

ANTI-BULLYING TASK FORCE

January 27, 2014

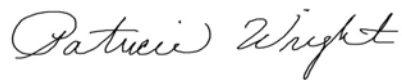
Governor Christopher Christie
Office of the Governor
PO Box 001
Trenton, NJ 08625

Dear Governor Christie:

As Chairperson of the New Jersey Anti-Bullying Task Force, I am pleased to submit our 2014 annual report. The Anti-Bullying Task Force recommends several revisions to regulation as well as the development of additional guidance for the field that will clarify portions of the Anti-Bullying Bill of Rights in order to enable its most effective implementation.

Thank you for your continued support of the Anti-Bullying Task Force. Members of the task force are eager to continue our work to foster safe, supportive and productive learning environments for all the students of New Jersey. We look forward to your review of our recommendations and corresponding feedback.

Sincerely,



Patricia Wright
Chairperson

cc: New Jersey State Library
Office of Legislative Services Library

ANTI-BULLYING TASK FORCE

Additional letters w/Interim Report attached were hand delivered to the following:

Christopher Cerf Commissioner New Jersey Department of Education 100 River View Plaza PO Box 500 Trenton, NJ 08625-0500	Lori O'Mara-Van Driesen Director of Public Information Office of Legislative Services New Jersey Legislature Room B50 State House Annex P.O. Box 068 Trenton, NJ 08625-0068
The Honorable Stephen M. Sweeney Senate President New Jersey Legislature State House Annex PO Box 099 Trenton, NJ 08625	The Honorable Thomas H. Kean, Jr Senate Republican Leader Senate Minority Office New Jersey Legislature State House Annex PO Box 099 Trenton, NJ 08625
The Honorable Vincent Prieto Assembly Speaker New Jersey Legislature State House Annex PO Box 098 Trenton, NJ 08625	Debra Mercer New Jersey State Library P.O. Box 520 Trenton, N.J. 08625-0520
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ANNUAL REPORT



NEW JERSEY ANTI-BULLYING TASK FORCE

January 26, 2014

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Executive Summary

The Anti-Bullying Task Force (ABTF) was established in March 2012 as part of an amendment to the “*Anti-Bullying Bill of Rights Act*,” (ABR; *P.L.* 2010, *c.* 122, *N.J.S.A.* 18A:37-13.2 *et seq.*). The ABTF was established in order to: 1) provide guidance to school districts on available resources to assist in the implementation of the ABR, 2) examine the implementation of the ABR, 3) draft model regulations and submit them to the Commissioner of Education for use in promulgating regulations to implement provisions of the act, 4) present any recommendations regarding the ABR deemed to be necessary and appropriate, and 5) prepare a report within 180 days of its organizational meeting and annually for the following three years on the effectiveness of the act in addressing bullying in schools.

This report satisfies the annual reporting requirement noted above, and provides an overview of ABTF activities, as well as findings and recommendations. The report consists of three sections: Committee Actions to Date, Findings and Recommendations, and Next Steps. Additional support materials can be found in the appendices. In subsequent reports, the ABTF will delineate further actions taken to fulfill the responsibilities as enumerated above. This report is being submitted to the Commissioner of Education, to the Governor, and to the Legislature, in accordance with the requirements of section 2 of *P.L.* 1991, *c.* 164 (C.52:14-19.1).

Introduction

The Anti-Bullying Task Force (ABTF), established in March 2012 as part of an amendment to “*Anti-Bullying Bill of Rights Act,*” (*ABR;P.L. 2010, c.122 N.J.S.A. 18A:37-13.2 et seq.*) consists of seven members with a “background in, or special knowledge of, the legal, policy, educational, social or psychological aspects of bullying in the public schools” and were appointed in the following manner: 1) one appointed by the Senate President, 2) one appointed by the Speaker of the General Assembly, 3) one appointed jointly by the Senate President and the speaker of the General Assembly, and 4) four appointed by the Governor. The returning members of the Task Force, who serve without compensation, are:

- Patricia Wright, Ed.M. – Chairperson: Appointed by Governor Chris Christie; Executive Director of the New Jersey Principals and Supervisors Association; Consultant to the New Jersey Bar Foundation’s Anti-Bullying Program; Former teacher, assistant principal, principal and chief school administrator.
- Philip Hoyt Meisner, Esq. – Vice Chairperson: Appointed by Senate President Stephen M. Sweeney; Presently Deputy General Counsel at Hudson Media, Inc.; former staff member in the New Jersey Legislature in the offices of Senator Loretta Weinberg, Assemblyman Gordon M. Johnson and Assemblywoman Valerie Vainieri Huttel specializing in policy and legislation, including the Anti-Bullying Bill of Rights Act and the 2012 Legislation creating the ABTF.
- Joseph L. Ricca, Jr., Ed.D. – Appointed by Governor Chris Christie; Morris County resident, former classroom teacher, assistant principal, principal and current Superintendent of the Elmsford Union Free School District, Elmsford, New York.
- Bradford C. Lerman, Psy.D. – Appointed by Governor Chris Christie; Director of the Inclusive Schools Climate Initiative and the Bullying Prevention Institute at the Graduate School of Applied and Professional Psychology at Rutgers University.
- Toni Pergolin – Appointed by Governor Chris Christie; President of Bancroft, a non-profit organization that annually serves 1,500 children and adults with autism, acquired brain injuries, and other intellectual or developmental disabilities, through a wide variety of programs in New Jersey, Pennsylvania and Delaware. Bancroft programs include an approved private school for over 200 students with disabilities.
- Jessica de Koninck, Esq. – Appointed by the Speaker of the General Assembly Sheila Y. Oliver; Independent consultant and author, former In-house Counsel, South Orange and

Maplewood School District; Anti-bullying Coordinator, South Orange and Maplewood School District; Former Director of Legislative Services, New Jersey Department of Education; Former In-house Counsel, Trenton School District.

- Luanne Peterpaul, Esq. – Appointed by the Senate President Stephen M. Sweeney and Speaker of the General Assembly Sheila Y. Oliver; Partner in the law firm of GluckWalrath, Vice Chair of Garden State Equality and Co-Chair of its Anti-Bullying Initiative.

The ABTF issued its Interim Report on January 26, 2013, which summarized preliminary trends and analysis and also offered preliminary recommendations based on focus group, case law, and survey data about the implementation of the ABR.

In this second year, the ABTF further analyzed trends and continued to solicit input from various stakeholder groups, and is now offering recommendations for changes to the administrative code. Additionally, the ABTF aimed to offer guidance to the New Jersey Department of Education (NJDOE) to be provided to educators, principals, chief administrators, anti-bullying specialists, anti-bullying coordinators, and others in the field regarding a clearer understanding of the complexities in the ABR.

Although the ABTF is encouraged that according to the *Commissioner's Annual Report to the Education Committees of the Senate and General Assembly on Violence, Vandalism and Substance Abuse in New Jersey Public Schools, July 1, 2012 to June 30, 2013* (V & V Report), there was a 38% decrease in the number of Harassment, Intimidation, and Bullying (HIB) investigations conducted over the prior year and a 36% decline of incidents, the actual occurrences are still high (22,000 investigations and 7,740 incidents). The decline in investigations and incidents may be indicative of districts' continued emphasis on training personnel about the requirements of reporting into the Electronic Violence and Vandalism Reporting System (EVVRS) and the Harassment, Intimidation and Bullying Investigations,

Trainings and Programs (HIB-ITP) system and district implementation of programs focused on approaches and initiatives to prevent HIB.

The V & V Report also showed that the most common effect of HIB remained “insulted or demeaned a student or group of students” (73%); the most common mode of HIB was verbal (77%); and the most common nature of the HIB was “other distinguishing characteristic” (60%). Also similar to the prior year, 56% of all incidents occurred in grades 5 through 8.

The single greatest challenge when it comes to identifying and addressing “bullying” or “Harassment, Intimidation and Bullying” (HIB), is the difficulty in defining these terms. There is a want of a working and usable definition by those in the field who are charged with identifying HIB, conducting investigations, drawing conclusions, and enforcing penalties. In particular, there is a need for a deeper understanding among practitioners of the full scope of motivating characteristics which may underlie HIB. This report will address this issue at length, as well as the significance of the power differential in HIB.

Consistent with its charge under the ABR to draft model regulations for consideration by the Commissioner of Education, this report includes a number of specific recommended regulatory changes. The ABTF is extremely sensitive to the concern that districts not be inundated with additional paperwork or needlessly prescriptive requirements. The regulatory proposals in this report are intended to aid districts in the implementation of the ABR by streamlining and clarifying the requirements of the law; they do not add additional regulatory burden. The ABR also charges the ABTF with offering guidance to districts. The ABTF has identified a number of key areas in which additional written guidance will be beneficial. The ABTF, therefore, recommends that the NJDOE provide such guidance to districts and parents/guardians in the identified areas.

Other themes explored by the ABTF over the past two years include the confusion regarding the specific requirements of the ABR and the role conflict of the ABS. This report will provide recommendations to clarify 1) HIB reporting and investigation procedures, 2) record keeping of confidential student disciplinary records, and 3) role clarification for the anti-bullying specialist. This report also discusses the need for continuing support, programs, and financial resources to ensure that the individuals responsible for implementing the ABR have the tools and resources necessary to do this important work.

Finally, given the overarching goal of the ABR and the ABTF to reduce HIB throughout the State of New Jersey, in this report, the ABTF strongly recommends that the focus of training be on strengthening safe and supportive school climates promoted by the School Safety/Climate Team, as research indicates that the best way to reduce HIB is to strengthen the overall school climate. Although the ABTF believes these recommendations made to help clarify the ABR will be helpful to practitioners, the continued focus on improving school climate must be each district's ultimate goal.

The ABTF thanks the following NJDOE staff for their critical assistance in providing necessary resources and materials, and for supporting the work of the ABTF:

- Susan Martz – Acting Assistant Commissioner, Division of Student and Field Services
- Kelly Allen—School Climate Specialist, Safe and Supportive Schools Unit, Office of Student Support Services, Division of Student and Field Services
- Barbara Gantwerk – Former Assistant Commissioner, Division of Student and Field Services
- Gary Vermeire – Former Coordinator, Safe and Supportive Schools Unit, Office of Student Support Services, Division of Student and Field Services
- Caitlyn Cafferty– Anti-Bullying Task Force Coordinator

- Lara Brodzinsky, Psy.M. – School Psychologist; Former Anti-Bullying Task Force Coordinator

In addition, appreciation is extended to the New Jersey Principals and Supervisors Association for serving as host of the ABTF meetings. Thanks are also given to those who volunteered to provide information through participation in public hearings and surveys. Additionally, the ABTF would like to thank the hosts of the public hearings and the experts who provided testimony to the ABTF.

Section I: Committee Actions to Date

The ABTF issued its Interim Report on January 26, 2013, 180 days after the organizational meeting held on July 26, 2013. A month following the release of the Interim Report, the ABTF convened and identified the work plan for the upcoming year, which included further refinement of preliminary recommendations made in the Interim Report, as well as areas not yet addressed. The ABTF agreed to continue the focus of the major components of the ABR, which included: 1) HIB definition, 2) reporting, 3) investigation, 4) range of responses, 5) training, 6) programs, 7) roles, 8) grading, and 9) resources.

With the ABR now in its third year of implementation, the ABTF continued to obtain feedback from the various groups impacted by the ABR and to assess the effectiveness of the programs, training, and resources dedicated to the initiative. The ABTF also met with experts in various fields to gain advice on some of the more challenging implementation issues.

The ABTF met monthly during 2013 and completed the following actions to continue its charge of improving the effectiveness of the ABR implementation: 1) held three public hearings, 2) reviewed second year trends from resources used during the first year, 3) collected and reviewed new information, and 4) reviewed NJDOE activities in support of the ABR.

In the Interim Report, the ABTF opined on the feedback received during focus group meetings consisting of staff members who were responsible for the implementation of ABR. The ABTF also collected feedback from the general public (parents/guardians, teachers, students, and other interested parties) on their experiences of the ABR. To accomplish this, ABTF members facilitated three public hearings held in various locations throughout the State: 1) the Northern Session was held at the East Hanover Middle School on March 7, 2013; 2) the Central Session was held at NJPSA on March 21, 2013, and 3) the Southern Session was held at the Highland

Regional High School on April 11, 2013. All hearings were held at 7:00 pm and were publicized through email blasts, NJDOE broadcast, the Governor's office and district principals and superintendents. All hearings were well attended and common themes were identified and used to inform many of the recommendations made in this report. An ABTF web page was also established this year, within the NJDOE website, to post the Interim Report.

The Interim Report also addressed concerns of the Anti-Bullying Specialists (ABS) and district Anti-Bullying Coordinators (ABC) obtained through a survey developed by the ABTF. The ABTF felt it was important to issue the survey to both groups again, to determine trends and to assess the impact of the second year experience of implementing the ABR. The surveys, conducted online through Survey Monkey, opened on October 21, 2013 and closed on November 15, 2013. The NJDOE generated a list of 2,347 ABS and 647 ABC based on the information submitted by the school districts through the County District School Information System (CDS). Each ABS and ABC on the list received an email invitation to respond to their respective survey. A total of 473 ABS and 151 ABCs responded, representing a 20.8% survey response rate overall.¹

Another resource reviewed for the second year was the *Commissioner's Annual Report to the Education Committees of the Senate and General Assembly on Violence, Vandalism and Substance Abuse in New Jersey Public Schools July 1 2012 to June 30, 2013* (V&V Report). The V & V Report includes trend data on HIB incidents reported by school districts on the Electronic Violence, Vandalism, and Substance Abuse Incident Reporting System (EVVRS) for the 2012 - 2013 school year. The EVVRS is a data collection system developed by the NJDOE to meet the violence, vandalism and harassment, intimidation and bullying reporting requirements in *N.J.S.A. 18A: 17-46*. The V & V Report also includes the data collected through the Harassment,

¹ ABS and ABC survey questions, summaries, and charts can be found in Appendices A and B of this document.

Intimidation and Bullying Investigations, Trainings and Programs (HIB-ITP) system. The HIB-ITP system was developed in 2011 to assist the NJDOE in complying with the data collection requirements under the ABR.

The ABTF also collected and reviewed new information this year, including the perspectives of principals and Chief School Administrators (CSA) on the effectiveness of the ABR in their school and/or district. Feedback was obtained from these groups through a survey, conducted as outlined above for the ABS and ABC versions, during the same time period. The NJDOE generated a list of 1,187 Principals and 633 CSAs who were invited to respond to the survey. A total of 121 Principals and 112 CSAs responded. This represents a 12.8% survey response rate overall.²

This year, the ABTF researched how all 50 states define bullying, to compare the similarities and differences to the ABR. Additionally, the ABTF heard from three experts. Edward Barocas, Legal Director for the America Civil Liberties Union of NJ (ACLU) met with the ABTF on March 19, 2013 and discussed First Amendment Rights related to the HIB definition. Michael Kaelber, Director of Legal and Policy Services New Jersey, School Boards Association met with the ABTF on November 19, 2013 and shared his expertise on record keeping issues. David Nash, Director of LEGAL ONE/Director of Legal Education, Foundation for Educational Administration, provided ongoing input regarding the definition and code revisions.

Finally, the ABTF reviewed NJDOE activities in support of the ABR, including the application and fundable activities of the \$1,000,000 budget appropriation and trainings deemed necessary, as noted in the Interim Report. The ABTF also reviewed the proposed changes to

² CSA and principal survey questions, summaries, and charts can be found in Appendices C & D of this document.

N.J.A.C. 6A:16, Programs to Support Student Development, and requested that the NJDOE restore language at *N.J.A.C.* 6A:16-7.9(a)2ix(1) (proposed to be re-codified *N.J.A.C.* 6A:16-7.7(a)2ix(1)). The ABTF commented that the administrative code should contain a strong commitment to both the support of victims, as well as school-wide corrective action where a systemic issue is uncovered, as essential elements in ensuring the eradication of bullying in schools. A letter was received from the NJDOE notifying the ABTF that it would withdraw the proposed deletion and restore the original language.³

³ A copy of the letter from the NJDOE to the ABTF can be found in Appendix G of this document.

Section II: Findings and Recommendations

The Definition of Harassment, Intimidation and Bullying

Discussion

The single greatest continuing challenge to identifying and addressing “bullying” or “Harassment, Intimidation and Bullying” (HIB), is the difficulty in defining these terms. There is a want of a working and usable definition by practitioners who are charged with identifying HIB, conducting investigations, drawing conclusions, and enforcing penalties. In particular, there is a need for a deeper understanding among practitioners of the full scope of motivating characteristics that may underlie HIB.

