commissioner shall ensure that the personnel of the office of the executive county superintendent of schools who are responsible for conducting the investigations receive training and technical support on the use of the complaint investigation protocol.

P.L.2010, c.122 (C.18A:37-15)

(7) the range of ways in which a school will respond once an incident of harassment, intimidation or bullying is identified, which shall be defined by the principal in conjunction with the school anti-bullying specialist, but shall include an appropriate combination of counseling, support services, intervention services, and other programs, as defined by the commissioner;

NJAC 6A:16-7.9(a)(ix)

ix. The range of ways in which a school will respond once an incident of harassment, intimidation or bullying is identified.

(1) The responses, at a minimum, shall include support for victims of harassment, intimidation or bullying and corrective actions for documented systemic problems related to harassment, intimidation or bullying;

Slide 33

Responses to HIB Off School Grounds

New Law: The policy adopted by each school district shall include provisions for appropriate responses to HIB that occurs off school grounds in cases in which a school employee is made aware of such actions. The responses to HIB that occurs off school grounds shall be consistent with the board of education's code of student conduct and other provisions of the board's policy on HIB.

33

P.L.2010, c.122 (C.18A:37-15.3)

16. (New section) The policy adopted by each school district pursuant to section 3 of P.L.2002, c.83 (C.18A:37-15) shall include provisions for appropriate responses to harassment, intimidation, or Bullying, as defined in section 2 of P.L.2002, c.83 (C.18A:37-14), that occurs off school grounds, in cases in which a school employee is made aware of such actions. The responses to harassment, intimidation, or bullying that occurs off school grounds shall be consistent with the board of education's code of student conduct and other provisions of the board's policy on harassment, intimidation, or bullying.

Slide 34

Requirements

#8 The policy shall contain a statement that prohibits reprisal or retaliation against any person who reports an act of HIB and the consequences and appropriate remedial actions for a person who engages in reprisal or retaliation.

34

P.L.2010, c.122 (C.18A:37-15)

(8) a statement that prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation or bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

Slide 35

Requirements

#9 The policy shall contain the consequences and appropriate remedial action for a person found to have falsely accused another as a means of HIB.

35

P.L.2010, c.122 (C.18A:37-15)

(9) Consequences and appropriate remedial action for a person found to have falsely accused another as a means of retaliation or as a means of harassment, intimidation or bullying;

Slide 36

Reprisal, Retaliation, and False Accusation Prohibited

New Law: A member of a board of education, school employee, student or volunteer shall not engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying.

36

P.L.2010, c.122 (C.18A:37-16)

13. Section 4 of P.L.2002, c.83 (C.18A:37-16) is amended to read as follows:

4. a. A member of a board of education, school employee, student or volunteer shall not engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying.
b. A member of a board of education, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.
c. A member of a board of education or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in the district's policy, is immune from a cause of

Slide 37

Requirements

#10 The policy shall contain a statement of how the policy is to be publicized.

- Including notice that the policy applies to school-sponsored functions
- CSA shall ensure that notice of the policy appears in any publication of the school district that sets forth comprehensive rules, procedures, and standards, and in any student handbook

37

action for damages arising from any failure to remedy the reported incident.

d. A school administrator who receives a report of harassment, intimidation, or bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

(cf: P.L.2002, c.83, s.4)

P.L.2010, c.122 (C.18A:37-15)

(Review the following requirements for policy publication)

Statutory and Regulatory Requirements:

The policy shall contain a statement of how the policy is to be publicized, including notice that the policy applies to participation in school-sponsored functions. N.J.S.A. 18A:37-15(3)(b)(10) and N.J.A.C. 6A:16-7.9(a)2xii

The chief school administrator shall ensure that notice of the district's policy shall appear in any publication of the school district that sets forth the comprehensive rules, procedures and standards for schools within the school district, and in any student handbook. N.J.S.A. 18A:37-15.1(2)(a) and N.J.A.C. 6A:16-7.9(a)2xii

The policy shall be transmitted to the appropriate county superintendent of schools. N.J.S.A. 18A:37-15.1(2)(a)

Slide 38

Requirements

#11 The policy shall contain a requirement that a link to the policy be prominently posted on the homepage of the district's website and distributed annually to parents and guardians.

