
Committee Meeting

of

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

“The Committee will meet to take testimony on the issue of bullying in New Jersey schools”

LOCATION: Meeting via Zoom

DATE: May 5, 2023
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator Joseph P. Cryan, Co-Chair
Assemblywoman Mila M. Jasey, Co-Chair
Senator Renee C. Burgess
Senator Michael L. Testa, Jr.
Senator Samuel D. Thompson
Assemblywoman Verlina Reynolds-Jackson
Assemblyman Benjie E. Wimberly
Assemblywoman Victoria A. Flynn
Assemblywoman Michele Matsikoudis
Assemblyman Erik K. Simonsen



ALSO PRESENT:

Rebecca DiBenedetti
Executive Director

Ivy Pomper
Executive Assistant

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Therefore, portions of this transcript may not be completely accurate as portions were inaudible and/or indiscernible.*

Meeting Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

SENATE

Hon. James Beach
Hon. Renee C. Burgess
Hon. Joseph P. Cryan
Hon. Declan J. O'Scanlon, Jr.
Hon. Michael L. Testa
Hon. Samuel D. Thompson

ASSEMBLY

Hon. Vicky Flynn
Hon. Mila M. Jasey
Hon. Michele Matsikoudis
Hon. Vertina Reynolds-Jackson
Hon. Erik K. Simonsen
Hon. Benjie E. Wimberly



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MEETING NOTICE

TO: Members of the Joint Committee on the Public Schools

The Joint Committee on the Public Schools will meet on Friday, May 5, at 10:00 a.m., via Zoom to take testimony on the issue of bullying in New Jersey schools.

The public may address comments and questions to Rebecca DiBenedetti, Executive Director, at 609-847-3365, or by email at Rsapp@njleg.org

Issued April 10, 2023

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ASSEMBLYWOMAN MILA M. JASEY (Co-Chair): I want to say good morning members and guests, and welcome to our Joint Committee on the Public Schools committee hearing on school bullying.

This topic was selected for discussion at the request of our Co-Chair, Senator Joe Cryan, so I think it is appropriate that he make introductory remarks, for what has promised to be an important conversation, at the end of my remarks -- which are very brief.

Before we begin, I would ask the indulgence of the Committee to address a housekeeping issue. As you know, I am retiring at the end of this session, and, so that the Committee can enjoy a smooth transition and continue its important work, I am asking Assemblywoman Verlina Reynolds-Jackson to assume my duties at the conclusion of today's hearing.

The Joint Committee is statutorily vested with oversight of our public schools, and to inform legislation impacting facilities, students, and teachers, paraprofessionals, and support staff who so ably trained them.

I have every confidence that the Joint Committee will be in outstanding hands with Senator Cryan and Assemblywoman Verlina Reynolds-Jackson at the helm.

Congratulations, Assemblywoman. Would you like to say a few words before we turn it over to Senator Cryan for introductory remarks.

ASSEMBLYWOMAN REYNOLDS-JACKSON: I would.

And, I want to say thank you so much to Assemblywoman, Chairwoman Mila Jasey, for her confidence, and that I am deeply honored and humbled to accept the position as Co-Chair for the Joint Committee on

Public Schools. This is an extremely important issue for me, and that I am committed and very, very passionate.

I'm not going to take up a lot of time, but I do want to say, let's remember that education is not just about transformation of knowledge, but it's also about nurturing curiosity and fostering creativity, and cultivating a lifelong love of learning. And, as Co-Chair of the Joint Committee on Public Schools, I pledge to you an unwavering commitment to work tirelessly alongside you in a shared mission to build a better future for our children.

So, thank you so much for entrusting me with this tremendous responsibility, and I look forward to our collaboration and the positive impact we will make together.

Thank you so much.

ASSEMBLYWOMAN JASEY: Thank you, Assemblywoman.

Would anyone else like to speak? (no response)

OK. Senator Cryan.

SENATOR JOSEPH P. CRYAN (Co-Chair): Thank you, Assemblywoman Jasey, Chair Jasey.

And, first off, congratulations Assemblywoman Reynolds-Jackson. It's great news and exciting for the Committee and, frankly, the people of New Jersey.

So, thank you very much for taking on a new leadership role and it's exciting for all of us.

You know, in the Assemblywoman's remarks, she mentioned curiosity, creativity, and love of learning for young people and the hope that that could continue. And, think about a young child who's --

whether their teenage years or earlier -- if they're being bullied, do they really have an opportunity to have curiosity, creativity, or a love of learning? I think the reality of that is that it changes the dynamic each and every day, and, in many young peoples' lives, each and every hour. Especially, with the - I think most of us can agree, the expansion of not only apps, but the whole idea of social media and what it means and the influence in a young person's life.