The ABTF, in its Interim Report issued on January 26, 2013, made preliminary findings and identified the definition as a key issue to be continually addressed.⁴ The 2013 ABTF Survey of ABSs, ABCs, principals, and CSAs provided perceptions of the understanding of practitioners regarding the HIB definition and its usability. For example, nearly half of all ABSs (49.5%) and principals (47.1%) rated “understanding if behavior meets the statutory definition of HIB” as “challenging” or “very challenging.” An even higher percentage of CSAs (55.8%) and ABCs (57%) rated this as “challenging” or “very challenging.” In all groups surveyed, less than 25% of respondents considered it “easy” or “very easy” to determine if behavior met the HIB definition. The ABTF acknowledged the confusion and questions surrounding the practical application of the definition in its Interim Report, and now endeavors to clarify and make recommendations to address unanswered questions created by the existing HIB definition.

The current definition of HIB states that **any** incident of HIB **must** be motivated by an actual or perceived characteristic and substantially disrupt or interfere with the orderly operation

⁴ See page 9 of the ABTF Interim Report for more information regarding preliminary findings.

of the school or the rights of other students. The ABR clarifies that an incident of HIB may be on or off school grounds, and can be a single incident or a series of incidents, but must meet the threshold requirement of substantial disruption or interference. In addition, the ABR requires that an HIB incident also meet one of the following: 1) cause physical or emotional harm or put a student in fear of such harm, 2) insult or demean a student or group of students, or 3) create a hostile educational environment. In all cases, a threshold showing of substantial disruption or interference is required.

The use of the words “substantial disruption” and “interference” are directly related to several court decisions, including Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503, 513 (1969); Sypniewski v. Warren Hills Regional Bd. Of Educ. 307 F.3d 243, 253 (3d Cir. NJ 2002), and Saxe v. State College Area School Dist., 240 F 3d 200, 217 (3d Cir. 2001).⁵

In light of these important constitutional considerations and past precedent, the ABTF supports the finding of “substantial disruption” and “interference” as an important threshold requirement for HIB. This threshold requirement assists practitioners in differentiating HIB from typical student conflict, which may be relatively minor in nature and, in some cases, quickly forgotten by the students involved, and therefore, not satisfy the substantial disruption or interference threshold.

⁵In Saxe, the court invalidated an anti-harassment policy. The court held that, in order for a policy to be valid and prohibit or punish speech, the conduct must “substantial[ly] disrupt[ion] or interfere[ence] with the work of the school or the rights of other students.” As such, speech that is offensive, or even hurtful, but that does not substantially disrupt the school, or substantially and pervasively interfere with a student’s right to an education, cannot be constitutionally prohibited. Saxe also held that the hostile environment prong requires a threshold showing of severity or pervasiveness.

The distinguishing characteristics component of the HIB definition requires a more complex analysis. In attempting to make its examination of the HIB definition as global in scope as possible, the ABTF reviewed the HIB and bullying definitions of other states and jurisdictions.

The review of other states found that:

- 7 states (14%) have no definition in the statute,
- 32 states (64%) do not mention any characteristics of the victim (target), but instead focus on the defining acts or behaviors of bullying, and
- 11 states (22%) **do** mention distinguishing characteristics of the target.

Examples include:

- New Hampshire, the only State that mentions the imbalance of power which is found in the federal definition (see below),
- North Carolina, New York, and Oregon, which all list characteristics of the HIB victim as being prerequisites to a finding of HIB. These states are clear to note that these characteristics are not exclusive.
- Washington State, which indicates that a "student need not actually possess a characteristic that is the basis of the harassment, intimidation or bullying."

In New Jersey's definition, HIB is any gesture/act/communication motivated by an actual or perceived characteristic. The actual or perceived characteristic(s) that must be reasonably perceived to be the motivation for the HIB gesture/act/communication are listed in a series, "...**such as** race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, **or by any other distinguishing characteristic...**"

The correct reading of the definitional language in the ABR is that an HIB gesture/act/communication can be motivated by any characteristic, *so long as there is a characteristic, real or perceived*. In the ABR, the specified characteristics (i.e., race, color, religion, ancestry, etc.), are preceded by “such as,” and therefore, are intended to be examples of characteristics that might indicate to an observer that an HIB-motivated gesture/act/communication is taking place.

The ABTF has observed that this nuance, subtle as it is, may have been missed by practitioners. This has led to the perception that, if the gesture/act/communication is not motivated by one of the specified characteristics, then the behavior does not satisfy the requirements of the definition, and therefore, is not HIB. **This is not the case; the listing of characteristics is not exclusive.**

Presently, there is a widely accepted understanding of motivating characteristics that can assist practitioners in identifying HIB. Some of these characteristics are not included in the ABR definition. For example, consider the following part of the definition of HIB/bullying on the United States Department of Health and Human Services website (stopbullying.gov)⁶:

Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time....

In order to be considered bullying, the behavior must be aggressive and include:

An Imbalance of Power: Kids who bully use their power—such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people... Kids who bully use their power—such as physical strength,

⁶ It is worthy to note that the Center for Disease Control in partnership with the U.S. Department of Education released a study entitled, *Bullying Surveillance Among Youth – Uniform Definitions for Public Health and Recommended Data Elements* in January of 2014. The CDC and USDOE have refined the definition cited above. This refinement does not represent a departure from the essential elements of the definition cited here. On the contrary, it is an enhancement of specifics needed for the public health and educational field. For the full report please see <http://www.cdc.gov/violenceprevention/pdf/bullying-definitions-final-a.pdf>

access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.

Power differential is at the core of most definitions of bullying and is recognized throughout the anti-bullying research and literature. It also plays a dynamic role in the motivation behind HIB, both from the standpoint of the aggressor and the target. New Jersey's HIB statute does not specifically reference the issue of power differential. Instead, the statute includes a list of characteristics that may be the motivating factors and then includes a reference to other characteristics. While the statute does not specifically reference power differential, research and experience have shown that the imbalance of power is a common denominator which is present in all bullying incidents. Power imbalance takes into account the relative power (actual or perceived) of the aggressor and target, in relation to specific distinguishing characteristics, such as physical strength, popularity or social standing, the use of embarrassing information related to the target, socio-economic status, or other characteristics that may, in fact, be fluid and change over time. These characteristics are just as real as race, ethnicity, sexual orientation, or others that are specified in the statute. However, they require the investigator to consider the context and the relative positions of the alleged aggressor and victim, rather than focusing solely on the real or perceived characteristics of the target.

For many ABSs and principals, there has been confusion as to whether or not these other contextual characteristics may be considered as motivating factors. This confusion may be due to the focus on the series of specified motivating characteristics in the HIB definition minimizing the consideration of other characteristics. A child “wears” his color, his race, his ethnicity, and, to some extent, his religion. However, his or her relative power to another is not so readily discernible, at least in some cases. Whatever the reason, the two concepts have stood side-by-

side, without any interconnected use, to the great confusion and detriment of those teachers, administrators, and staff trying earnestly to find, stop, and prevent HIB. It is worth noting that many practitioners resort to common sense and apply the yard stick of the power imbalance every day, to judge whether HIB is occurring.

The power differential between two children is not a visible characteristic itself, but rather the interplay of a distinguishing and motivating characteristic of the target, namely a perceived weakness in terms of physical strength, popularity, socio-economic status, or a myriad of other characteristics, relative to the aggressor. The perceived weakness of the target and the power or perceived power of the aggressor makes it possible for the aggressor to bully.

The power differential can become a kind of gateway through which we can view motivating characteristics in a broader way that takes into account the relative position of the aggressor and target. In this way, it can be a tool by which the less obvious motivating characteristics can be discovered, and therefore, of great help to practitioners. Starting with the obvious, a child may be targeted because of race (a physical characteristic). However, bullying behavior would not occur unless the aggressor felt confident of his/her success; the aggressor's perception that the target is weak or vulnerable establishes the condition which makes HIB possible. Consider a less obvious example, socio-economic status, which may not be evident to a watchful teacher trying to discern whether HIB or normal social conflict is taking place. The socio-economic status is not readily evident to the observer. However, the weakness of the HIB target, relative to the aggressor, is more identifiable and the existence of this power imbalance should spur further inquiry to determine the underlying reason that the imbalance exists. This is true for other less obvious characteristics, such as social awkwardness, being a new student in school, popularity, etc.

Even in the case in which there may be no other physical motivating characteristic, the weakness of the respective target, relative to the aggressor, in terms of less tangible factors, such as, social standing and popularity, becomes a motivating characteristic. ABTF analysis revealed that, in many instances, there is no motivating characteristic other than the aggressor's perception that the target is weak (because of the relative position of the students involved in one or more less tangible areas), and is therefore, perceived as an easy target for bullying.

In addition, the existence of a power imbalance is often readily apparent. Its identification spurs a deeper inquiry to determine the underlying cause of the perceived weakness of the target, rather than prematurely determining that HIB has not occurred, because one of the specified characteristics is not involved. The New Jersey Commission on Bullying in Schools (NJCBS), in their December 2009 report, presaged much of this current finding when it said in its first recommendation that there should be an amendment of "the statutory definition of HIB in the ABR to incorporate the critical concept of 'power differential' between the bully and the victim." The Commission went on to explain that "The definition of 'harassment, intimidation or bullying' does not adequately express the nature of the conduct the legislation is designed to address. The current definition implies that HIB must be motivated by some identifiable characteristic of the target student, and makes no mention of the power imbalance between the aggressor and target, which is the essential difference between HIB and other types of conduct (NJCBS, 2009)."

While "power differential" is not explicitly specified as a characteristic in the statute, the Legislature left open the window of types of characteristics that might be reasonably perceived to motivate an aggressor to commit HIB against a victim. It is through that window, that the ABTF now makes its findings and recommendations on the HIB definition.

In summary, the power differential and the perceived weakness of the target, relative to the strength/position of the aggressor is a hallmark that underlies all HIB, and points to the dynamic and contextual nature of the motivating characteristics. Additionally, the specified characteristics (i.e., race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability) are **not** exclusive. By adding, “any other distinguishing characteristic,” the Legislature’s intent was clearly not to limit HIB to an incident that takes place because the HIB target has one of the specified characteristics. By viewing alleged HIB incidents through the lens of power differential, practitioners will be better able to identify those distinguishing characteristics that are less obvious, and emerge only when considering the relative positions of the aggressor and the target, in terms of popularity, social standing, social awkwardness, or other less tangible characteristics. The ABTF reaffirms the Legislature’s intent to take this broader view of motivating characteristics.

Recommendations

1. The State Board of Education amend the administrative code to include the concept of power differential as a method of distinguishing the motivating characteristic of the aggressor.

Proposed code language (*N.J.A.C. 6A:16-7.9*17.7 (a)(2), *new section iii, renumber remaining sections*):

iii. A statement that bullying is unwanted, aggressive behavior that involves a real or perceived power imbalance. The power differential is not a visible characteristic itself, but a method of distinguishing the motivating characteristics of the aggressor, relative to a perceived weakness of the victim (in terms of physical strength, popularity, socio-economic status, or a myriad of other characteristics).

2. The NJDOE add the following language to Section 6, Issues for Consideration in Local Policy Development, of the Model Policy and Guidance for Prohibiting Harassment,

Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses:

As a means to identifying whether any “gesture, any written, verbal or physical act, or any electronic communication...” is “reasonably perceived as being motivated by any actual or perceived characteristic,” it is useful to consider that “Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance.” The power differential between two children is not a visible characteristic itself, but rather the interplay of a distinguishing and motivating characteristic of the target (namely perceived weakness in terms of physical strength, popularity, socio-economic status or a myriad of other characteristics), relative to the aggressor. Through the lens of power imbalance, the distinguishing characteristics are uncovered.

3. The NJDOE issue formal guidance to assist practitioners in understanding the significance of power differential in HIB. The formal guidance should also assist practitioners in moving beyond the list of specified characteristics and considering characteristics in a broader, contextual sense that considers the relative positions of the alleged aggressor and target.
4. Practitioners recognize that the specified list of characteristics in the ABR is not exclusive, and that they incorporate the use of power imbalance to identify a broader range of potential characteristics.
5. Practitioners and others recognize that, although an instance may be found to fall outside the scope of the legal HIB definition, this should not in any way prohibit the teacher, school employee, or administrator from taking action pertaining to that instance under the student code of conduct.

Reporting and Investigation Procedures

Discussion: Minimum Criteria for Investigation

In its Interim Report, the ABTF made two key recommendations related to investigations and investigation procedures. The first recommendation is that the principal, or the designee of the principal, make a preliminary determination that the allegations in each matter, on their face, meet the requirements of the law.⁷ This recommendation stemmed from survey data and focus group reports that cases were being referred to the ABS without regard to whether the allegations, if substantiated, met the minimal requirements for finding that an HIB violation had occurred. ABSs were spending a significant amount of time investigating matters that were either social conflict, other violations of the code of conduct, or not infractions. *N.J.S.A. 18A: 37-15b(6)(a)* specifically references the building principal as the individual who refers matters to the ABS. For this role to be meaningful, there must be clarity regarding which incidents must be referred to the ABS. In the absence of such clarity, it is conceivable that every code of conduct matter will be referred to the ABS. This was clearly not the intent of the Legislature.

School Leader, the journal of the New Jersey School Boards Association, offered a response to this initial ABTF recommendation in an article entitled “The Anti-Bullying Bill of Rights Act: Where are We Now” (July/August, 2013). The author argues that the use of the word “shall” in the statutory provision referenced above means the building principal has no discretion and must refer every matter to the ABS for investigation. The ABTF agrees that cases of alleged HIB **must** be referred to the ABS for investigation. The open issue, however, is what constitutes an alleged case of HIB. Therefore, the ABTF recommends that the State Board of Education amend *N.J.A.C. 6A:16-7.9*, to establish minimum criteria which must be met for the principal to refer a matter to the ABS. These criteria should include a requirement that the

⁷ See page 26 of the ABTF Interim Report for more information regarding preliminary findings.

allegations would be sufficient, if proven, to constitute a violation of the ABR. If additional information does come to the principal suggesting that a matter may involve HIB, the principal must then refer that case to the ABS. To assist with this preliminary determination, the ABTF recommends regulatory language changes. Consistent with the recommended regulatory language, the ABTF has developed The Threshold Assessment Checklist as a tool to assist principals in making the initial determination.⁸

Recommendation: Minimum Criteria for Investigation

1. The State Board of Education amend the administrative code to establish minimum criteria that must be met for the principal to transmit a matter to the ABS for investigation.

Proposed administrative code language (*N.J.A.C. 6A:16-[7.9]7.7, new section (e) and (e)1 and 2, renumber existing section (e)*):

(e) Upon receipt of a report, alleging harassment, intimidation or bullying, the school principal shall review the information presented to determine whether or not the facts presented, if true, would constitute HIB pursuant to N.J.S.A. 18A: 37-14. When the facts presented, if true, do not satisfy the definition in law, the principal shall handle the matter consistent with the district’s code of student conduct. All other reports shall be referred to the anti-bullying specialist for investigation.

1. The use of the terms “harassment,” “intimidation,” and/or “bullying,” in and of themselves, shall not determine whether or not the principal shall refer the matter to the anti-bullying specialist.

2. If additional information becomes available subsequent to the principal’s initial determination, the principal shall review said information and refer the matter to the anti-bullying specialist, as appropriate, pursuant to this section.

⁸ The Threshold Assessment Checklist can be found in Appendix H of this document.

Discussion: Timeline for Parent/Guardian Appeals

The second key recommendation in the ABTF Interim Report was that there be a timeline attached to an appeal by a parent or guardian concerning HIB findings.⁹ The ABR provides a specific 90 day deadline for filing appeals to the district board of education (*N.J.S.A. 18A:37-15b(6)(e)*), but the statute is silent concerning a deadline for appeals by parents or guardians to the board.

Recommendation: Timeline for Parent/Guardian Appeals

1. The State Board of Education amend the administrative code to provide parents or guardians 45 calendar days in which to request a hearing before the board (under *N.J.S.A. 18A:37-15b(6)(d)*), and that the 45 days shall run from the time the parent or guardian receives the written information required by this section of the ABR.

Proposed administrative code language (*N.J.A.C. 6A:16-[7.9]7.7(a)2, new section ix, renumber existing sections*):

- ix. **Any request for a hearing concerning the findings of an investigation of harassment, bullying or intimidation before the district board of education pursuant to *N.J.S.A. 18A:37-15b(6)(d)* shall be filed with the secretary of the board of education not later than forty-five (45) calendar days after the information required by that section to be transmitted by the superintendent to the parents or guardians. The hearing shall be held within ten (10) business days of the request.**

⁹ See page 26 of the ABTF Interim Report for more information regarding preliminary findings.