38

P.L.2010, c.122 (C.18A:37-15)

(Review the following requirements for policy publication)

The policy shall contain a statement that the policy must be posted on the school district's website and distributed annually to parents and guardians who have children enrolled in the school district. N.J.S.A. 18A:37-15(3)(b)(11)

The policy shall be made available on the school district's website. N.J.S.A. 18A:37-15.2(8)

The school district shall notify students and parents that the policy is available on the school district's website. N.J.S.A. 18A:37-15.2(8)

Slide 39

Requirements

#12 The policy shall contain a requirement that contact information for the district anti-bullying coordinator be listed on the school district's homepage and that contact information for the school anti-bullying specialist and anti-bullying coordinator be listed on each school's homepage

39

P.L.2010, c.122 (C.18A:37-15)

12 – A requirement that the name, school phone number, school address and school email address of the district anti-bullying coordinator be listed on the home page of the school district's website and that on the home page of each school's website the name, school phone number, school address and school email address of the school anti-bullying specialist and the district anti-bullying coordinator be listed. The information concerning the district anti-bullying coordinator and the school anti-bullying specialists shall also be maintained on the department's website.

Slide 40

Requirements

New Law:

- Revised HIB policy to Executive County Supt. (ECS) by 9/1/11
- Annual re-evaluation of HIB policy, making any necessary revisions & additions
- Input from anti-bullying specialists
- Transmit all subsequent policy revisions to ECS, within 30 school days

40

P.L.2010, c.122 (C.18A:37-15(3)(c))

c. A school district shall adopt a policy and transmit a copy of its policy to the appropriate executive county superintendent of schools by September 1, 2003. A school district shall annually conduct a re-evaluation, reassessment, and review of its policy, making any necessary revisions and additions. The board shall include input from the school anti-bullying 1[specialist] specialists in conducting its re-evaluation, reassessment, and review. The district shall transmit a copy of the revised policy to the appropriate executive county superintendent of schools within 30 school days of the revision. The first revised policy following the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) shall be transmitted to the executive county

Slide 41

Bullying Prevention Programs

- Prior Law: Schools and school districts are *encouraged* to annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members.
- New Law: Schools and school districts must annually establish, implement, document, and assess these approaches.
 - ✓ The approaches must be designed to create school-wide conditions to prevent and address HIB.

41

superintendent of schools by September 1, 2011.

P.L.2010, c.122 (C.18A:37-17)

14. Section 5 of P.L.2002, c.83 (C.18A:37-17) is amended to read as follows:

5. a. Schools and school districts [are encouraged to] shall annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members. The programs or approaches shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying.

A school district may apply to the Department of Education for a grant to be used for programs or approaches established pursuant to this subsection, to the extent funds are appropriated for these purposes or funds are made available through the Bullying Prevention Fund established pursuant to section 25 of P.L. , c. (C.) (pending before the Legislature as this bill).

Slide 42

Bullying Prevention Programs (cont.)

- New Law: A "Bullying Prevention Fund," is to be created in the NJDOE, to offer grants to school districts to provide training on HIB and on the effective creation of positive school climates
 - **No funding has been appropriated or donated at this time**

42

P.L.2010, c.122 (C.18A:37-28)

25. (New section) There is created a special fund in the Department of Education, which shall be designated the "Bullying Prevention Fund." The fund shall be maintained in a separate account and administered by the commissioner to carry out the provisions of this act. The fund shall consist of: (1) any monies appropriated by the State for the purposes of the fund; (2) any monies donated for the purposes of the fund; and (3) all interest and investment earnings received on monies in the fund. The fund shall be used to offer grants to school districts to provide training on harassment, intimidation, and bullying prevention and on the effective creation of positive school climates.

Slide 43

Bullying Prevention Programs (cont.)

New Law: Instruction and the Week of Respect

- The week beginning with the first Monday in October of each year is designated as a "Week of Respect" in the State of New Jersey
- School districts must observe the week by providing age-appropriate instruction focusing on preventing HIB
- Throughout the school year the school district must provide ongoing age-appropriate instruction on preventing HIB in accordance with the core curriculum content standards

43

P.L.2010, c.122 (C.18A:37-29)

26. (New section) The week beginning with the first Monday in October of each year is designated as a "Week of Respect" in the State of New Jersey. School districts, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation, or bullying as defined in section 2 of P.L.2002, c.83 (C.18A:37-14). Throughout the school year the school district shall provide ongoing age-appropriate instruction on preventing harassment, intimidation, and bullying in accordance with the core curriculum content standards.