I know we're going to hear some testimony to that today - at least, I'm sure of it. We've all monitored and watched with I think emotional distress and a fear of what we can do next. We saw the young people recently take their lives, and I don't know if there's any more crushing emotional news for anyone than to watch a young person take their life over the fear of something that maybe could have been prevented. I think the most recent case is in Lawrenceville, at the school, but -- at least a recent settlement, I should say.

But, we've watched with schools and cultures and a lot of attacks back and forth, and we've certainly tried in legislation from '11 and again updated in 2022, that at least from a legislative standpoint hopefully provides an outlook. And, I know many of you will comment today on what those -- what that legislation is doing, the positives and the negatives of it. And, I don't know if you can ever legislate a teenager's behavior. There's the reality of what you can do and not do. But, do we provide -- at least today - do we provide the right culture? Do we provide the right (indiscernible)? Do we provide the right support?

I'm certain today, while I haven't read-- I got the testimony, I'm certain today we're going to talk mental health quite a bit.

But, one of, at least for me, this has been happening -- somebody who was in school in the '70s -- this has been happening since time immemorial. It's certainly exasperated, I think, by social media, by the pressures today; the world is a different place. And, you all, as the folks who are kind enough to provide us today with your time and your insight, allowing us to understand what position and what changes we need to make as a result of a changing culture in society and technology will also help.

I cannot imagine -- actually, I can -- but the idea of a young person being in fear of living; of trying to go to sleep each night; living in fear of what the day was and not wanting to get up the next morning, living in fear of what the day will bring, must be like. The idea of walking, getting on a bus, and being bullied for a day and for what happens in the hours afterwards, at least to me, is beyond horrific. And, I hope that what we glean today -- I thank you all again for your time, especially Chairwoman Jasey for the topic -- I hope we glean insight into what ways we can all collectively provide some solutions that help the next young person, and, if we do that, I think it'll be a successful hearing.

I thank you all for your time; Chair, thank you. Assemblywoman, congratulations on the promotion, looking forward to it; and thank you all for your time today. I look forward to the hearing.

ASSEMBLYWOMAN JASEY: Thank you so much, Senator Cryan. We go way back, the two of us.

All right, so, we're going to begin with our first panel, which we'll start with Debra Bradley, Director of Government Relations, The New Jersey Principals and Supervisors Association; followed by Aaron Eyler, Principal, Matawan Regional High School; and David Nash Esq., Director of

Legal Education and National Outreach, Foundation for Education Administration, and LEGAL ONE. I guess you'll tell us what that is.

So, Deb, the floor is yours.

D E B R A J. B R A D L E Y, J.D.: Good morning; good morning, Chairwoman Jasey, Co-Chairman Cryan, and distinguished members of the Joint Committee on the Public Schools.

I am Deb Bradley, Director of Government Relations for the New Jersey Principals and Supervisors Association. We represent nearly 7,000 school leaders in our public schools serving in the positions of principal, assistant principal, director, and supervisor.

The issue of bullying in our schools is a top concern of our members and our association. Our members are responsible not only for the safety and well-being of our students, but for their instructional lives in school. And, as Senator Cryan just mentioned, the two are very interconnected.

So, before I introduce our speakers today, I just wanted to give the Committee two points of context. First, is what the Senator just mentioned, is that last January this Legislature passed some significant amendments to the Anti-Bullying Bill of Rights, and we have been working hard ever since to train our members on the changes and to implement them in our schools. NJPSA worked with other stakeholder groups, including those representing school boards, parents, and superintendents. We worked with the bipartisan bill sponsors to work on those changes.

But, two of the points that I wanted to make was there was significant changes made to the issue of cyberbullying. There is a crime in our state for cyberharassment, and the changes that were made included

increased penalties for criminal offenses of cyberharassment, and also increased sentencing options for judges to consider, to hold both students and parents accountable for cyberharassment crimes in our state. And, one of the pieces is the option of mandatory parent-student training on bullying awareness, and on the dangers of cyberharassment.

A second point that I wanted to make to all of you is that the statute contains a progressive system of potential consequences for students who engage in bullying, and it's based along a continuum based on the number of offenses, the nature of the conduct, the seriousness of the conduct, the student's needs for intervention -- and that's both the bully as well as the victim -- as well as based upon the circumstances of the event and the types of things schools offer are programs and services to both students.

And, lastly, I wanted to mention to you that the Legislature did pass legislation that created another taskforce to study the implementation of the Anti-Bullying Bill of Rights. And, that work was interfered with by the pandemic; it wasn't called together as a result of the pandemic. But they just were assembled, and they had their first meeting recently within the past month.