Discussion: Adult-on-Student Behavior

NJDOE guidance documents make it clear that adult-on-student behavior is addressed in the ABR, and that all allegations of HIB on a student, by either a student or an adult, must be investigated by the ABS. Therefore, the ABTF vehemently disagrees with the following determination from a recent tenure case:

According to the credible evidence presented at the arbitration, HIB is intended to apply for student-on-student interactions, not faculty-student interactions. (*I.M.O. the Tenure Hearing of Scot King and the School District of the Borough of Freehold*, July 22, 2013)

This is plainly a misstatement of the law. In *K.T. o/b/o K.H. and T.D. v. Bd. Of Ed., Township of Deerfield* (Commissioner’s Decision, July 30, 2013), the Commissioner of Education focused explicitly on the application of the ABR to adult behavior. **All** acts of HIB against students are included in the definition of HIB under *N.J.S.A. 18A:37-14*, and required to be investigated under *N.J.S.A. 18A:37-15*. The NJDOE should also train arbitrators accordingly. The NJDOE has advised the ABTF “that the ABR applies to harassment, intimidation or bullying committed against a student and that offenders could be any person, students or adults. This information and the applicable provision (*N.J.S.A. 18A:37-15b*) was provided to the Office of Controversies and Disputes in order to ensure that arbitrators are appropriately informed.” Therefore, the ABTF recommends amending the administrative code to reinforce the requirements of the law.

Recommendations: Adult-on-Student Behavior

1. The State Board of Education amend the administrative code to clarify that adult-on-student behavior is included in anti-bullying investigations.

Proposed administrative code language (*N.J.A.C. 6A:16-17.917.7(a)(2)vii & viii(1)*):
vii. A procedure for reporting, verbally and in writing, an act of harassment, intimidation or bullying, **committed by an adult or youth**, including a provision which permits a person to report anonymously [an act of

harassment, intimidation or bullying]consistent with N.J.S.A. 18A:37-15.b(5);

- viii. A procedure for prompt investigation of violation and complaint reports [of violations and complaints, identifying either the principal or the principal's designee, as the person responsible for the investigation] consistent with N.J.S.A. 18A:37-15.b(6)(a) through (f) and 16.d

(1) Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation.

2. The NJDOE train arbitrators that adult-on-student behavior is included under the ABR.
3. The NJDOE provide guidance to practitioners to clarify who shall conduct investigations of adult-on-student behavior.

Discussion: Student Records

Initial implementation of the ABR, as well as the widespread publicity about the act, resulted in a number of questions and concerns regarding student records. These questions and concerns were evident in survey comments and public hearings. As is the case with other areas of student conduct, issues related to record keeping are not unique to HIB matters. However, the changes in the law increased confusion regarding records and record keeping. A typical parent concern is which records will follow their child. The ABTF believes it is important to make some recommendations concerning HIB records and notes that like all other “information related to an individual student gathered within or outside the school district,” HIB documents are “student records” within the meaning of *N.J.A.C. 6A:32-2.1*. There has been some question regarding whether such records are “mandated student records” under the same code provision. To the extent certain documents are specifically enumerated in the ABR, they are “mandated student records.” In order to avoid any confusion, the ABTF recommends that the administrative code be amended to clarify that they are mandated records, and that all disciplinary records are mandated student records.

Since parents/guardians continue to raise particular concerns about which student records are disclosed to colleges, the ABTF recommends that the NJDOE provide guidance, both for school districts and parents/guardians, addressing the general requirements concerning the maintenance of student records, as well as the parameters of confidentiality of such records. Additionally, testimony and comments continue to reflect that there is confusion surrounding the relationship of the ABR to the codes of student conduct and to other laws and regulations regarding school district operations. The ABR should not be construed in a vacuum; codes of student conduct remain in effect and should be applied when appropriate, as they always have.

Recommendations: Student Records

1. The State Board of Education amend the administrative code to clarify that a confidential disciplinary file is a student record.

Proposed administrative code language (*N.J.A.C. 6A:32-7.3 (a) new 6 and 7, renumber existing 6*):

- (a) Mandated student records shall include the following:
 1. The student's name, address, telephone number, date of birth, name of parent(s), gender, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance;
 2. Record of daily attendance;
 3. Descriptions of student progress according to the student evaluation system used in the school district;
 4. History and status of physical health compiled in accordance with State regulations, including results of any physical examinations given by qualified school district employees and immunizations;
 5. Records pursuant to rules and regulations regarding the education of students with disabilities;
 6. **Records relating to student discipline;**
 7. **Information relating to investigations of alleged incidents of harassment, bullying and intimidation; and**
 8. All other records required by N.J.A.C. 6A.
2. The NJDOE provide guidance for school districts and parents/guardians about the maintenance and confidentiality of student discipline records.
3. The NJDOE provide guidance to school districts and information to parents/guardians that clarifies that, to the extent not explicitly prohibited by the ABR, all rules concerning student conduct, suspension, and record keeping, otherwise applicable, remain in effect and should continue to be implemented.

The Role of the Anti-Bullying Specialist

Discussion

The ABR (*N.J.S.A.* 18A:37-20(a)) necessitates that the principal appoint an ABS. When a school guidance counselor, school psychologist, **or another individual similarly trained** is employed in the school, the principal shall appoint that individual to be the school anti-bullying specialist (ABS). The responsibilities of the school ABS, as set forth in *N.J.S.A.* 18A:37-20(a) (1), (2) and (3) are to chair the school safety team, which is described in *N.J.S.A.* 18A: 37-21; lead the investigation of incidents of HIB in the school; and act as the primary school official responsible for preventing, identifying, and addressing incidents of HIB in the school.

Data obtained from the 2012 and 2013 ABTF surveys indicate that ABSs feel increasingly prepared to fulfill the various responsibilities of their role. In 2012, approximately 52% of ABSs “agreed” or “strongly agreed” that they had been adequately prepared to carry out the responsibilities of their role, a statistic which increased to 61% in 2013. Similarly, the percentage of ABCs who reported feeling adequately prepared to carry out the responsibilities of their role in 2012 (64%) increased in 2013 (78%). Furthermore, approximately 57% of ABSs and 48% of ABCs reported in the 2013 survey that they are making a positive impact on school climate by fulfilling their responsibilities.

Despite the increase in feelings of preparedness, there are still concerns reported by ABSs. During the public hearings conducted by the ABTF, reports were made of role conflicts and potential role conflicts by ABSs who were also providing counseling services. A frequently repeated concern in survey comments, public hearings, and focus groups relates to the difficulty of maintaining a therapeutic relationship of trust, when the same individual who provides counseling services for a particular student also serves as the ABS and conducts an investigation

into a matter in which that student has, or allegedly has, some involvement. While the ABTF recognizes that it is not possible to require districts to assign a different ABS to investigate when the ABS is the individual providing counseling, the ABTF recommends that the NJDOE issue guidance strongly suggesting that principals assign an alternate ABS to investigate such cases, whenever possible. Chairing the SST and acting as the primary official responsible for preventing, identifying, and addressing incidents of HIB in the school did not surface as a role conflict.

Feedback from practitioners also indicates that there is some confusion about who can be appointed to the role of ABS. The ABR also provides a mechanism for an individual other than a school guidance counselor or school psychologist to act as an ABS. That mechanism is spelled out in *N.J.S.A. 18A:37-26 (a)* which requires “[t]he 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,” to “establish inservice workshops and training programs to train selected public school employees to act as . . . school anti-bullying specialists in accordance with the provisions of” the ABR. Also, the NJDOE, in its *Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act* document, indicates that another certified staff member trained to be the ABS satisfies the requirement.

Recommendations

1. The NJDOE provide guidance to districts that, if possible, an individual who is counseling a particular student shall not serve as the investigator in any matter in which that student is an alleged target or aggressor and that another ABS be assigned to investigate that case.

2. Principals consider appointing more than one ABS to provide flexibility in assigning investigations.
3. The NJDOE provide further guidance regarding who can fulfill the role of the ABS.

Resources

Discussion

The implementation of a proactive, high-quality, systemic anti-bullying initiative, with a focus of creating and sustaining a healthy climate and culture within schools requires the commitment of financial and professional resources. The survey data collected from ABCs and ABSs yielded findings that while the pool of available program resources was extensive, the financial resources available were restrictive, and that additional financial resources would be required to meet the expectations of the ABR.¹⁰

According to data collected by the ABTF in 2012, approximately 51% of ABSs and 65% of ABCs “agreed” or “strongly agreed” that there is a large enough pool of program resources to implement the ABR. However, approximately 67% of ABSs and 71% of ABCs “disagreed” or “strongly disagreed” that there are enough financial resources to implement the ABR. The responses to these same questions differed slightly in 2013 survey, in which approximately 49% of ABSs and 75% of ABCs “agreed” or “strongly agreed” that there is a large enough pool of program resources to implement the ABR, and approximately 54% of both ABSs and ABCs “disagreed” or “strongly disagreed” that there are enough financial resources to implement the ABR. Furthermore, focus group participants noted the need for additional staff to cover the duties normally handled by the ABS, as well as a need for additional resources for training and staffing, especially related to student support services and student-focused interventions.

The Governor, the Legislature, and the NJDOE have committed resources to provide training to practitioners. The ABTF recognizes this commitment and offers appreciation for the level of funding and support presently applied to the fulfillment of the goals of the ABR. That commitment notwithstanding, current data suggest that funding levels continue to present a

¹⁰ See page 20 of the ABTF Interim Report for more information regarding financial resources.

challenge to educators working in the field. Aspirations toward meeting the training and programmatic requirements of the ABR continue to remain high. However, data suggest that the realization of these goals continues to prove elusive.

While the State has allocated \$1,000,000.00 in annual funding, respondents overwhelmingly reported that the responsibilities and workload requirements of the ABR present an on-going challenge. Of those responding to the 2013 survey, 53% of CSAs, 43.6% of principals, 37.3% of ABCs, and 36.9% of ABSs indicated that, if additional funding were available, it would be utilized to fund supplementary staff devoted to the implementation of the ABR. Required investigations, disciplinary proceedings, educational remediation, and crisis mitigation services are identified as required responsibilities that are critically important, however, exceedingly time consuming. Time to conduct investigations and provide remedial measures and educational support, as well as time to participate in training, are critical resources which need to be considered in order to assist professionals in attending to the requirements put forth within the ABR. While the challenges associated with financial support are likely to persist, there are resources available and practices underway which will help to assuage capacity concerns.

Recommendations

1. The Governor and Legislature continue to work to increase funding allocations to the Bullying Prevention Fund, commensurate with the expectations of the ABR.
2. Alternative methods of financial support (e.g., philanthropic and foundational) be explored and sought to supplement funding allocated in support of the ABR.

3. The NJDOE provide training to the SST in improving its effectiveness in meeting the charge to foster and maintain school climate.¹¹
4. The NJDOE continue to provide on-line training and best practice guidance regarding the creation of a healthy school climate and culture.
5. The NJDOE continue to maintain and update, as appropriate, its comprehensive training and resources site at: <http://www.state.nj.us/education/students/safety/behavior/hib/>.

¹¹ See the Training section of this report for more information regarding the function of the SST.

Training

Discussion

Schools across New Jersey are currently implementing several key reforms including new evaluations, common core standards, and new assessments. The School Safety Team (SST) has a pivotal role at this critical time. As noted in the United States Department of Education's (USDOE) recent report, *Guiding Principles: A Resource Guide for Improving School Climate and Discipline*, "The first step in building safe and supportive schools conducive to academic excellence and student success is to create positive climates. Such climates prevent problem behaviors before they occur and reduce the need for disciplinary interventions that can interfere with student learning" (USDOE, 2014).

In the Interim Report, the ABTF identified an existing confusion over the role of the SST. The primary charge for this team, in addition to reviewing anti-bullying reports, is "to develop, foster and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school to address school climate issues such as HIB" (*N.J.S.A. 18A:37-21*). This charge is at the heart of the spirit of the ABR. The New Jersey Commission on Bullying in Schools (NJCBS) recommended that "Each school form a school climate team or use an existing team to participate in professional learning opportunities related to school climate programs/approaches and assist in developing a comprehensive school-wide program/approach to address school climate-related issues, including HIB (NJCBS, 2009)." The ABR establishes "Safety Teams." Unfortunately, the "Safety Team" title has caused confusion, because the major role of this team is to improve school climate, not to focus on school security.

To be compliant, the ABR requires SSTs to meet at least twice per year to review investigations of bullying. However, this is clearly not sufficient if this team is truly to lead

school climate improvement efforts. In the 2013 ABTF survey of ABSs, ABCs, principals, and CSAs, 57.1% of ABSs reported that their SSTs met twice per year, 16.4% reported meeting quarterly, and 8.5% reported meeting monthly. 25.5% of ABSs reported that their SSTs spend “quite a bit” or “very much” time on training related to school climate, while 47.9% reported spending very little or no time on such training. 40.7% of principals reported spending little or no time on school climate improvement training. Additionally, 28.4% of ABCs found supporting school climate improvement efforts challenging.

The NJDOE School Self-Assessment for Determining Grades includes several indicators related to best practices of the SST, such as collecting and analyzing school climate data; developing and implementing school climate improvement practices, programs, or approaches to address areas of concern; making recommendations regarding the educational needs of staff, students, and parents/guardians in preventing and addressing HIB; and attending professional development opportunities focused on the improvement of the overall school climate. The self-assessment tool has helped to clarify the expectations for the SST, however more training related to the components of school climate is essential.

Understanding the need for SSTs to collect baseline data in order to identify strengths and concerns related to school climate issues, the NJDOE, in collaboration with the Bloustein Center for Survey Research at Rutgers University, developed and disseminated a free data collection tool, the New Jersey School Climate Survey (NJSCS). Training is needed in the use of this tool, the analysis of school climate data, and the development and implementation of school climate improvement plans.

Recommendations

1. The State Board of Education amend the administrative code to reflect the intended role of the SST by referring to the team as the School Safety/Climate Team.

Proposed administrative code language (*N.J.A.C.6A:16-1.3*):

“School safety team/school climate team” means the team responsible in each school to develop, foster and maintain a positive school environment by focusing on the on-going systemic process and practices in the school and to address school climate issues.

Proposed administrative code language (*N.J.A.C.6A:16-[7.9]7.7(f)1*):

1. **The members of the school safety/school climate team shall be appointed by the principal, be chaired by the school anti-bullying specialist and include the principal, or designee, a teacher in the school, the school anti-bullying specialist, a parent in the school and other members determined by the principal.**

Proposed administrative code language (*N.J.A.C.6A:16-[7.9]7.7(d)(e)3*):

[(d)(e)3. Annually [review the extent and characteristics] conduct a re-evaluation, reassessment and review of its harassment, intimidation, and bullying [behavior in the school buildings of the school district and implement locally determined programmatic or other responses, if determined appropriate by the district board of education] policy and any reports and/or findings of the school safety/school climate team(s), and make any necessary revisions, consistent with N.J.S.A. 18A:37-15(c).

2. Annual training be provided to all SSTs in accordance with the ABR.
 - a. All members of a team attend training, so there is a shared understanding of their work.
 - b. ABCs attend training, as they can coordinate the work district-wide, providing opportunities for teams to share ideas and resources.
 - c. Training components to include, at a minimum: 1) understanding the dimensions of school climate, 2) collecting and analyzing school climate data, 3) developing school climate goals and action plans to achieve those goals, 4) comprehensive

social and emotional learning and character education programs, practices, and approaches, and 5) evaluating school climate improvement efforts.

3. Training continue to be provided on investigations and the use of the central element of bullying, imbalance of power, to distinguish bullying from normal social conflict and assist investigators in identifying a broader category of distinguishing characteristics¹².
4. Training be provided for principals on the minimum criteria to use in making the initial decision regarding HIB status including the use of the Threshold Assessment Checklist.¹³

¹² See the Definition of Harassment, Intimidation, and Bullying section of this report for more information regarding the definition of HIB and the application of the concept of power imbalance.

¹³ See the Reporting and Investigation Procedures section of this report for more information regarding the minimum criteria for investigation.

Programs, Approaches, and Instruction

Discussion

The ABR calls for schools to annually “establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents/guardians, 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” (*N.J.S.A. 18A:37-17(a)*).

Data from the 2012-2013 HIB-ITP report indicate that there were 13,718 programs, approaches, or initiatives reported by schools and districts in 2012-13. This is an increase of 4,958 (57%) from the 8,760 programs, approaches, or initiatives reported in the 2011-12 school year. The HIB-ITP data collection system defines “program” as “an event, plan, system or series of scheduled, organized activities or procedures under which action may be taken toward a goal. A single event should not be considered a program unless it meets the criteria in the definition.” This indicates the intention for schools to implement on-going, systemic bullying prevention programs or approaches. However, HIB-ITP data do not indicate the scope or duration of the reported programs, approaches, or initiatives.