Slide 44

Bullying Prevention Programs (cont.)

Discussions with Students

- Schools must develop a process for discussing the district's HIB policy with students.

44

P.L.2002 c.83 (C.18A:37-17)

b. To the extent funds are appropriated for these purposes, a school district shall: (1) provide training on the school district's harassment, intimidation, or bullying policies to school employees and volunteers who have significant contact with students; and develop a process for discussing the district's harassment, intimidation or bullying policy with students.

Slide 45

New Law: Training – Anti-Bullying Coordinators and Anti-Bullying Specialists

- The Commissioner, in consultation with recognized experts in school bullying must establish in-service workshops and training programs to train selected public school employees to act in these roles
- The Commissioner must seek to make the workshops and training programs available and administered online
- Each board of education must provide time for the in-service training during the usual school schedule in order to ensure that appropriate personnel are prepared to act in these roles
- Upon completion of the initial in-service training program and workshops that reflect the most current information on HIB in schools shall be made available to district anti-bullying coordinators and school anti-bullying specialists at regular intervals

45

23. (New section) a. The Commissioner of Education, in consultation with recognized experts in school bullying from a cross section of academia, child advocacy organizations, nonprofit organizations, professional associations, and government agencies, shall establish inservice workshops and training programs to train selected public school employees to act as district anti-bullying coordinators and school anti-bullying specialists in accordance with the provisions of P.L. , c. (C.) (pending before the Legislature as this bill). The commissioner shall seek to make the workshops and training programs available and administered online through the department's website or other existing online resources. The commissioner shall evaluate the effectiveness of the consulting group on an annual basis. The inservice

training programs may utilize the offices of the executive county superintendent of schools, or such other institutions, agencies, or persons as the commissioner deems appropriate. Each board of education shall provide time for the inservice training during the usual school schedule in order to ensure that appropriate personnel are prepared to act in the district as district anti-bullying coordinators and school anti-bullying specialists.

b. Upon completion of the initial inservice training program, the commissioner shall ensure that programs and workshops that reflect the most current information on harassment, intimidation, and bullying in schools are prepared and made available to district anti-bullying coordinators and school anti-bullying specialists at regular intervals.

P.L.2010, c.122 (C.18A:37-17)

A school district shall: (1) provide training on the school district's harassment, intimidation, or bullying policies to school employees and volunteers who have significant contact with students; (2) ensure that the training includes instruction on preventing bullying on the basis of the protected categories enumerated in section 2 of P.L.2002, c.83 (C.18A:37-14) and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying;

P.L.2010, c.122 (C.18A:37-17)

Information regarding the school district policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program and shall be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students.

Slide 46

Training - Staff
Districts are responsible for two training requirements:

1. Inservice training for all staff
 - o Each school district must provide training on the school district's HIB policies to school employees and volunteers who have significant contact with students **and** ensure that the training includes instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying

46

Slide 47

Training - Staff (cont.)

2. Training for new employees
 - o Information regarding the school district's policy against HIB must be incorporated into a school's employee training program
 - o The training program must be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students

47

Slide 48

Training - Teachers

- **Prior Law:** Each public school teaching staff member must complete at least 2 hours of instruction in suicide prevention
- **New Law adds:** The training must include information on the relationship between the risk of suicide and incidents of HIB and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide

48

P.L.2010, c.122 (C.18A:6-112)

The State Board of Education, in consultation with the New Jersey Youth Suicide Prevention Advisory Council established in the Department of Children and Families pursuant to P.L.2003, c.214 (C.30:9A-22 et seq.), shall, as part of the professional development requirement established by the State board for public school teaching staff members, require each public school teaching staff member to complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide. (cf: P.L.2006, c.47, s.80)

Slide 49

Training - Teachers (cont.)