The 2012-2013 HIB-ITP report indicated that more than nine in ten programs/approaches targeted students in three key areas— relationships (78%), peer-social norms (73%) and sense of community (73%). These key areas are strongly related to social and emotional learning. As part of the “Week of Respect” requirement, the ABR recognizes the importance of character education and the prevention of HIB by requiring that each NJ school district observe the week by providing age-appropriate instruction on the prevention of HIB. Additionally, the ABR requires that throughout the school year, this instruction be provided in accordance with the core

curriculum standards (*N.J.S.A. 18A: 37-29*). The HIB-ITP report does not capture data on this requirement. The connection between the data collected on programs/approaches that target students and the required instruction is unclear.

Teaching students about bullying prevention necessitates instruction in peer relationships and the expectations of behavior for all members of the school community. In other words, it requires instruction in social and emotional learning. According to Secretary of Education, Arne Duncan in the 2014 USDOE report, *Guiding Principles: A Resource Guide for Improving School Climate and Discipline*, “Schools should identify key social and emotional competencies that support the school’s goals for a positive school climate and academic achievement” (USDOE, 2014).

The spirit of the ABR calls for consistent instruction in social and emotional learning. The ABTF recommends that such instruction be part of a coherent and connected approach to school climate improvement, which can be instrumental in establishing healthy and productive learning environments. As stated by “Nancy Markowitz, an education professor and director of the Collaborative for Reaching and Teaching the Whole Child at San Jose State University,” in a recent EdSource article, “The ability to collaborate, to see others’ perspectives, and to persevere in solving problems is required of students in the Common Core. Social and emotional learning provides the interpersonal skills students need to perform these intellectual tasks...Social and emotional learning skills are foundational to children’s ability, and teachers’ ability, to implement and be successful in the Common Core standards” (Adams, 2013).

Results from two recent studies suggest that teaching age-appropriate pro-social skills is shown to increase student achievement between 11 and 17 percentile points (Durlak, Wiessberg, Dymnicki, Taylor, & Schellinger, 2011; Payton et al., 2008). Skills such as collaboration, active

listening and conflict resolution are also included in the 21st Century Standards. These social and emotional learning skills should be embedded in all content areas and could help schools establish behavioral expectations that support positive relationships and safe and caring learning environments. Such expectations should be modeled by all stakeholders in the school community.

The ABTF remains concerned about “one shot” programs, approaches, or initiatives targeted at students which are not implemented with fidelity in a systemic and sustained way. Such programs have little chance of impacting the school climate or teaching students life-long social and emotional learning skills. As noted in the previous section on training, the SST is charged with “focusing on the on-going, systemic process and practices in the school to address school climate issues such as HIB.” While 36.7% of ABSs reported in the 2013 ABTF survey that their SSTs provided “quite a bit” or very much” input on year-long instruction for HIB prevention, 36% rated their input as “a little bit” or “not at all.” Systemic social and emotional learning, as well as the implementation of any other program, approach, or initiative related to school climate is a critical part of a coherent climate improvement plan developed by the SST.

Recommendations

1. School districts reexamine their approach to year-long HIB prevention instruction and incorporate a systemic approach to teaching social and emotional learning skills.
2. SSTs develop school climate improvement plans that promote a coherent approach to social and emotional learning.
3. Training related to effective social and emotional learning programming be provided to SST members.¹⁴
4. The NJDOE explore ways to collect data as to whether schools have developed coherent and systemic school climate improvement plans.

¹⁴ See the Training section of this report for more information.

Section IV: Next Steps

The ABTF will continue its charge of investigating the implementation of the ABR and plans to submit its third report on January 26, 2015.

Trend data and information will be reviewed to assess the effectiveness of programs, training, and resources including HIB incidents reported by school districts on the Electronic Violence, Vandalism, and Substance Abuse Incident Reporting System (EVVRS). Surveys will also be conducted to solicit feedback from practitioners in the field to determine the effectiveness of implementation of the ABR and the resulting impact on school climates throughout the state.

Additionally, the ABTF will review in detail the following areas and make appropriate recommendations: 1) high and low reporting variances in schools and districts statewide and the underlying causes, 2) implementation of the ABR in higher education, 3) The Commissioner's Program and Guidance for Determining Grades under the ABR, 4) school range of responses to incidents of HIB and 5) resources available to assist in the implementation of ABR. The ABTF intends to continue to emphasize the importance of school climate and provide guidance related to best practices in school climate improvement including, but not limited to, the integration of social and emotional learning.






The ABTF has made specific recommendations in this report, on which it welcomes feedback¹⁵. If any individual, group, or organization should have thoughts or feedback on report recommendations, these are best communicated to the Chair of the ABTF.

¹⁵ A summary of these recommendations by target audience can be found in Appendix I of this document.



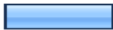


Appendix A

New Jersey Anti-Bullying Task Force Anti-Bullying Specialist Survey & Data 2013






1. The ABR has been a positive step towards the prevention of Harassment, Intimidation, and Bullying (HIB) in my school.

		Response Percent	Response Count
Strongly Disagree		3.0%	14
Disagree		11.3%	53
Neither Agree Nor Disagree		24.4%	114
Agree		51.6%	241
Strongly Agree		9.6%	45
answered question			467
skipped question			6






2. The ABR has been a positive step towards responding to incidents of HIB in my school.

		Response Percent	Response Count
Strongly Disagree		3.4%	16
Disagree		11.1%	52
Neither Agree Nor Disagree		18.1%	85
Agree		53.0%	249
Strongly Agree		14.5%	68
answered question			470
skipped question			3

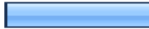




3. There are enough training opportunities available for staff in our school to carry out the responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		8.1%	38
Disagree		22.6%	106
Neither Agree Nor Disagree		16.0%	75
Agree		45.9%	215
Strongly Agree		7.3%	34
If you think additional training is needed, specify the topics that would be most useful:			128
answered question			468
skipped question			5






4. There is a large enough pool of program resources (e.g., strategies, effective programs, best practices) available to help implement the ABR in my school. (Note: This question is NOT addressing financial resources.)

		Response Percent	Response Count
Strongly Disagree		4.0%	19
Disagree		21.5%	101
Neither Agree Nor Disagree		21.3%	100
Agree		46.2%	217
Strongly Agree		7.0%	33
If you think additional program resources are needed, specify the areas that would be most useful.			66
answered question			470
skipped question			3









5. I believe that there are enough financial resources available for our school to carry out the school responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		24.5%	115
Disagree		29.6%	139
Neither Agree Nor Disagree		20.0%	94
Agree		23.2%	109
Strongly Agree		2.8%	13
If you think additional financial resources are needed, identify for what those resources are most needed.			118
answered question			470
skipped question			3

6. What describes your role as ABS in your school? Check all that apply.

		Response Percent	Response Count
I was the ABS during the 2011-2012 school year		72.3%	339
I was the ABS during the 2012-2013 school year		84.9%	398
I am currently the ABS for the 2013-2014 school year		89.8%	421
I have been the ABS in more than one school		12.6%	59
I have been the ABS only in my current school		51.6%	242
Please provide any additional comments regarding your tenure as ABS.			47
answered question			469
skipped question			4

7. Please indicate the additional roles that you currently serve in your school. Check all that apply.

		Response Percent	Response Count
Principal		0.6%	3
Assistant/Vice Principal		6.0%	28
School Counselor		57.4%	268
School Social Worker		12.2%	57
SAC		14.3%	67
Teacher		8.1%	38
Nurse		1.9%	9
Other		18.6%	87
If you selected other, please indicate your additional role here:			102
answered question			467
skipped question			6





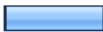




8. Please indicate the extent to which you have been able to implement the following requirements of the ABS role.

	Not At All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Chairing the School Safety Team	4.5% (21)	8.4% (39)	22.3% (104)	17.2% (80)	47.6% (222)	466
Leading the investigation of reported HIB incidents	1.5% (7)	1.3% (6)	5.3% (25)	16.0% (75)	76.0% (357)	470
Acting as the primary school official responsible for preventing, identifying, and addressing incidents of HIB in the school	1.5% (7)	6.0% (28)	15.0% (70)	31.7% (148)	45.8% (214)	467
Assisting the principal in defining a range of ways to respond to HIB	2.4% (11)	5.1% (24)	14.1% (66)	22.9% (107)	55.6% (260)	468
Providing input to the local board of education on the annual re-evaluation, reassessment, and review of the district's HIB policy	38.9% (182)	15.8% (74)	17.7% (83)	12.0% (56)	15.6% (73)	468
				answered question		470
				skipped question		3

9. Please indicate the degree to which it has been easy or challenging for you to implement the following requirements of the ABS role.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Chairing the School Safety Team	6.4% (30)	23.2% (109)	36.2% (170)	22.4% (105)	11.7% (55)	469
Leading the investigation of reported HIB incidents	11.9% (56)	42.8% (201)	16.6% (78)	21.1% (99)	7.7% (36)	470
Acting as the primary school official responsible for preventing, identifying, and addressing incidents of HIB in the school	16.8% (79)	39.7% (186)	23.2% (109)	14.9% (70)	5.3% (25)	469
Assisting the principal in defining a range of ways to respond to HIB	5.5% (26)	28.9% (136)	29.8% (140)	27.0% (127)	8.7% (41)	470
Providing input to the local board of education on the annual re-evaluation, reassessment, and review of the district's HIB policy	17.2% (80)	16.1% (75)	51.8% (241)	11.2% (52)	3.7% (17)	465
				answered question		472
				skipped question		1

10. How often did you meet with your School Safety Team during the 2012-2013 school year?

		Response Percent	Response Count
Not applicable, I was not the ABS during the 2012-2013 school year		4.3%	20
0 times		0.6%	3
1 time		3.0%	14
2 times		57.1%	268
Quarterly		16.4%	77
Monthly		8.5%	40
Bi-Monthly		2.1%	10
Weekly		1.3%	6
Other		6.6%	31

For Other, please specify the total number of times during the 2012-2013 school year. 35

answered question	469
skipped question	4

11. Please rate how often each of the following activities was addressed by the School Safety Team during the 2012-2013 school year.






	Not at All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Reviewed HIB complaint records	12.1% (55)	20.7% (94)	27.5% (125)	19.8% (90)	20.0% (91)	455
Reviewed HIB investigation reports	13.4% (61)	20.7% (94)	27.5% (125)	18.7% (85)	19.6% (89)	454
Determined & addressed patterns of HIB throughout the school	6.8% (31)	16.1% (73)	29.6% (134)	23.6% (107)	23.8% (108)	453
Identified areas in need for school climate improvement	4.6% (21)	14.3% (65)	26.5% (121)	28.1% (128)	26.5% (121)	456
Created an action plan to improve school climate	11.4% (52)	20.8% (95)	23.9% (109)	23.4% (107)	20.6% (94)	457
Planned HIB prevention activities	6.8% (31)	16.7% (76)	22.4% (102)	28.8% (131)	25.3% (115)	455
Advised teachers concerning classroom interventions to prevent or address HIB	10.1% (46)	22.9% (104)	26.4% (120)	25.6% (116)	15.0% (68)	454
Provided input on year-long instruction for HIB prevention	13.4% (61)	22.6% (103)	27.4% (125)	21.3% (97)	15.4% (70)	456
Reviewed HIB-related school policies and procedures	4.8% (22)	18.9% (86)	31.7% (144)	29.3% (133)	15.2% (69)	454
Trained School Safety Team members on school climate improvement	19.8% (90)	28.1% (128)	26.6% (121)	16.7% (76)	8.8% (40)	455
Educated the Community on the Prevention of HIB	24.9% (113)	35.2% (160)	21.8% (99)	13.2% (60)	4.8% (22)	454
Collaborated with district Anti-Bullying Coordinator to collect district-wide data	12.2% (55)	18.7% (84)	22.7% (102)	24.0% (108)	22.4% (101)	450
Collaborated with district Anti-Bullying Coordinator to further develop district HIB policies	20.4% (92)	18.7% (84)	24.2% (109)	20.0% (90)	16.7% (75)	450
Other	21.4% (12)	16.1% (9)	19.6% (11)	25.0% (14)	17.9% (10)	56

"Other," please indicate the activity here

20

	answered question	458
	skipped question	15




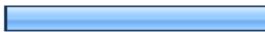

12. Please indicate the extent to which you agree or disagree: I believe that I have been adequately prepared (e.g., through training) to carry out the job responsibilities of the ABS.

		Response Percent	Response Count
Strongly Disagree		5.4%	25
Disagree		14.3%	67
Neither Agree Nor Disagree		19.7%	92
Agree		47.3%	221
Strongly Agree		13.3%	62

If you do not feel adequately prepared, what would you need to be adequately prepared? 97

	answered question	467
	skipped question	6




13. Please indicate the extent to which you agree or disagree: My role as the school ABS is having a positive impact on school climate.

		Response Percent	Response Count
Strongly Disagree		2.4%	11
Disagree		7.1%	33
Neither Agree nor Disagree		33.9%	157
Agree		44.9%	208
Strongly Agree		11.7%	54
	How can you tell?		121
	answered question		463
	skipped question		10

14. Please indicate the extent to which you agree or disagree: In my school, the range of responses we have implemented in response to confirmed incidents of HIB has:

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Rating Count
Stopped the HIB from continuing	2.6% (12)	9.2% (42)	25.6% (117)	52.1% (238)	10.5% (48)	457
Helped remedial efforts for the perpetrator	1.5% (7)	4.8% (22)	20.4% (93)	61.8% (282)	11.4% (52)	456
Provided support to the victim	1.5% (7)	0.7% (3)	9.4% (43)	61.0% (278)	27.4% (125)	456
Prevented other incidents of HIB from starting	1.8% (8)	7.0% (32)	30.8% (140)	49.1% (223)	11.2% (51)	454
Improved school climate	1.8% (8)	3.1% (14)	28.5% (128)	53.0% (238)	13.6% (61)	449
Please provide any comments (optional)						35
answered question						459
skipped question						14

15. Since the implementation of the ABR in September 2011, please indicate if your school has conducted a school climate or bullying-related survey with any of the following audiences. (Check all that apply.)

		Response Percent	Response Count
Students		91.1%	297
Staff		66.0%	215
Parents		42.0%	137
answered question			326
skipped question			147

16. Please indicate the extent to which you agree or disagree: I have had to give up other job responsibilities to carry out the role of ABS in my school.

		Response Percent	Response Count
Strongly Disagree		9.4%	44
Disagree		16.0%	75
Neither Agree nor Disagree		17.7%	83
Agree		30.6%	143
Strongly Agree		26.3%	123
If applicable, please specify the duties you are no longer able to perform.			169
answered question			468
skipped question			5

17. How would you rate the quality of communication regarding HIB incidents between you, as the ABS, your school's principal, the district Anti-Bullying Coordinator, and the superintendent?

		Response Percent	Response Count
Poor		1.5%	7
Fair		5.4%	25
Average		14.8%	69
Good		36.4%	170
Excellent		42.0%	196
Please indicate why you rated this question the way you did.			123
answered question			467
skipped question			6






18. In your role as the ABS, please indicate the extent to which you were involved in the "School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights Act."

		Response Percent	Response Count
I was not the ABS during the self-assessment process		7.5%	35
Not At All		12.2%	57
A Little Bit		5.4%	25
A Moderate Amount		10.9%	51
Quite a Bit		17.2%	80
Very Much		46.8%	218
Please provide any comments (optional)			50
answered question			466
skipped question			7









19. Please indicate the degree to which it has been easy or challenging for your school to implement the following components of the ABR. If the component has been challenging to implement, please indicate the specific challenges and the reasons for the challenges in the comments section provided.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Understanding if behavior meets the statutory definition of Harassment, Intimidation, and Bullying (HIB)	8.9% (42)	40.6% (191)	26.2% (123)	21.1% (99)	3.2% (15)	470
Reporting an incident of HIB	1.5% (7)	13.0% (61)	24.3% (114)	46.1% (216)	15.1% (71)	469
Investigating an incident of HIB	6.0% (28)	36.5% (171)	20.9% (98)	29.7% (139)	6.8% (32)	468
Determining appropriate responses to an incident of HIB	3.2% (15)	30.8% (144)	30.8% (144)	30.2% (141)	4.9% (23)	467
Implementing appropriate responses to an incident of HIB	2.8% (13)	26.2% (122)	32.3% (150)	33.5% (156)	5.2% (24)	465
Training staff on the Anti-Bullying Bill of Rights	3.9% (18)	22.7% (106)	34.5% (161)	33.6% (157)	5.4% (25)	467
Training staff on best practices for HIB prevention	4.5% (21)	27.7% (130)	34.9% (164)	28.3% (133)	4.7% (22)	470
Supporting school climate improvement efforts	3.4% (16)	19.4% (90)	31.5% (146)	36.6% (170)	9.1% (42)	464
					Comments:	118
				answered question		471
				skipped question		2

20. Please indicate the extent to which you agree or disagree: In my school, parents understand student rights and district responsibilities under the ABR.