- **New Law:** Each public school teacher must complete at least two hours of instruction on HIB prevention in each professional development period

This is in addition to the two hours of instruction in suicide prevention

49

P.L.2010, c.122 (C.18A:6-112)

4. Section 2 of P.L.2005, c.310 (C.18A:6-112) is amended to read as follows:
2. The State Board of Education, in consultation with the New Jersey Youth Suicide Prevention Advisory Council established in the Department of Children and Families pursuant to P.L.2003, c.214 (C.30:9A-22 et seq.), shall, as part of the professional development requirement established by the State board for public school teaching staff members, require each public school teaching staff member to complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Training – Prospective Teachers

New Law:

- Beginning with the 2012-2013 school year, all candidates for teaching certification who have completed a teacher preparation program at a regionally-accredited institution of higher education shall have satisfactorily completed a program on HIB prevention
- Beginning with the 2011-2012 school year, any person seeking certification through the alternate route shall, within one year of being employed, satisfactorily complete a program on HIB

50

P.L.2010, c.122 (C.18A:37-22)

19. (New section) a. Beginning with the ¹[2011-2012] 2012-2013¹ school year, all candidates for teaching certification ¹who have completed a teacher preparation program at a regionally-accredited institution of higher education¹ shall ¹have¹ satisfactorily ¹[complete] completed¹ a program on harassment, intimidation, and bullying prevention.

b. Beginning with the ¹[2010-2011] 2011-2012¹ school year, any person seeking certification through the alternate route shall, within one year of being employed, satisfactorily complete a program on harassment, intimidation, and bullying prevention.

c. The State Board of Education shall establish the appropriate requirements of the program on harassment, intimidation, and bullying prevention.

d. The State board shall, as part of the professional development requirement established by the State board for public school teachers, require each public school teacher to complete at least two hours of instruction on harassment, intimidation, or bullying prevention in each professional development period.

The State Board of Education shall establish the appropriate requirements of the program on HIB prevention

Slide 51

*Training - School Leaders**

- Prior Law: School leaders must complete training on school ethics, law, and governance.
- New law adds: The training must include information on the prevention of HIB

*School leader means a school district staff member requiring a chief school administrator, principal, or supervisor endorsement

51

P.L.2010, c.122 (C.18A:26-8.2)

9. Section 13 of P.L.2007, c.53 (C.18A:26-8.2) is amended to read as follows:

13. a. As used in this section, "school leader" means a school district staff member who holds a position that requires the possession of a chief school administrator, principal, or supervisor endorsement.

b. A school leader shall complete training on issues of school ethics, school law, and school governance as part of the professional development for school leaders required pursuant to State Board of Education regulations. Information on the prevention of harassment, intimidation, and bullying shall also be included in the training. The training shall be offered through a collaborative training model as identified by the Commissioner of Education, in consultation with the State Advisory Committee on Professional Development for School Leaders.

(cf: P.L.2007, c.53, s.13)

Slide 52

Training – Prospective School Leaders

- New Law: Beginning with the 2012-2013 school year, all candidates for administrative and supervisory certification must satisfactorily complete a program on HIB prevention.

52

P.L.2010, c.122 (C.18A:37-23)

20. (New section) Beginning with the ¹[2011-2012] 2012-2013¹ school year, all candidates for administrative ¹and supervisory¹ certification shall ¹have¹ satisfactorily ¹[complete] completed¹ a program on harassment, intimidation, and bullying prevention.

Training – Board Members

New Law: Additions to existing training requirements:

- Completion of a training program on HIB in schools, including a school district's responsibilities within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education (required only once)
- Provision of training on HIB in schools by the New Jersey School Boards Association in consultation with recognized experts in school bullying

53

P.L.2010, c.122 (C.18A:12-33)

6. Section 13 of P.L.1991, c.393 (C.18A:12-33) is amended to read as follows:

13. a. Each newly elected or appointed board member shall complete during the first year of the member's first term a training program to be prepared and offered by the New Jersey School Boards Association, in consultation with the New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, regarding the skills and knowledge necessary to serve as a local school board member. The training program shall include information regarding the school district monitoring system established pursuant to P.L.2005, c.235, the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which school districts are evaluated under the monitoring system: instruction and program; personnel; fiscal management; operations; and governance.

The board member shall complete a training program on school district governance in each of the subsequent two years of the board member's first term.

b. Within one year after each re-election or re-appointment to the board of education, the board member shall complete an advanced training program to be prepared and offered by the New Jersey School Boards Association. This advanced training program shall include information on relevant changes to New Jersey school law and other information deemed appropriate to enable the board member to serve more effectively.

c. The New Jersey School Boards Association shall examine options for providing training programs to school board members through alternative methods such as on-line or other distance learning media or through regional-based training.

d. Within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education, a board member shall complete a training program on harassment, intimidation, and bullying in schools,

Slide 54

Training – Safe Schools Resource Officers

- *Prior Law:* The Police Training Commission has a training course for safe school resource officers and school employees serving as liaison's to law enforcement.
- *New Law adds:* The course must include training in the protection of students from HIB, including incidents which occur through electronic communication

54

including a school district's responsibilities under P.L.2002, c.83 (C.18A:37-13 et seq.). A board member shall be required to complete the program only once.

e. Training on harassment, intimidation, and bullying in schools shall be provided by the New Jersey School Boards Association, in consultation with recognized experts in school bullying from a cross section of academia, child advocacy organizations, nonprofit organizations, professional associations, and government agencies.

(cf: P.L.2007, c.53, s.17)

P.L.2010, c.122 (C.52:17B-71.8)

15. Section 2 of P.L.2005, c.276 (C.52:17B-71.8) is amended to read as follows:

2. a. The Police Training Commission in the Division of Criminal Justice in the Department of Law and Public Safety, in consultation with the Attorney General, shall develop a training course for safe schools resource officers and public school employees assigned by a board of education to serve as a school liaison to law enforcement. The Attorney General, in conjunction with the Police Training Commission, shall ensure that the training course is developed within 180 days of the effective date of this act. The course shall at a minimum provide comprehensive and consistent training in current school resource officer practices and concepts. The course shall include training in the protection of students from harassment, intimidation, and bullying, including incidents which occur through electronic communication. The course shall be made available to:

(1) any law enforcement officer or public school employee referred by the board of education of the public school to which assignment as a safe schools resource officer or school liaison to law enforcement is sought; and

(2) any safe schools resource officer or school liaison to law enforcement assigned to a public school prior to the effective date of P.L.2005, c.276

Slide 55

New Law: Training – Available to Anyone

- The Commissioner must develop, in consultation with the Division on Civil Rights, and make available on the NJDOE's Website, an online tutorial on HIB
 - ✓ The online tutorial must, at a minimum, include best practices in the prevention of HIB, and applicable laws.
 - ✓ The online tutorial must be accompanied by a test to assess a person's understanding of the information provided in the tutorial.

55

(C.52:17B-71.8 et al.).

b. The training course developed by the commission pursuant to subsection a. of this section shall be offered at each school approved by the commission to provide police training courses pursuant to the provisions of P.L.1961, c.56 (C.52:17B-66 et seq.). The commission shall ensure that an individual assigned to instruct the course is proficient and experienced in current school resource officer practices and concepts.

c. The commission shall award a certificate to each individual who successfully completes the course.

d. The Police Training Commission, in consultation with the Commissioner of Education, shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to implement the provisions of this section. (cf: P.L.2005, c.276, s.2)

P.L.2010, c.122 (C.18A:37-27)

24. (New section) The Commissioner of Education shall develop, in consultation with the Division on Civil Rights, and make available on the Department of Education's Internet site, an online tutorial on harassment, intimidation, and bullying. The online tutorial shall, at a minimum, include best practices in the prevention of harassment, intimidation, and bullying, applicable laws, and such other information that the commissioner determines to be appropriate. The online tutorial shall be accompanied by a test to assess a person's understanding of the information provided in the tutorial.

Slide 56

Public Reporting

- NJ School Report Cards
- Superintendent to Board of Education
- Superintendent to NJDOE
- NJDOE to Senate and Assembly Committees

56

Slide 57

Public Reporting – School Report Cards

- New Law: Adds to the School Report Card data – requires schools to report the number and nature of all reports of HIB

57

Section 3 of P.L.1995, c.235 (C.18A:7E-3) is amended to read as follows:

3. Report cards issued pursuant to section 2 of this act shall include, but not be limited to, the following information for:

a. the school district and for each school within the district, as appropriate:

(1) results of the elementary assessment programs;

(2) results of the Early Warning Test;

(3) results of the High School Proficiency Test;

(4) daily attendance records for students and professional staff;

(5) student graduation and dropout rates;

(6) annual student scores on the Scholastic Aptitude Test;

(7) total student enrollment, percentage of limited English proficient students, percentage of students in advanced placement courses, and any other school characteristics which the commissioner deems appropriate;