		Response Percent	Response Count
Strongly Disagree		6.2%	29
Disagree		19.4%	91
Neither Agree nor Disagree		30.7%	144
Agree		40.3%	189
Strongly Agree		3.4%	16
Please provide any additional comments.			76
answered question			469
skipped question			4

21. If additional funds were available to implement the ABR, what is the most important area for which your school would need funds?

		Response Percent	Response Count
Anti-Bullying Prevention Programs/Approaches/Initiatives		24.4%	113
School Climate Improvement Efforts		14.5%	67
Support for Targets of HIB		1.9%	9
Remedial Measures for Perpetrators of HIB		5.4%	25
Training for Staff		10.8%	50
Additional Full or Part-Time Staff/Staff Time to Address Required Responsibilities under ABR		36.9%	171
Policy Development		2.2%	10
Other		3.9%	18
	Other (please specify)		35
		answered question	463
		skipped question	10






22. If you have any additional comments regarding your role as ABS or about the ABR, please include them here.

	Response Count
	82
answered question	82
skipped question	391






Appendix B

New Jersey Anti-Bullying Task Force Anti-Bullying Coordinator Survey & Data 2013






1. The ABR has been a positive step towards the prevention of Harassment, Intimidation, and Bullying (HIB) in my district.

		Response Percent	Response Count
Strongly Disagree		3.3%	5
Disagree		10.6%	16
Neither Agree Nor Disagree		30.5%	46
Agree		41.7%	63
Strongly Agree		13.9%	21
answered question			151
skipped question			0






2. The ABR has been a positive step towards responding to incidents of HIB in my district.

		Response Percent	Response Count
Strongly Disagree		4.0%	6
Disagree		13.2%	20
Neither Agree Nor Disagree		18.5%	28
Agree		47.7%	72
Strongly Agree		16.6%	25
answered question			151
skipped question			0






3. There are enough training opportunities available for staff in our district to carry out the responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		2.7%	4
Disagree		15.3%	23
Neither Agree Nor Disagree		14.7%	22
Agree		59.3%	89
Strongly Agree		8.0%	12
If you think additional training is needed, specify the topics that would be most useful:			29
answered question			150
skipped question			1

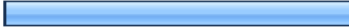
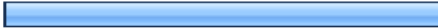



4. There is a large enough pool of program resources (e.g., strategies, effective programs, best practices) available to help implement the ABR in my district. (Note: This question is NOT addressing financial resources.)

		Response Percent	Response Count
Strongly Disagree		2.0%	3
Disagree		12.8%	19
Neither Agree Nor Disagree		10.7%	16
Agree		68.5%	102
Strongly Agree		6.0%	9
If you think additional program resources are needed, specify the areas that would be most useful.			11
answered question			149
skipped question			2

5. I believe that there are enough financial resources available for our district to carry out the responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		25.8%	39
Disagree		28.5%	43
Neither Agree Nor Disagree		15.9%	24
Agree		27.2%	41
Strongly Agree		2.6%	4
If you think additional financial resources are needed, identify for what those resources are most needed.			37
answered question			151
skipped question			0

6. What best describes your role as ABC in your district? Please check all that apply.

		Response Percent	Response Count
I was the ABC during the 2011-2012 school year		59.6%	90
I was the ABC during the 2012-2013 school year		75.5%	114
I am currently the ABC for the 2013-2014 school year		90.7%	137
I have been the ABC in more than one district		4.6%	7
I have been the ABC only in my current district		49.0%	74
Please provide any additional comments regarding your tenure as ABC.			10
answered question			151
skipped question			0

7. Please indicate the additional roles that you currently serve in your district. Check all that apply.

		Response Percent	Response Count
Chief School Administrator	<input type="checkbox"/>	2.8%	4
Assistant Superintendent	<input type="checkbox"/>	10.3%	15
Business Administrator	<input type="checkbox"/>	0.0%	0
Principal	<input type="checkbox"/>	13.8%	20
Assistant/Vice Principal	<input type="checkbox"/>	9.7%	14
Guidance Director	<input type="checkbox"/>	13.1%	19
Supervisor	<input type="checkbox"/>	17.2%	25
Teacher	<input type="checkbox"/>	7.6%	11
School Counselor	<input type="checkbox"/>	6.9%	10
School Social Worker	<input type="checkbox"/>	3.4%	5
SAC	<input type="checkbox"/>	13.1%	19
Nurse	<input type="checkbox"/>	0.0%	0
Other	<input type="checkbox"/>	33.8%	49
Not School District Staff	<input type="checkbox"/>	0.7%	1
If you selected other, please indicate your additional role here:			54
answered question			145
skipped question			6



8. Please indicate the extent to which you have been able to implement the following requirements of the ABC role.

	Not At All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Coordinating and strengthening district HIB policy to prevent, identify, and address HIB	1.3% (2)	7.9% (12)	21.9% (33)	43.0% (65)	25.8% (39)	151
Collaborating and meeting at least twice per year with the school Anti-Bullying Specialists in the district	0.0% (0)	2.0% (3)	8.1% (12)	19.5% (29)	70.5% (105)	149
Providing data, in collaboration with the superintendent to the New Jersey Department of Education	1.3% (2)	4.0% (6)	10.1% (15)	28.9% (43)	55.7% (83)	149
				answered question		151
				skipped question		0








9. Please indicate the degree to which it has been easy or challenging for you to implement the following requirements of the ABC role.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Coordinating and strengthening district HIB policy to prevent, identify, and address HIB	2.0% (3)	29.3% (44)	34.0% (51)	24.0% (36)	10.7% (16)	150
Meeting at least twice per year with the district Anti-Bullying Specialists	1.3% (2)	8.7% (13)	13.4% (20)	36.9% (55)	39.6% (59)	149
Providing data, in collaboration with the superintendent to the New Jersey Department of Education	3.3% (5)	18.7% (28)	27.3% (41)	32.7% (49)	18.0% (27)	150
				answered question		150
				skipped question		1






**10. Have you been asked to perform other related duties in your role as the district ABC?
(These are duties other than listed in the previous question.)**

		Response Percent	Response Count
No		47.2%	68
Yes		52.8%	76
If yes, which duties have you been asked to perform?			72
answered question			144
skipped question			7





11. How often did you, as the district ABC, meet with the ABS's in your district during the 2012-2013 school year?

		Response Percent	Response Count
Not applicable, I was not the ABC in the 2012-2013 school year		6.0%	9
0 times		0.0%	0
1 time		0.0%	0
2 times		24.5%	37
Quarterly		21.9%	33
Monthly		17.2%	26
Bi-Monthly		9.9%	15
Weekly		12.6%	19
Other		7.9%	12
For Other, please specify the total number of times during the 2012-2013 school year.			12
answered question			151
skipped question			0

12. Please indicate the extent to which you agree or disagree: I believe that I have been adequately prepared (e.g., through training) to carry out the job responsibilities of the ABC.

		Response Percent	Response Count
Strongly Disagree		3.3%	5
Disagree		9.3%	14
Neither Agree Nor Disagree		19.2%	29
Agree		51.7%	78
Strongly Agree		16.6%	25
If you do not feel adequately prepared, what would you need to be adequately prepared?			19
answered question			151
skipped question			0

13. Please indicate the extent to which you agree or disagree: My role as the district ABC is having a positive impact on school climate.

		Response Percent	Response Count
Strongly Disagree		0.0%	0
Disagree		5.3%	8
Neither Agree nor Disagree		47.0%	71
Agree		40.4%	61
Strongly Agree		7.3%	11
How can you tell?			34
answered question			151
skipped question			0

14. Please indicate the extent to which you agree or disagree: In my district, the range of responses we have implemented in response to confirmed incidents of HIB has:

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Rating Count
Stopped the HIB from continuing	1.3% (2)	11.3% (17)	29.3% (44)	49.3% (74)	8.7% (13)	150
Helped remedial efforts for the perpetrator	1.3% (2)	4.0% (6)	24.7% (37)	59.3% (89)	10.7% (16)	150
Provided support to the victim	0.7% (1)	1.3% (2)	11.3% (17)	70.7% (106)	16.0% (24)	150
Prevented other incidents of HIB from starting	1.4% (2)	9.5% (14)	40.5% (60)	41.2% (61)	7.4% (11)	148
Improved school climate	1.4% (2)	3.4% (5)	34.7% (51)	50.3% (74)	10.2% (15)	147
Please provide any comments (optional)						24
answered question						150
skipped question						1




15. Please indicate the extent to which you have implemented the following activities in your role as district ABC:

	Not at All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Collaborated with other school staff to address patterns of HIB in our schools.	2.0% (3)	16.0% (24)	38.7% (58)	26.7% (40)	16.7% (25)	150
Created a comprehensive HIB prevention plan across the district	6.0% (9)	16.1% (24)	24.8% (37)	37.6% (56)	15.4% (23)	149
Facilitated communication across schools in the district regarding best practices to prevent and address HIB	1.4% (2)	12.4% (18)	27.6% (40)	41.4% (60)	17.2% (25)	145
Coordinated the School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights Act	0.0% (0)	3.3% (5)	17.3% (26)	32.7% (49)	46.7% (70)	150
Coordinated professional development for School Safety Team Members	6.7% (10)	24.2% (36)	31.5% (47)	28.2% (42)	9.4% (14)	149
Coordinated training opportunities for school staff on preventing and addressing HIB	0.7% (1)	10.7% (16)	30.9% (46)	36.9% (55)	20.8% (31)	149
Coordinated training opportunities for school staff on school climate improvement	5.4% (8)	17.4% (26)	38.9% (58)	24.8% (37)	13.4% (20)	149
Other	6.9% (2)	6.9% (2)	31.0% (9)	31.0% (9)	24.1% (7)	29






If you selected other, please indicate the activity here: 10

answered question	150
skipped question	1

16. Since the implementation of the ABR in September 2011, please indicate if your district has conducted a school climate or bullying-related survey with any of the following audiences. (Check all that apply.)

		Response Percent	Response Count
Students		94.2%	113
Staff		75.8%	91
Parents		50.0%	60
answered question			120
skipped question			31







17. Please indicate the extent to which you agree or disagree: I have had to give up other job responsibilities to carry out the role of ABC in my district.

		Response Percent	Response Count
Strongly Disagree		13.3%	20
Disagree		34.0%	51
Neither Agree nor Disagree		21.3%	32
Agree		18.0%	27
Strongly Agree		13.3%	20
If applicable, please specify the duties you are no longer able to perform.			41
answered question			150
skipped question			1

18. How would you rate the quality of communication regarding HIB incidents between the school Anti-Bullying Specialists throughout your district, school principals, you as the ABC, and the superintendent?

		Response Percent	Response Count
Poor		0.7%	1
Fair		2.6%	4
Average		7.9%	12
Good		39.1%	59
Excellent		49.7%	75
Please indicate why you rated this question the way you did.			46
answered question			151
skipped question			0






19. In your role as the ABC, please indicate the extent to which you were involved in the "School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights Act."

		Response Percent	Response Count
I was not the ABC during the self assessment process		6.6%	10
Not At All		2.0%	3
A Little Bit		5.3%	8
A Moderate Amount		7.3%	11
Quite a Bit		22.5%	34
Very Much		56.3%	85
Please provide any comments (optional)			25
answered question			151
skipped question			0

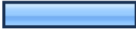







20. Please indicate the degree to which it has been easy or challenging for your district to implement the following components of the ABR. If the component has been challenging to implement, please indicate the specific challenges and the reasons for the challenges in the comments section provided.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Understanding if behavior meets the statutory definition of Harassment, Intimidation, and Bullying (HIB)	13.4% (20)	43.6% (65)	24.8% (37)	14.1% (21)	4.0% (6)	149
Reporting an incident of HIB	1.3% (2)	12.0% (18)	18.0% (27)	48.7% (73)	20.0% (30)	150
Investigating an incident of HIB	5.4% (8)	32.4% (48)	25.0% (37)	27.7% (41)	9.5% (14)	148
Determining appropriate responses to an incident of HIB	2.6% (4)	23.8% (36)	35.1% (53)	33.1% (50)	5.3% (8)	151
Implementing appropriate responses to an incident of HIB	2.6% (4)	18.5% (28)	35.8% (54)	39.1% (59)	4.0% (6)	151
Training staff on the Anti-Bullying Bill of Rights	2.0% (3)	21.2% (32)	28.5% (43)	39.1% (59)	9.3% (14)	151
Training staff on best practices for HIB prevention	2.0% (3)	27.3% (41)	33.3% (50)	32.7% (49)	4.7% (7)	150
Supporting school climate improvement efforts	0.0% (0)	28.4% (42)	27.0% (40)	38.5% (57)	6.1% (9)	148
					Comments:	43
				answered question		151
				skipped question		0

21. Please indicate the extent to which you agree or disagree: In my district, parents understand student rights and district responsibilities under the ABR.

		Response Percent	Response Count
Strongly Disagree		3.4%	5
Disagree		20.3%	30
Neither Agree nor Disagree		29.7%	44
Agree		43.2%	64
Strongly Agree		3.4%	5
Please provide any additional comments.			37
answered question			148
skipped question			3

22. If additional funds were available to implement the ABR, what is the most important area for which your district would need funds?

		Response Percent	Response Count
Anti-Bullying Prevention Programs/Approaches/Initiatives		22.0%	33
School Climate Improvement Efforts		20.0%	30
Support for Targets of HIB		2.7%	4
Remedial Measures for Perpetrators of HIB		6.7%	10
Training for Staff		8.0%	12
Additional Full or Part-Time Staff/Staff Time to Address Required Responsibilities under ABR		37.3%	56
Policy Development		1.3%	2
Other		2.0%	3
	Other (please specify)		13
	answered question		150
	skipped question		1






23. If you have any additional comments regarding your role as ABC or about the ABR, please include them here.

	Response Count
	23
answered question	23
skipped question	128






Appendix C

New Jersey Anti-Bullying Task Force Principal Survey & Data 2013

1. The ABR has been a positive step towards the prevention of Harassment, Intimidation, and Bullying (HIB) in my school.

		Response Percent	Response Count
Strongly Disagree		9.1%	11
Disagree		14.9%	18
Neither Agree Nor Disagree		24.0%	29
Agree		43.0%	52
Strongly Agree		9.1%	11
answered question			121
skipped question			0

2. The ABR has been a positive step towards responding to incidents of HIB in my school.

		Response Percent	Response Count
Strongly Disagree		8.3%	10
Disagree		21.5%	26
Neither Agree Nor Disagree		15.7%	19
Agree		42.1%	51
Strongly Agree		12.4%	15
answered question			121
skipped question			0

3. There are enough training opportunities available for staff in our school to carry out the responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		4.2%	5
Disagree		10.8%	13
Neither Agree Nor Disagree		13.3%	16
Agree		62.5%	75
Strongly Agree		9.2%	11

If you think additional training is needed, specify the topics that would be most useful: 13

answered question	120
skipped question	1






4. There is a large enough pool of program resources (e.g., strategies, effective programs, best practices) available to help implement the ABR in my school. (Note: This question is NOT addressing financial resources.)

		Response Percent	Response Count
Strongly Disagree		3.3%	4
Disagree		19.0%	23
Neither Agree Nor Disagree		14.9%	18
Agree		55.4%	67
Strongly Agree		7.4%	9




If you think additional program resources are needed, specify the areas that would be most useful. 9

answered question	121
skipped question	0

5. I believe that there are enough financial resources available for our school to carry out the school responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		25.6%	31
Disagree		27.3%	33
Neither Agree Nor Disagree		16.5%	20
Agree		28.9%	35
Strongly Agree		1.7%	2
If you think additional financial resources are needed, identify for what those resources are most needed.			20
answered question			121
skipped question			0

6. In your role as principal, do you also serve as any of the following? Check all that apply.

		Response Percent	Response Count
District Chief School Administrator		25.0%	8
ABS		18.8%	6
ABC		59.4%	19
answered question			32
skipped question			89



7. Please indicate the extent to which you have been able to implement the following requirements under the ABR, in your role as principal.

	Not At All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Receive all HIB complaints	0.0% (0)	2.5% (3)	5.8% (7)	14.9% (18)	76.9% (93)	121
Initiate investigations of HIB	5.0% (6)	10.0% (12)	15.0% (18)	16.7% (20)	53.3% (64)	120
Coordinate with the ABS in investigating reported HIB incidents	2.5% (3)	7.4% (9)	8.3% (10)	16.5% (20)	65.3% (79)	121
Inform parents of all alleged perpetrators and targets	3.3% (4)	6.6% (8)	7.4% (9)	22.3% (27)	60.3% (73)	121
Implement, in conjunction with the ABS, the range of responses to HIB established by the BOE	2.5% (3)	5.8% (7)	12.4% (15)	25.6% (31)	53.7% (65)	121
Submit written reports of HIB investigations to CSA within two days of the completion of the investigations	6.6% (8)	5.8% (7)	9.1% (11)	10.7% (13)	67.8% (82)	121
Appoint the members of the School Safety Team (SST)	2.5% (3)	1.7% (2)	12.4% (15)	17.4% (21)	66.1% (80)	121
Serve as a member, or appoint a designee, of the SST	0.8% (1)	3.3% (4)	11.6% (14)	14.9% (18)	69.4% (84)	121
Complete the HIB training for school leaders	7.7% (9)	5.1% (6)	12.8% (15)	18.8% (22)	55.6% (65)	117
				answered question		121
				skipped question		0

8. Please indicate the degree to which it has been easy or challenging for you to implement the following requirements under the ABR, in your role as principal.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Appoint your school's Anti-Bullying Specialist (ABS)	2.5% (3)	6.7% (8)	20.0% (24)	31.7% (38)	39.2% (47)	120
Receive all HIB complaints	2.5% (3)	15.0% (18)	27.5% (33)	31.7% (38)	23.3% (28)	120
Initiate investigations of HIB	5.0% (6)	18.5% (22)	29.4% (35)	25.2% (30)	21.8% (26)	119
Coordinate with the ABS in investigating reported HIB incidents	5.8% (7)	22.5% (27)	24.2% (29)	23.3% (28)	24.2% (29)	120
Inform parents of all alleged perpetrators and targets	7.6% (9)	31.1% (37)	27.7% (33)	16.8% (20)	16.8% (20)	119
Implement, in conjunction with the ABS, the range of responses to HIB established by the BOE	4.2% (5)	22.7% (27)	33.6% (40)	21.0% (25)	18.5% (22)	119
Submit written reports of HIB investigations to CSA within two days of the completion of the investigations	16.0% (19)	20.2% (24)	21.0% (25)	18.5% (22)	24.4% (29)	119
Appoint the members of the School Safety Team (SST)	0.8% (1)	3.4% (4)	29.7% (35)	38.1% (45)	28.0% (33)	118
Serve as a member, or appoint a designee, of the SST	3.4% (4)	5.0% (6)	31.1% (37)	32.8% (39)	27.7% (33)	119
Complete the HIB training for school leaders	6.9% (8)	7.8% (9)	36.2% (42)	25.9% (30)	23.3% (27)	116
				answered question		120
				skipped question		1

9. Have you asked your school's Anti-Bullying Specialist (ABS) to perform other duties in the role of ABS that are in addition to the requirements specified in the ABR?

		Response Percent	Response Count
No		68.3%	82
Yes		31.7%	38
	If yes, what are the other duties?		31
	answered question		120
	skipped question		1

10. How often did your School Safety Team meet during the 2012-2013 school year?

		Response Percent	Response Count
Not applicable, I was not on the School Safety Team during the 2012-2013 school year		4.1%	5
0 times		0.0%	0
1 time		0.8%	1
2 times		46.3%	56
Quarterly		24.8%	30
Monthly		16.5%	20
Bi-Monthly		1.7%	2
Weekly		1.7%	2
Other		4.1%	5
For Other, please specify the total number of times during the 2012-2013 school year.			5
answered question			121
skipped question			0






11. Please rate how often each of the following activities was addressed by the School Safety Team during the 2012-2013 school year.

	Not at All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Reviewed HIB complaint records	8.8% (10)	12.3% (14)	33.3% (38)	18.4% (21)	27.2% (31)	114
Reviewed HIB investigation reports	12.4% (14)	15.0% (17)	30.1% (34)	19.5% (22)	23.0% (26)	113
Determined & addressed patterns of HIB throughout the school	1.8% (2)	12.3% (14)	35.1% (40)	29.8% (34)	21.1% (24)	114
Identified areas in need for school climate improvement	1.8% (2)	10.5% (12)	18.4% (21)	42.1% (48)	27.2% (31)	114
Created an action plan to improve school climate	9.6% (11)	15.8% (18)	22.8% (26)	30.7% (35)	21.1% (24)	114
Planned HIB prevention activities	4.4% (5)	16.7% (19)	22.8% (26)	28.9% (33)	27.2% (31)	114
Advised teachers concerning classroom interventions to prevent or address HIB	8.8% (10)	15.0% (17)	25.7% (29)	32.7% (37)	17.7% (20)	113
Provided input on year-long instruction for HIB prevention	9.6% (11)	26.3% (30)	21.1% (24)	23.7% (27)	19.3% (22)	114
Reviewed HIB-related school policies and procedures	2.6% (3)	16.7% (19)	26.3% (30)	29.8% (34)	24.6% (28)	114
Trained School Safety Team members on school climate improvement	16.8% (19)	23.9% (27)	22.1% (25)	20.4% (23)	16.8% (19)	113
Educated the Community on the Prevention of HIB	11.6% (13)	40.2% (45)	17.9% (20)	17.9% (20)	12.5% (14)	112
Collaborated with district Anti-Bullying Coordinator to collect district-wide data	11.6% (13)	22.3% (25)	25.0% (28)	24.1% (27)	17.0% (19)	112
Collaborated with district Anti-Bullying Coordinator to further develop district HIB policies	16.2% (18)	20.7% (23)	27.0% (30)	21.6% (24)	14.4% (16)	111
Other	17.6% (3)	5.9% (1)	5.9% (1)	35.3% (6)	35.3% (6)	17

"Other," please indicate the activity here

	answered question	115
	skipped question	6

12. Please indicate the extent to which you agree or disagree: I am adequately prepared (e.g., through training) to carry out my job responsibilities under the ABR.

		Response Percent	Response Count
Strongly Disagree		3.3%	4
Disagree		5.0%	6
Neither Agree Nor Disagree		14.2%	17
Agree		60.8%	73
Strongly Agree		16.7%	20

If you are not adequately prepared, what would you need to be adequately prepared? 8

	answered question	120
	skipped question	1




13. Please indicate the extent to which you engaged in the following activities to improve school climate in your school:

	Not at All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Assessed school climate	1.7% (2)	7.4% (9)	13.2% (16)	33.9% (41)	43.8% (53)	121
Developed school climate improvement goals	5.0% (6)	11.7% (14)	28.3% (34)	24.2% (29)	30.8% (37)	120
Developed school climate improvement plans	5.8% (7)	12.4% (15)	24.8% (30)	28.9% (35)	28.1% (34)	121
Provided school climate related training to staff	10.8% (13)	16.7% (20)	24.2% (29)	25.0% (30)	23.3% (28)	120
Implemented best practices in school climate improvement	7.6% (9)	13.4% (16)	21.8% (26)	28.6% (34)	28.6% (34)	119
Evaluated the success of our school climate improvement efforts	6.7% (8)	16.8% (20)	25.2% (30)	25.2% (30)	26.1% (31)	119
Please provide any comments (optional)						8
answered question						121
skipped question						0






14. Please indicate the extent to which you agree or disagree: In my school, the range of responses we have implemented in response to confirmed incidents of HIB has:

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Rating Count
Stopped the HIB from continuing	4.2% (5)	13.3% (16)	23.3% (28)	47.5% (57)	11.7% (14)	120
Helped remedial efforts for the perpetrator	3.3% (4)	3.3% (4)	17.5% (21)	61.7% (74)	14.2% (17)	120
Provided support to the victim	3.3% (4)	0.8% (1)	5.8% (7)	67.5% (81)	22.5% (27)	120
Prevented other incidents of HIB from starting	5.8% (7)	10.8% (13)	34.2% (41)	40.8% (49)	8.3% (10)	120
Improved school climate	3.4% (4)	8.4% (10)	28.6% (34)	51.3% (61)	8.4% (10)	119
Please provide any comments (optional)						11
answered question						120
skipped question						1





15. Since the implementation of the ABR in September 2011, please indicate if your school has conducted a school climate or bullying-related survey with any of the following audiences. (Check all that apply.)

		Response Percent	Response Count
Students		83.5%	86
Staff		73.8%	76
Parents		46.6%	48
answered question			103
skipped question			18

16. Please indicate the extent to which you agree or disagree: Staff members in my school have given up other job responsibilities to carry out the requirements of the ABR.

		Response Percent	Response Count
Strongly Disagree		15.0%	18
Disagree		26.7%	32
Neither Agree nor Disagree		15.0%	18
Agree		25.0%	30
Strongly Agree		18.3%	22
Please provide any comments (optional)			17
answered question			120
skipped question			1

17. How would you rate the quality of communication regarding HIB incidents between you as principal, the ABS, the district Anti-Bullying Coordinator, and the superintendent?

		Response Percent	Response Count
Poor		0.0%	0
Fair		5.0%	6
Average		11.7%	14
Good		38.3%	46
Excellent		45.0%	54
Please indicate why you rated this question the way you did.			18
answered question			120
skipped question			1






18. In your role as the principal, please indicate the extent to which you were involved in the "School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights Act."

		Response Percent	Response Count
I was not the principal during the self assessment process		4.2%	5
Not At All		10.0%	12
A Little Bit		14.2%	17
A Moderate Amount		15.8%	19
Quite a Bit		16.7%	20
Very Much		39.2%	47
Please provide any comments (optional)			7
answered question			120
skipped question			1






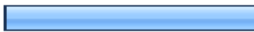

19. Please indicate the degree to which it has been easy or challenging for your school to implement the following components of the ABR. If the component has been challenging to implement, please indicate the specific challenges and the reasons for the challenges in the comments section provided.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Understanding if behavior meets the statutory definition of Harassment, Intimidation, and Bullying (HIB)	7.6% (9)	39.5% (47)	31.9% (38)	15.1% (18)	5.9% (7)	119
Reporting an incident of HIB	1.7% (2)	10.1% (12)	29.4% (35)	39.5% (47)	19.3% (23)	119
Investigating an incident of HIB	6.8% (8)	29.7% (35)	28.0% (33)	22.9% (27)	12.7% (15)	118
Determining appropriate responses to an incident of HIB	5.1% (6)	27.1% (32)	36.4% (43)	24.6% (29)	6.8% (8)	118
Implementing appropriate responses to an incident of HIB	5.0% (6)	21.0% (25)	38.7% (46)	28.6% (34)	6.7% (8)	119
Training staff on the Anti-Bullying Bill of Rights	3.4% (4)	12.6% (15)	49.6% (59)	26.1% (31)	8.4% (10)	119
Training staff on best practices for HIB prevention	4.2% (5)	15.3% (18)	47.5% (56)	28.0% (33)	5.1% (6)	118
Supporting school climate improvement efforts	4.2% (5)	10.9% (13)	37.8% (45)	39.5% (47)	7.6% (9)	119
					Comments:	26
					answered question	119
					skipped question	2

20. Please indicate the extent to which you agree or disagree: In my school, parents understand student rights and district responsibilities under the ABR.

		Response Percent	Response Count
Strongly Disagree		6.7%	8
Disagree		13.4%	16
Neither Agree nor Disagree		28.6%	34
Agree		46.2%	55
Strongly Agree		5.0%	6
Please provide any additional comments.			11
answered question			119
skipped question			2

21. If additional funds were available to implement the ABR, what is the most important area for which your school would need funds?

		Response Percent	Response Count
Anti-Bullying Prevention Programs/Approaches/Initiatives		18.8%	22
School Climate Improvement Efforts		14.5%	17
Support for Targets of HIB		3.4%	4
Remedial Measures for Perpetrators of HIB		11.1%	13
Training for Staff		6.0%	7
Additional Full or Part-Time Staff/Staff Time to Address Required Responsibilities under ABR		43.6%	51
Policy Development		0.0%	0
Other		2.6%	3
	Other (please specify)		6
	answered question		117
	skipped question		4






22. If you have any additional comments regarding your role as principal in relation to implementing the ABR, or about the ABR itself, please include them here.

	Response Count
	25
answered question	25
skipped question	96






Appendix D

New Jersey Anti-Bullying Task Force Chief School Administrator Survey & Data 2013





1. The ABR has been a positive step towards the prevention of Harassment, Intimidation, and Bullying (HIB) in my district or charter school.

		Response Percent	Response Count
Strongly Disagree		5.4%	6
Disagree		17.0%	19
Neither Agree Nor Disagree		30.4%	34
Agree		42.0%	47
Strongly Agree		5.4%	6
answered question			112
skipped question			0






2. The ABR has been a positive step towards responding to incidents of HIB in my district or charter school.

		Response Percent	Response Count
Strongly Disagree		5.4%	6
Disagree		27.0%	30
Neither Agree Nor Disagree		18.0%	20
Agree		42.3%	47
Strongly Agree		7.2%	8
answered question			111
skipped question			1






3. There are enough training opportunities available for staff in our district or charter school to carry out the responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		0.0%	0
Disagree		17.0%	19
Neither Agree Nor Disagree		11.6%	13
Agree		59.8%	67
Strongly Agree		11.6%	13
If you think additional training is needed, specify the topics that would be most useful:			15
answered question			112
skipped question			0




4. There is a large enough pool of program resources (e.g., strategies, effective programs, best practices) available to help implement the ABR in my district or charter school. (Note: This question is NOT addressing financial resources.)

		Response Percent	Response Count
Strongly Disagree		0.9%	1
Disagree		13.5%	15
Neither Agree Nor Disagree		14.4%	16
Agree		65.8%	73
Strongly Agree		5.4%	6
If you think additional program resources are needed, specify the areas that would be most useful.			9
answered question			111
skipped question			1

5. I believe that there are enough financial resources available for our district or charter school to carry out the school responsibilities specified in the ABR.

		Response Percent	Response Count
Strongly Disagree		36.6%	41
Disagree		34.8%	39
Neither Agree Nor Disagree		10.7%	12
Agree		15.2%	17
Strongly Agree		2.7%	3
If you think additional financial resources are needed, identify for what those resources are most needed.			31
answered question			112
skipped question			0

**6. In your role as chief school administrator, do you also serve as any of the following?
Check all that apply.**

		Response Percent	Response Count
School Principal		66.7%	22
ABS		6.1%	2
ABC		27.3%	9
answered question			33
skipped question			79



7. Please indicate the extent to which you have been able to implement the following requirements under the ABR, in your role as chief school administrator.

	Not At All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Develop district HIB policy in consultation with the school community for BOE adoption	1.8% (2)	0.9% (1)	11.7% (13)	26.1% (29)	59.5% (66)	111
Provide HIB training for school leaders	0.0% (0)	7.3% (8)	14.5% (16)	21.8% (24)	56.4% (62)	110
Receive HIB investigation reports and make recommendations for intervention	0.0% (0)	6.3% (7)	10.8% (12)	24.3% (27)	58.6% (65)	111
Provide BOE with HIB investigation reports	0.0% (0)	0.0% (0)	4.5% (5)	18.9% (21)	76.6% (85)	111
Publicly report on HIB for each reporting period to BOE and provide report to NJDOE	0.9% (1)	1.8% (2)	4.5% (5)	16.2% (18)	76.6% (85)	111
answered question						111
skipped question						1










8. Please indicate the degree to which it has been easy or challenging for you to implement the following requirements under the ABR, in your role as chief school administrator.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Develop district HIB policy in consultation with the school community for BOE adoption	3.6% (4)	13.5% (15)	33.3% (37)	31.5% (35)	18.0% (20)	111
Select the district Anti-Bullying Coordinator (ABC)	1.8% (2)	8.1% (9)	19.8% (22)	43.2% (48)	27.0% (30)	111
Provide HIB training for school leaders	1.8% (2)	22.7% (25)	30.0% (33)	30.0% (33)	15.5% (17)	110
Receive HIB investigation reports and make recommendations for intervention	4.5% (5)	22.5% (25)	30.6% (34)	27.0% (30)	15.3% (17)	111
Provide BOE with HIB investigation reports	1.8% (2)	6.3% (7)	32.4% (36)	36.9% (41)	22.5% (25)	111
Publicly report on HIB for each reporting period to BOE and provide report to NJDOE	4.5% (5)	8.1% (9)	29.7% (33)	36.0% (40)	21.6% (24)	111
				answered question		111
				skipped question		1



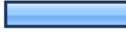


9. Have you asked your district Anti-Bullying Coordinator (ABC) to perform other duties in the role of ABC that are in addition to the requirements specified in the ABR?