(8) instructional resources including teacher/student ratio, average class size and amount of instructional time per day, as calculated by formulas specified by the commissioner; [and]

(9) a written narrative by the school principal or a designee which describes any special achievements, events, problems or initiatives of the school or district; and

(10) data identifying the number and nature of all reports of harassment, intimidation, or bullying; and

b. the school district, as appropriate:

(1) per pupil expenditures and State aid ratio;

(2) percent of budget allocated for salaries and benefits of administrative personnel;

 (3) percent of budget allocated for salaries and benefits of teachers;

 (4) percentage increase over the previous year for salaries and benefits of administrative and instructional personnel;

 (5) the number of administrative personnel and the ratio of administrative personnel to instructional personnel;

 (6) a profile of the most recent graduating class concerning their educational or employment plans following graduation; and

 (7) any other information which the commissioner deems appropriate.

 For the purposes of this section, the Commissioner of Education shall establish a uniform methodology for the reporting of the data concerning administrative personnel on a full-time equivalent basis.

(cf: P.L.1995, c.235, s.3)

Slide 58

Public Reporting – Public Hearing

- Prior Law: The superintendent must *annually* report to the board of education all acts of violence and vandalism, including HIB.
- New Law adds: The superintendent must report at two public hearings:
 - ✓ One between 9/1 and 1/1 and
 - ✓ One between 1/1 and 6/30

58

7. Section 1 of P.L.1982, c.163 (C.18A:17-46) is amended to read as follows:

 1. Any school employee observing or having direct knowledge from a participant or victim of an act of violence shall, in accordance with standards established by the commissioner, file a report describing the incident to the school principal in a manner prescribed by the commissioner, and copy of same shall be forwarded to the district superintendent.

 The principal shall notify the district superintendent of schools of the action taken regarding the incident. [Annually] ¹[Once during each semester of the school year] Two times each school year, between September 1 and January 1 and between January 1 and June 30¹, at a public hearing, the superintendent of schools shall report to the board of education all acts of violence [and] , vandalism, and harassment, intimidation, or bullying which occurred during the previous [school year] ¹[semester] reporting period¹. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the

Slide 59

Public Reporting – Public Hearing (cont.)

- **New Law:** Requires that the data be disaggregated by the enumerated classes, and adds HIB information:
 - ✓ the status of all investigations
 - ✓ the nature of the bullying (based on the enumerated categories)
 - ✓ the names of the investigators
 - ✓ any other non-disciplinary measures imposed
 - ✓ training conducted or programs implemented, to reduce HIB
- The district must put a link to the report on its Website

59

bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

7. Section 1 of P.L.1982, c.163 (C.18A:17-46) is amended to read as follows:

Any school employee observing or having direct knowledge from a participant or victim of an act of violence shall, in accordance with standards established by the commissioner, file a report describing the incident to the school principal in a manner prescribed by the commissioner, and copy of same shall be forwarded to the district superintendent. The principal shall notify the district superintendent of schools of the action taken regarding the incident. [Annually]

[Once during each semester of the school year] Two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing, the superintendent of schools shall report to the board of education all acts of violence [and] , vandalism, and harassment, intimidation, or bullying which occurred during the previous [school year] [semester] reporting Period. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each [semester of the school year] reporting period to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14),

and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release. The report shall be used to grade each school for the purpose of assessing its effort to [identify harassment, intimidation, or bullying] implement policies and programs consistent with the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The commissioner shall promulgate guidelines for a program to grade schools for the [purpose of assessing their efforts to identify harassment, intimidation, or bullying] purposes of this subsection

The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and district. Verification of the [annual report] reports on violence [and] , vandalism, and harassment, intimidation, or bullying shall be part of the State's monitoring of the school district, and the State Board of Education shall adopt regulations that impose a penalty on a school employee who knowingly falsifies the report. A board of education shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to this section. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence [and], vandalism, and harassment, intimidation, or bullying. (cf: P.L.2007, c.42, s.1)

Slide 60

Public Reporting – Superintendent to NJDOE

- Prior Law: The district annually reports violence, vandalism and substance abuse incidents on the EVVRS
- New Law adds: The information reported to the board of education must be reported once during each reporting period to the NJDOE
- Verification of the reports on violence, vandalism, and HIB must be part of the State's monitoring of the school district
- The report must be used to grade each school for the purpose of assessing its effort to implement policies and programs

60

(C.18A:17-46)

The information shall also be reported once during each [semester of the school year] reporting period¹ to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to ¹[identify harassment, intimidation, or bullying] implement policies and programs consistent with the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.)¹. The district shall receive a grade determined by averaging the grades of all the schools in the district. The commissioner shall promulgate guidelines for a program to grade schools for the ¹[purpose of assessing their efforts to identify harassment, intimidation, or bullying] purposes of this subsection¹.