		Response Percent	Response Count
No		60.0%	66
Yes		40.0%	44
If yes, what are the other duties?			41
answered question			110
skipped question			2

10. How often did your district ABC meet with the ABS's in your district during the 2012-2013 school year?

		Response Percent	Response Count
Not sure		9.9%	11
0 times		0.9%	1
1 time		0.9%	1
2 times		9.9%	11
Quarterly		29.7%	33
Monthly		27.0%	30
Bi-Monthly		3.6%	4
Weekly		16.2%	18
Other		1.8%	2
For Other, please specify the total number of times during the 2012-2013 school year.			3
answered question			111
skipped question			1

11. Please indicate the extent to which you agree or disagree: I am adequately prepared (e.g., through training) to carry out my job responsibilities under the ABR.

		Response Percent	Response Count
Strongly Disagree		3.6%	4
Disagree		2.7%	3
Neither Agree Nor Disagree		20.9%	23
Agree		56.4%	62
Strongly Agree		16.4%	18
If you are not adequately prepared, what would you need to be adequately prepared?			7
answered question			110
skipped question			2




12. Please indicate the extent to which you engaged in the following activities to improve school climate in your district:

	Not at All	A Little Bit	A Moderate Amount	Quite a Bit	Very Much	Rating Count
Assessed school climate	2.7% (3)	10.0% (11)	27.3% (30)	34.5% (38)	25.5% (28)	110
Developed school climate improvement goals	11.0% (12)	9.2% (10)	31.2% (34)	28.4% (31)	20.2% (22)	109
Developed school climate improvement plans	12.7% (14)	10.9% (12)	35.5% (39)	22.7% (25)	18.2% (20)	110
Provided school climate related training to staff	15.6% (17)	11.9% (13)	27.5% (30)	29.4% (32)	15.6% (17)	109
Implemented best practices in school climate improvement	10.0% (11)	14.5% (16)	30.9% (34)	26.4% (29)	18.2% (20)	110
Evaluated the success of our school climate improvement efforts	10.2% (11)	13.0% (14)	29.6% (32)	29.6% (32)	17.6% (19)	108
Please provide any comments (optional)						10
answered question						110
skipped question						2

13. Please indicate the extent to which you agree or disagree: In my district or charter school, the range of responses we have implemented in response to confirmed incidents of HIB has:

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Rating Count
Stopped the HIB from continuing	2.7% (3)	13.5% (15)	27.9% (31)	45.0% (50)	10.8% (12)	111
Helped remedial efforts for the perpetrator	1.8% (2)	5.4% (6)	22.5% (25)	60.4% (67)	9.9% (11)	111
Provided support to the victim	0.9% (1)	3.6% (4)	15.3% (17)	57.7% (64)	22.5% (25)	111
Prevented other incidents of HIB from starting	6.3% (7)	12.6% (14)	32.4% (36)	41.4% (46)	7.2% (8)	111
Improved school climate	1.8% (2)	6.3% (7)	38.7% (43)	46.8% (52)	6.3% (7)	111
Please provide any comments (optional)						12
answered question						111
skipped question						1




14. Since the implementation of the ABR in September 2011, please indicate if you have conducted a district-wide school climate or bullying-related survey with any of the following audiences. (Check all that apply.)

	Response Percent	Response Count
Students 	86.9%	73
Staff 	84.5%	71
Parents 	52.4%	44
answered question		84
skipped question		28

13. Please indicate the extent to which you agree or disagree: In my district or charter school, the range of responses we have implemented in response to confirmed incidents of HIB has:

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	Rating Count
Stopped the HIB from continuing	2.7% (3)	13.5% (15)	27.9% (31)	45.0% (50)	10.8% (12)	111
Helped remedial efforts for the perpetrator	1.8% (2)	5.4% (6)	22.5% (25)	60.4% (67)	9.9% (11)	111
Provided support to the victim	0.9% (1)	3.6% (4)	15.3% (17)	57.7% (64)	22.5% (25)	111
Prevented other incidents of HIB from starting	6.3% (7)	12.6% (14)	32.4% (36)	41.4% (46)	7.2% (8)	111
Improved school climate	1.8% (2)	6.3% (7)	38.7% (43)	46.8% (52)	6.3% (7)	111
Please provide any comments (optional)						12
answered question						111
skipped question						1

14. Since the implementation of the ABR in September 2011, please indicate if you have conducted a district-wide school climate or bullying-related survey with any of the following audiences. (Check all that apply.)

		Response Percent	Response Count
Students		86.9%	73
Staff		84.5%	71
Parents		52.4%	44
answered question			84
skipped question			28







15. Please indicate the extent to which you agree or disagree: Staff members in my district or charter school have given up other job responsibilities to carry out the requirements of the ABR.

		Response Percent	Response Count
Strongly Disagree		9.1%	10
Disagree		19.1%	21
Neither Agree nor Disagree		13.6%	15
Agree		35.5%	39
Strongly Agree		22.7%	25
If applicable, please specify the duties you are no longer able to perform.			31
answered question			110
skipped question			2

16. How would you rate the quality of communication regarding HIB incidents between you as chief school administrator, school principals, ABS's, and the district ABC?

		Response Percent	Response Count
Poor		0.0%	0
Fair		2.7%	3
Average		6.3%	7
Good		46.8%	52
Excellent		44.1%	49
Please indicate why you rated this question the way you did.			20
answered question			111
skipped question			1

17. In your role as the CSA, please indicate the extent to which you were involved in the "School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights Act."

		Response Percent	Response Count
I was not the CSA during the self-assessment process		11.7%	13
Not At All		8.1%	9
A Little Bit		18.0%	20
A Moderate Amount		27.0%	30
Quite a Bit		11.7%	13
Very Much		23.4%	26
Please provide any comments (optional)			11
answered question			111
skipped question			1






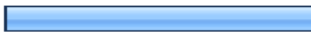


18. Please indicate the degree to which it has been easy or challenging for your district to implement the following components of the ABR. If the component has been challenging to implement, please indicate the specific challenges and the reasons for the challenges in the comments section provided.

	Very Challenging	Challenging	Neither Easy nor Challenging	Easy	Very Easy	Rating Count
Understanding if behavior meets the statutory definition of Harassment, Intimidation, and Bullying (HIB)	16.2% (18)	39.6% (44)	21.6% (24)	17.1% (19)	5.4% (6)	111
Reporting an incident of HIB	1.8% (2)	8.2% (9)	32.7% (36)	45.5% (50)	11.8% (13)	110
Investigating an incident of HIB	10.8% (12)	40.5% (45)	16.2% (18)	23.4% (26)	9.0% (10)	111
Determining appropriate responses to an incident of HIB	5.5% (6)	23.6% (26)	37.3% (41)	22.7% (25)	10.9% (12)	110
Implementing appropriate responses to an incident of HIB	4.5% (5)	22.5% (25)	31.5% (35)	32.4% (36)	9.0% (10)	111
Training staff on the Anti-Bullying Bill of Rights	1.8% (2)	22.5% (25)	32.4% (36)	31.5% (35)	11.7% (13)	111
Training staff on best practices for HIB prevention	4.5% (5)	18.9% (21)	39.6% (44)	27.0% (30)	9.9% (11)	111
Supporting school climate improvement efforts	2.7% (3)	14.5% (16)	39.1% (43)	30.9% (34)	12.7% (14)	110
					Comments:	25
				answered question		111
				skipped question		1

19. Please indicate the extent to which you agree or disagree: In my district or charter school, parents understand student rights and district responsibilities under the ABR.

		Response Percent	Response Count
Strongly Disagree		6.3%	7
Disagree		12.6%	14
Neither Agree nor Disagree		26.1%	29
Agree		46.8%	52
Strongly Agree		8.1%	9
Please provide any additional comments.			14
answered question			111
skipped question			1

20. If additional funds were available to implement the ABR, what is the most important area for which your district or charter school would need funds?

		Response Percent	Response Count
Anti-Bullying Prevention Programs/Approaches/Initiatives		15.9%	17
School Climate Improvement Efforts		15.0%	16
Support for Targets of HIB		0.9%	1
Remedial Measures for Perpetrators of HIB		4.7%	5
Training for Staff		8.4%	9
Additional Full or Part-Time Staff/Staff Time to Address Required Responsibilities under ABR		52.3%	56
Policy Development		0.9%	1
Other		1.9%	2
	Other (please specify)		6
answered question			107
skipped question			5

21. If you have any additional comments regarding your role as chief school administrator in relation to implementing the ABR, or about the ABR itself, please include them here.

	Response Count
	21
answered question	21
skipped question	91

Appendix E

New Jersey Department of Education (NJDOE)
Summary of Activities in Support of the *Anti-Bullying Bill of Rights Act* (ABR)
(* = NJDOE requirements under the *Anti-Bullying Bill of Rights Act*, P.L.2010, c.122.)

Interim Report

A comprehensive list of NJDOE activities in support of the ABR prior to January 2013 is available in the Interim Report released on January 26, 2013. Below is updated information on the activities in which the DOE has engaged since the interim report and selected resources.

Training and Technical Assistance

Trainings, presentations and technical assistance provided from February 2013-December 2013.

- *New Jersey Bar Foundation Law Conference* – In February, presented highlights of ABR with 150 school attorneys and school administrators.
- *New Jersey Alliance for Social, Emotional and Character Development Conference* – In March, presented information on the ABR and school climate improvement to 200 participants.
- *Union County ABCs and ABSs* – In April, provided information and technical assistance on the HIB Grade to 20 ABCs.
- *Warren County ABCs and ABSs* – In April, provided information and technical assistance on the HIB Grade to 10 ABCs.
- *Middlesex County ABCs and ABSs* – In May, provided information and technical assistance on the HIB Grade to 25 ABCs.
- *Ceceilyn Miller Institute for Leadership and Diversity in America Conference* – In May, presented information on the ABR and school climate improvement to 60 participants.
- *Essentials of HIB Investigations* – In March, April, & May, provided 6 regional training sessions and one training in Jersey City School District for 520 ABCs & ABSs.
- *New Jersey Department of Education Lunch and Learn* – In June, presented on the ABR and connection to school climate to 40 participants.
- *Regional Achievement Centers Conference* – In August, presented 2 sessions on the ABR and school climate improvement to 60 participants.
- *County Offices of Education* – In September, provided information on the HIB Grade to county education specialists.
- *New Jersey School Boards Association Conference* – In October, presented on school climate and the New Jersey School Climate Survey to 50 participants.
- *Best Practices for the Practical Implementation of the Anti-Bullying Bill of Rights Act* – In October and November, provided 3 regional training sessions and one training in Camden City Public School District for a total of 250 ABCs & ABSs.
- *Special Education Advisory Council* – In December, presented on school climate and the New Jersey School Climate Survey to 30 state stakeholders.

Funding

- *Application for Funds to Support Implementation of the Anti-Bullying Bill of Rights Act* – In June 2013, the legislature appropriated \$1 million to provide supplemental funds to school districts and charter schools for implementing the *Anti-Bullying Bill of Rights Act* (ABR).
 - The NJDOE disseminated an application, in which a school district or charter school may apply for reimbursement of expenditures in support of the ABR incurred only for the time period of July 1, 2013 through June 30, 2014.
 - Eligible costs for the grant applications will include: HIB Personnel (District and-Bullying Coordinator, School Anti-Bullying Specialist and School Safety Team members); HIB Training; HIB Prevention Programs, Approaches or Other Initiatives; HIB Intervention Programs or Services; and Creation of Positive School Climates.

HIB Grades

- Each public school must complete a School Self-Assessment for Determining Grades under the *Anti-Bullying Bill of Rights Act* (Self-Assessment) to evaluate implementation of the ABR for the time period of January 5, 2011 through June 30, 2013.
- The grade for each school will be determined by assigning ratings for each indicator based on the listed criteria and available documentation.
 - The grading for the school districts will be calculated by averaging the total scores on the Self-Assessment from all schools in the school district.
 - This issued grades will not be represented as letter grades (i.e. A, B, C, etc), but as a raw score of data (i.e. 65 out of 75 points).
- The NJDOE will issue a summary of the school and district data in the *HIB Grade Report* in the near future. The *HIB Grade Report* will be posted in district folders on the Homeroom page.
- Districts must post the exact *HIB Grade Report* issued by the NJDOE on the homepage of the district's website and on the homepage of each school's website within 10 days of receipt of the grades from the NJDOE.

Guidance Materials

- *Model HIB Policy and Guidance* – (<http://www.state.nj.us/education/parents/bully.htm>)
- *Week of Respect* – (<http://www.state.nj.us/education/students/safety/behavior/violence.shtml>)
- *Memorandum of Agreement between Education and Law Enforcement Officials* (MOA) – (<http://www.state.nj.us/education/schools/security/regs/agree.pdf>)
 - MOA Frequently Asked Questions (FAQ) – (<http://www.state.nj.us/education/schools/security/regs/agreefaq.pdf>)
- *Educator Preparation Program Requirements* – (<http://www.state.nj.us/education/students/safety/behavior/hib/HIBGuidanceEdPrep.pdf>)
- *Guidance for Teacher and Educational Leader Professional Development on Harassment, Intimidation and Bullying* – (<http://www.state.nj.us/education/students/safety/behavior/hib/HIBGuidancePD.pdf>)
- *Harassment, Intimidation and Bullying Compliance Checklist* – (<http://www.state.nj.us/education/students/safety/behavior/hib/checklist.pdf>)
- *Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act** – (<http://www.state.nj.us/education/students/safety/behavior/hib/guidance.pdf>)

- *Harassment, Intimidation and Bullying Investigation Protocols** – Disseminated to executive county superintendents.
- *Resources on Harassment, Intimidation and Bullying* – (<http://www.state.nj.us/education/students/safety/behavior/hib/hibresources.shtml>)
- *Online Tutorials for School Staff** – (<http://www.state.nj.us/education/students/safety/behavior/hib/tutorials/>)
- *Guidance for Parents on the Anti-Bullying Bill of Rights Act** – (<http://www.state.nj.us/education/students/safety/behavior/hib/ParentGuide.pdf>)
- *On line Tutorials for Parents** – (<http://www.state.nj.us/education/students/safety/behavior/hib/tutorials/>)
- *Questions and Answers on the Anti-Bullying Bill of Rights Act* – (<http://www.state.nj.us/education/genfo/faq/AntiBullyingQA.pdf>)

Other Resources Available from the NJDOE

- *PowerPoint Presentations* – PowerPoint presentations from trainings provided on: an overview of the ABR, changes to the law, best practices for implementing the ABR, and essentials for conducting HIB investigations are posted on NJDOE’s website for use by schools and the public. (<http://www.state.nj.us/education/students/safety/behavior/hib/overview.shtml>)
- *HIB Website* – The NJDOE maintains an HIB website that organizes all of its resources on bullying in one location. The resources include the HIB statute, a frequently asked questions document, the guidance publication for school personnel, the model policy and guidance, PowerPoint presentations, tutorials for school personnel, guidance for professional development and education preparation programs, a compliance checklist, and a comprehensive list of national and state HIB resources. (<http://www.state.nj.us/education/students/safety/behavior/hib/>)
- *HIB Email Account* – The NJDOE maintains a dedicated HIB email account to field the large volume of questions on the ABR.
- *New Jersey School Climate Survey* – The school climate survey and materials developed by the NJDOE in collaboration with the Bloustein Center for Survey Research at Rutgers, the State University of New Jersey are available on the NJDOE’s website. The materials include surveys for elementary school students, middle school/high school students, school staff and parents, a data entry display tool for each survey and a survey administration guide. (<http://www.state.nj.us/education/students/safety/behavior/njscs/>)

Reporting

- *Electronic Violence and Vandalism Reporting System (EVVRS)** – (<http://homerom.state.nj.us/EVVRS.htm>)
- *Commissioner’s Annual Report to the Education Committees of the Senate and General Assembly on Violence, Vandalism and Substance Abuse in New Jersey Public Schools** – (<http://www.state.nj.us/education/schools/vandv/index.html>)
- *County District School System (CDSS)** – (<http://homerom3.state.nj.us/cds/>)
- *Harassment, Intimidation and Bullying-Incidents, Training and Programs Data Collection and Reporting System (HIB-ITP)** – (http://homerom.state.nj.us/evvrs/HIB_NOV2012.pdf)
- *The Essential Dimensions and Considerations for Safe and Supportive School Conditions* –

- Definitions used during the 2012-2013 school year:
<http://www.nj.gov/education/schools/vandv/1213/forms/EssentialDimensionsandConsiderations.pdf>
- Definitions to be used during the 2013-2014 school year:
<https://homeroom3.state.nj.us/hibtp/doc/SafeSupportiveSchoolConditionsLearning.pdf>

Appendix F

Anti-Bullying Task Force Case Law Reviewed

Davis v. Monroe County Board of Education, 526 U.S. 629, (1999)

G.D.M. v. Board of Education of the Ramapo Indian Hills Regional High School Dist., 427 N.J.Super. 246 (App. Div. 2012)

I.M.O. the Tenure Hearing of Scot King and the School District of the Borough of Freehold, Arbitrator's Decision, July 22, 2013

J.S. ex rel. Snyder v. Blue Mountain School Dist., 650 F.3d 915 (3d Cir. 2011)

K.T., on behalf of minor children, K.H. and T.D. v. Bd. of Ed. of the Township of Deerfield, OAL Dkt. No. Edu 489-13, Agency Dkt. No. 371-12/12

L.W. v. Toms River Regional Schools Board of Education, 189 N.J. 381 (2007)

Layshock ex rel. Layshock v. Hermitage School Dist., 650 F.3d 205 (3rd Cir. 2011)

Saxe v. State College Area School Dist., 240 F.3d 200 (3d Cir. 2001)

Sypniewski v. Warren Hills Regional Bd. Of Educ., 307 F.3d 243 (3d Cir. 2002)

Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503, (1969)

Appendix G

Letter from the New Jersey Department of Education (NJDOE) Response to ABTF Proposed Deletion of N.J.A.C. 6A:16-7.7(a)2ix(1)



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Commissioner

August 27, 2013

Dr. Patricia Wright, Chairperson
New Jersey Anti-Bullying Task Force
12 Centre Drive
Monroe Twp, NJ 08331

Dear Chairperson Wright:

I am responding to your letter regarding the proposed deletion of N.J.A.C. 6A:16-7.7(a)2ix(1). The proposed changes to N.J.A.C. 6A:16-7.7(a)2ix(1) were intended to improve the administrative code ensuring that it is in line with the Anti-Bullying Bill of Rights (ABR) and remain subject to the anticipated recommendations of the Anti-Bullying Task Force.