The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and district.

Verification of the [annual report] reports on violence [and], vandalism, and harassment, intimidation, or bullying shall be part of the State's monitoring of the school district, and the State Board of Education shall adopt regulations that impose a penalty on a school employee who knowingly falsifies the report. A board of education shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to this section. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence [and], vandalism, and harassment, intimidation, or bullying. (cf: P.L.2007, c.42, s.1)

District and School Grades

New Law: The Commissioner must establish guidelines for a program to grade each school to assess its efforts to implement policies and programs consistent with the law:

- District grade is determined by averaging the grades of all the schools in the district
- The school's and the district's grades must be posted on the homepage of the school's Website within 10 days of the assignment of the grade
- The grade for the district and each school shall be posted on the homepage of the district's Website

61

(C.18A:17-46)

The information shall also be reported once during each [semester of the school year] reporting period¹ to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to ¹[identify harassment, intimidation, or bullying] implement policies and programs consistent with the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.)¹. The district shall receive a grade determined by averaging the grades of all the schools in the district. The commissioner shall promulgate guidelines for a program to grade schools for the ¹[purpose of assessing their efforts to identify harassment, intimidation, or bullying] purposes of this subsection¹.

The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and district.

Verification of the [annual report] reports on violence [and], vandalism, and harassment, intimidation, or bullying shall be part of the State's monitoring of the school district, and the State Board of Education shall adopt regulations that impose a penalty on a school employee who knowingly falsifies the report. A board of education shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to this section. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence [and], vandalism, and harassment, intimidation, or bullying. (cf: P.L.2007, c.42, s.1)

Slide 62

Public Reporting – NJDOE to Senate and Assembly

- *Prior Law:* The Commissioner must submit an *annual report* to the Education Committees of the Senate and General Assembly detailing the extent of violence, vandalism, and substance abuse in the public schools and making recommendations to alleviate the problems.
- *New Law:* Highlights HIB and requires that the report be submitted and made available annually to the public *no later than October 1*, and must be posted on the department's Website.
 - This will require timely verification by districts and EVVRS closure by mid-July each year.

62

8. Section 3 of P.L.1982, c.163 (C.18A:17-48) is amended to read as follows:

3. The Commissioner of Education shall each year submit a report to the Education Committees of the Senate and General Assembly detailing the extent of violence [and] , vandalism, and harassment, intimidation, or bullying in the public schools and making recommendations to alleviate the problem. The report shall be made available annually to the public no later than October 1, and shall be posted on the department's website.
(cf: P.L.1982, c.163, s.3)

Slide 63

Resources

- For assistance, contact:
 - NJDOE, Office of Student Support Services, 609-292-5935
 - NJDOE, County Offices of Education
www.state.nj.us/education/counties
- The anti-bullying law (P.L.2010, c.122), can be found at
http://www.njleg.state.nj.us/2010/Bills/PL10/122_.PDF
- The *Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying on School Property, at School-sponsored Functions and on School Buses* can be found at
<http://www.state.nj.us/education/parents/bully.pdf>
- Additional NJDOE resources on HIB can be found at
<http://www.state.nj.us/education/students/safety/behavior/hib>

p63

Slide 64

This presentation was developed by the Rutgers Safe and Drug-Free Schools and Communities Project in cooperation with the New Jersey Department of Education.

Bradford C. Lerman, Psy.D.
 Director, Rutgers SDFSC Project

Funds for the Title IV-A and Unsafe School Choice Option Technical Assistance Project were provided in full by a grant to the New Jersey Department of Education from the United States Department of Education, Safe and Drug-Free Schools Program

For assistance please contact the Office of Student Support Services at (609) 292-5935. Additional information and resources can be found at www.state.nj.us/education.