With respect to the proposed deletion of N.J.A.C. 6A:16-7.7(a)2ix(1), please understand that the Department never intended to limit a school district's range of ways to respond to an incident of harassment, intimidation or bullying.

For years before and since the adoption of the ABR, the Department's actions have clearly demonstrated strong advocacy for safe and supportive schools for all students, including the prevention of and intervention in incidents of HIB. As such, we will withdraw the proposed deletion of N.J.A.C. 6A:16-7.7(a)2ix(1) thereby returning the code back to its original language for the State Board's consideration at adoption level.

Thank you for your correspondence.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Martz".

Susan Martz, Acting Assistant Commissioner
Division of Student and Field Services

SM/NC

c: Members, State Board of Education
Commissioner, Christopher D. Cerf
William Haldeman
Dave Corso
Diane Shoener
Nancy Curry
Members, Anti-Bullying Taskforce

Appendix H

Threshold Assessment Checklist Tool for Principals

INTRODUCTION

This document is intended to assist the school principal in responding to incidents that may potentially involve violations of New Jersey's Anti-Bullying Bill of Rights. It includes recommendations regarding Immediate Response (Step 1), determining whether the allegations, if true, would satisfy NJ's HIB definition and therefore if the matter should be referred to the Anti-Bullying Specialist (Steps 2 through 4), and next steps to consider after the initial threshold assessment is completed.

It is critical to stress that the principal should NOT use this document to do an independent review of the merits of any allegation of HIB. Instead, this document is intended to assist in determining whether the allegations, IF TRUE, rise to the level that they should be referred to the ABS. It allows for a more thoughtful initial assessment, by focusing on the substance of the allegations rather than whether or not certain loaded terms such as "harassment," "intimidation" or "bullying" have been used. It is intended to assist districts in using limited resources most effectively in order to ensure the health and safety of all students. It is important to note that determining that a matter should be referred to the ABS for investigation is NOT the same as determining that HIB has actually occurred. Some allegations of HIB will satisfy the initial threshold determination for referral to the ABS, but still not meet the legal standard required for a finding of HIB.

ABR 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 disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- 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;
- b. has the effect of insulting or demeaning any student or group of students; 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.

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STEPS 1-3 – INITIAL REVIEW OF ALLEGED INCIDENT(S)

STEP	Required Element of HIB	Key Question	Answer (YES, NO, NOT CLEAR)	Next Step
1	Substantial disruption or interference with orderly operation of school or the rights of other students	Is it reasonable to believe that the alleged act or acts may result in substantial disruption or interference with the orderly operation of the school or the rights of other students?		If Yes, proceed to Step 2. If No, proceed to Step 5 and review matter for appropriate response under Code of Student Conduct If Not Clear, clarify with initial reporter what the alleged disruption or interference is
2	Reasonably perceived as motivated by actual or perceived characteristic	Is there reason to believe that the alleged act(s) was motivated by one or more actual or perceived characteristics of alleged target?		If Yes, proceed to Step 3 If No, proceed to Step 5 and review matter for appropriate response under Code of Student Conduct If Not Clear, clarify with initial reporter if there is any alleged actual or perceived characteristic involved
3a	Physical or emotional harm to student or property	Would a reasonable person committing the alleged acts know that they may result in physical or emotional harm to student or harm to student property? OR Is it reasonable to believe that the alleged acts in fact did result in harm to student or property?		If Yes to ANY of the questions 3a – 3d, then proceed to Step 4 If No to ALL of the questions 3a – 3d, then proceed to Step 5 and review matter for appropriate response under Code of Student Conduct If Not Clear on ANY of the questions, follow up with initial reporter for additional information as needed.
3b	Reasonable fear of harm to student or property	Would a reasonable person believe that the alleged acts would cause a student to be in reasonable fear of harm to self or property?		
3c	Insulting or demeaning to student/group	Is there reason to believe that the alleged acts were demeaning to a student or student group		
3d	Created hostile educational environment	Is there reason to believe that the alleged acts may have created a hostile educational environment by interfering with a student's education OR severely or pervasively causing physical or emotional harm to alleged victim		

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STEPS 4-5 – NEXT STEPS AFTER INITIAL ASSESSMENT

STEP	Response to Conduct	Key Question	Answer (YES, NO)	Next Steps
4	If potential HIB after review under Steps 1-3, then Refer to Anti-Bullying Specialist	Have you assessed the potential scope of the investigation to determine what assistance is necessary for the ABS to thoroughly and completely investigate in a timely manner?		<p>If Yes, then provide additional supports as needed for ABS</p> <p>If No, review scope of allegations (number of alleged witnesses, incidents, etc.) and provide support as needed</p> <p>Also, meet with alleged victim and advise that if there are any additional incidents while investigation is ongoing or thereafter, victim should contact principal or other school staff immediately</p> <p>Also, meet with alleged perpetrator and warn against any acts of retaliation or other misconduct while investigation is ongoing</p> <p>Also, contact parents of alleged bully and victim and advise that matter is under investigation and review investigation process and rights</p>
5	Review Incident for Potential Violations of Other Provisions of Code of Student Conduct	Have you assessed the alleged incident to determine if the allegations, if true, would constitute a violation of the Code of Student Conduct?		<p>If Yes, investigate the matter and respond to violations as per Code of Student Conduct</p> <p>If during the investigation additional information reveals that issue may be HIB related, repeat Steps 1 – 3</p> <p>If No, then review alleged incident in light of code of student conduct</p>

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Appendix I

New Jersey Anti-Bullying Task Force Summary of 2014 Recommendations by Audience

Code Revisions

These recommendations are based on current proposal level documents before the New Jersey State Board of Education. In the language excerpted from the proposed administrative code, the additions are indicated by underline and deletions are indicated by brackets. The recommendations made by the Anti-Bullying Task Force are indicated as follows: text is underlined and bolded.

1. The State Board of Education amend the administrative code to include the concept of power differential as a method of distinguishing the motivating characteristic of the aggressor.

Proposed code language (*N.J.A.C. 6A:16-[7.9]7.7 (a)(2), new section iii, renumber remaining sections*):

iii. A statement that bullying is unwanted, aggressive behavior that involves a real or perceived power imbalance. The power differential is not a visible characteristic itself, but a method of distinguishing the motivating characteristics of the aggressor, relative to a perceived weakness of the victim (in terms of physical strength, popularity, socio-economic status, or a myriad of other characteristics).

2. The State Board of Education amend the administrative code to establish minimum criteria that must be met for the principal to transmit a matter to the ABS for investigation.

Proposed administrative code language (*N.J.A.C. 6A:16-[7.9]7.7, new section (e) and (e)1 and 2, renumber existing section (e)*):

(e) Upon receipt of a report, alleging harassment, intimidation or bullying, the school principal shall review the information presented to determine whether or not the facts presented, if true, would constitute HIB pursuant to N.J.S.A. 18A: 37-14. When the facts presented, if true, do not satisfy the definition in law, the principal shall handle the matter consistent with the district's code of student conduct. All other reports shall be referred to the anti-bullying specialist for investigation.

1. The use of the terms "harassment," "intimidation," and/or "bullying," in and of themselves, shall not determine whether or not the principal shall refer the matter to the anti-bullying specialist.

2. If additional information becomes available subsequent to the principal's initial determination, the principal shall review said information and refer the matter to the anti-bullying specialist, as appropriate, pursuant to this section.

3. The State Board of Education amend the administrative code (*N.J.A.C. 6A:16-7.9*) to provide parents or guardians 45 calendar days in which to request a hearing before the board (under *N.J.S.A. 18A:37-15b(6)(d)*), and that the 45 days shall run from the time the parent or guardian receives the written information required by this section of the ABR.

Proposed administrative code language (*N.J.A.C. 6A:16-[7.9]7.7(a)2, new section ix, renumber remaining sections*):

- ix. **Any request for a hearing concerning the findings of an investigation of harassment, bullying or intimidation before the district board of education pursuant to N.J.S.A. 18A:37-15b(6)(d) shall be filed with the secretary of the board of education not later than forty-five (45) calendar days after the information required by that section to be transmitted by the superintendent to the parents or guardians. The hearing shall be held within ten (10) business days of the request.**

4. The State Board of Education amend the administrative code to clarify that adult-on-student behavior is included in anti-bullying investigations.

Proposed administrative code language (*N.J.A.C. 6A:16-[7.9]7.7(a)(2)vii & viii(1)*):

- vii. A procedure for reporting, verbally and in writing, an act of harassment, intimidation or bullying, **committed by an adult or youth**, including a provision which permits a person to report anonymously [an act of harassment, intimidation or bullying] consistent with N.J.S.A. 18A:37-15.b(5);
- viii. A procedure for prompt investigation of violation and complaint reports [of violations and complaints, identifying either the principal or the principal's designee, as the person responsible for the investigation] consistent with N.J.S.A. 18A:37-15.b(6)(a) through (f) and 16.d

(2) Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation.

5. The State Board of Education amend the administrative code to clarify that a confidential disciplinary file is a student record.

Proposed administrative code language (*N.J.A.C. 6A:32-7.3(a) new 6 and 7, renumber existing 6*):

- (a) Mandated student records shall include the following:
 1. The student's name, address, telephone number, date of birth, name of parent(s), gender, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance;
 2. Record of daily attendance;
 3. Descriptions of student progress according to the student evaluation system used in the school district;
 4. History and status of physical health compiled in accordance with State regulations, including results of any physical examinations given by qualified school district employees and immunizations;

5. Records pursuant to rules and regulations regarding the education of students with disabilities;
 6. **Records relating to student discipline;**
 7. **Information relating to investigations of alleged incidents of harassment, bullying and intimidation; and**
 8. All other records required by N.J.A.C. 6A.
6. The State Board of Education amend the administrative code to reflect the intended role of the SST by referring to the team as the School Safety/Climate Team.
Proposed administrative code language (*N.J.A.C.6A:16-1.3*):
“School safety team/school climate team” means the team responsible in each school to develop, foster and maintain a positive school environment by focusing on the on-going systemic process and practices in the school and to address school climate issues.

Proposed administrative code language (*N.J.A.C.6A:16-[7.9]7.7(f)1*):

2. **The members of the school safety/school climate team shall be appointed by the principal, be chaired by the school anti-bullying specialist and include the principal, or designee, a teacher in the school, the school anti-bullying specialist, a parent in the school and other members determined by the principal.**

Proposed administrative code language (*N.J.A.C.6A:16-[7.9]7.7[(d)](e)3*):

[(d)](e)3. Annually [review the extent and characteristics] conduct a re-evaluation, reassessment and review of its harassment, intimidation, and bullying [behavior in the school buildings of the school district and implement locally determined programmatic or other responses, if determined appropriate by the district board of education] policy and any reports and/or findings of the school safety/school climate team(s), and make any necessary revisions, consistent with N.J.S.A. 18A:37-15(c).

The New Jersey Department of Education (NJDOE)

1. The NJDOE issue formal guidance to assist practitioners in understanding the significance of power differential in HIB. The formal guidance should also assist practitioners in moving beyond the list of specified characteristics and considering characteristics in a broader, contextual sense that considers the relative positions of the alleged aggressor and target.
2. The NJDOE add the following language to Section 6, Issues for Consideration in Local Policy Development, of the Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses:

As a means to identifying whether any “gesture, any written, verbal or physical act, or any electronic communication...” is “reasonably perceived as being motivated by any actual or perceived characteristic,” it is useful to consider that “Bullying is unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance.” The power differential between two children is not a visible characteristic itself, but rather the interplay of a

distinguishing and motivating characteristic of the target (namely perceived weakness in terms of physical strength, popularity, socio-economic status or a myriad of other characteristics), relative to the aggressor. Through the lens of power imbalance, the distinguishing characteristics are uncovered.

3. The NJDOE train arbitrators that adult-on-student behavior is included under the ABR.
4. The NJDOE provide guidance to practitioners to clarify who shall conduct investigations of adult-on-student behavior.
5. The NJDOE provide guidance for school districts and parents/guardians about the maintenance and confidentiality of student discipline records.
6. The NJDOE provide guidance to school districts and information to parents/guardians that clarifies that, to the extent not explicitly prohibited by the ABR, all rules concerning student conduct, suspension, and record keeping, otherwise applicable, remain in effect and should continue to be implemented.
7. The NJDOE provide guidance to districts that, if possible, an individual who is counseling a particular student shall not serve as the investigator in any matter in which that student is an alleged target or aggressor and that another ABS be assigned to investigate that case.
8. The NJDOE provide further guidance regarding who can fulfill the role of the ABS.
9. The NJDOE provide training to the SST in improving its effectiveness in meeting the charge to foster and maintain school climate.
10. The NJDOE continue to provide on-line training and best practice guidance regarding the creation of a healthy school climate and culture.
11. The NJDOE continue to maintain and update, as appropriate, its comprehensive training and resources site at: <http://www.state.nj.us/education/students/safety/behavior/hib/>.
12. The NJDOE explore ways to collect data as to whether schools have developed coherent and systemic school climate improvement plans.

Practitioners

1. Practitioners and others recognize that, although an instance may be found to fall outside the scope of the legal HIB definition, this should not in any way prohibit the teacher, school employee, or administrator from taking action pertaining to that instance under the student code of conduct.
2. Practitioners recognize that the specified list of characteristics in the ABR is not exclusive, and that they incorporate the use of power imbalance to identify a broader range of potential characteristics.
3. Principals consider appointing more than one ABS to provide flexibility in assigning investigations.
4. School districts reexamine their approach to year-long HIB prevention instruction and incorporate a systemic approach to teaching social and emotional learning skills.
5. SSTs develop school climate improvement plans that promote a coherent approach to social and emotional learning.

Other

1. The Governor and Legislature continue to work to increase funding allocations to the Bullying Prevention Fund, commensurate with the expectations of the ABR.
2. Alternative methods of financial support (e.g., philanthropic and foundational) be explored and sought to supplement funding allocated in support of the ABR.

3. Annual training be provided to all SSTs in accordance with the ABR.
 - a. All members of a team are to attend training, so there is a shared understanding of their work.
 - b. ABCs attend training, as they can coordinate the work district-wide, providing opportunities for teams to share ideas and resources.
 - c. Training components to include, at a minimum: 1) understanding the dimensions of school climate, 2) collecting and analyzing school climate data, 3) developing school climate goals and action plans to achieve those goals, 4) comprehensive social and emotional learning and character education programs, practices, and approaches, and 5) evaluating school climate improvement efforts.
4. Training continue to be provided on investigations and the use of the central element of bullying, imbalance of power, to distinguish bullying from normal social conflict and assist investigators in identifying a broader category of distinguishing characteristics.
5. Training be provided for principals on the minimum criteria to use in making the initial decision regarding HIB status including the use of the Threshold Assessment Checklist.
6. Training related to effective social and emotional learning programming be provided to SST members

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