So, that was the context I wanted to give you, and now I'd like to introduce our two speakers: Aaron Eyler, the Principal of Matawan Regional High School. He has worked in education for 18 years with eight years as a principal. And, one thing I wanted to mention to you was his work in proactively creating a positive school climate as a way to prevent bullying in his school, and one important piece of work that he did was working with his students on a school-wide project sponsored by the Anti-Defamation League, where his students worked to earn his school the designation as a

“No Place for Hate” school. He’ll bring to you the school-based experience on bullying.

And, with me also is Dave Nash, the Director of Legal Education and National Outreach for our association. Dave leads our legal education program called LEGAL ONE, and he has spent countless hours providing programs on bullying -- not only to our members, but to individuals who serve as anti-bullying specialists and anti-bullying coordinators, and to entire school districts in the state. And, Dave can provide this Committee with the unique statewide perspective on the implementation issues we faced in terms of working with the law.

I turn this over to Aaron Eyler now. Thank you.

AARON EYLER: Thank you for the introduction, Ms. Bradley.

Good morning Chairman Jasey, Chairman Cryan, and members of the Joint Committee on the Public Schools. It is a privilege to speak to you today representing my students, my school, my profession, and my family.

As a school principal and father, I cannot state strongly enough my concern with addressing bullying in our schools -- not only for my own children, but for every student who walks through the doors. Since September 2021, I have witnessed a dramatic rise in bullying incidents, behavioral issues leading to discipline, and mental-health referrals. My colleagues in education report similar experiences.

What we are experiencing is similar to what we are seeing throughout the rest of society: difficulty interacting with others; less resilience; fewer tools to cope; and elevated levels of aggression. During their time at home, our students missed critical developmental opportunities with

their peers, and the chance to learn conflict-resolution skills. Our students have more anxiety and, unfortunately, the mental-health services we can provide in school face limitations with regards to available funding but, even more alarming, the number of trained professionals available to provide these services.

I currently have a partnership with the YMCA to offer mental-health counseling services to students. Due to a shortage of clinicians, the program is only able to service seven students, while another eight are on a waiting list. The result is not just an inability to provide *reactive* services to those who demonstrate a need, but also *proactive* services that ensure students are being placed in a position to make good decisions.

The most significant area of increased bullying behavior is cyberbullying, and it is far and away the most difficult to stop. Cyberbullying often occurs outside school hours; crosses district lines; can be malicious with permanent scarring effects; and is often anonymous and undetectable -- even when school officials are informed it is taking place. Our HIB specialists have had to develop streamlined communications systems to work together on cyberbullying issues that cross district lines, and this is occurring more and more frequently. Our efforts to work with the police often come up empty, as the police has no more leverage than schools in forcing social media companies to share information on who set up the anonymous account that maliciously bullied a student, and, in many cases, groups of students.

Even before the pandemic, our students were comfortable with -- and adept at -- technology. In school, we utilized technology every day as a learning tool. It is impossible to turn back the clock, but the misuse of this tool to bully others *must* be addressed. Our students have become

comfortable living behind a wall of anonymity, where their words and actions may hurt another, and they are not held accountable. This past weekend alone, I was sent three screenshots of social media posts that were aggressive towards a student. I immediately had to investigate this matter to protect that student, as well as notify the parents.

As I stand here, we are still actively searching to identify the individuals who are responsible -- this, all while not knowing whether or not the offenders attend my school or even reside within our district, county, or state. Unfortunately, all too often, we spend valuable school hours on a wild goose chase attempting to track down an anonymous account after learning of a post which often times out or disappears. We are only successful in tracking down the cyberbully a fraction of the time, and that is only when we get lucky or someone tells us directly who the author is. We have even gone so far as to shut down our school's bring-your-own-device Wi-Fi network to force students to use school-issued computers to slow their access to social media during the school day. This doesn't solve the problem by any means.

Parents are critical to our success on this issue. An overwhelming majority of parents are proactive and supportive. But, the message from the State must be that *every* parent must police their child's online behavior. The law has been changed to reflect this fact, but parents need to embrace their role in this area. Schools can develop and implement policies, but we cannot force parents to honor them.

Another observation I would like to share with the Committee is the changing intensity of the bullying behavior we are seeing. There have been more acts of physical aggression in bullying behavior than I

have witnessed in the past, and this should be a great concern to all of us. We are also seeing more incidents with a single student engaging in repeated incidents of bullying. Why is this? These are students who are already struggling socially, and the pandemic amplified their struggle -- developmental milestones were not reached; social skills were not developed; and schools must now work hard to address it. However, limited staff overall and mental-health staff in particular, makes this a truly herculean task. The key takeaway is this: All students, whether acting as the bully or the victim, need access to critical mental-health services so that we are taking care of every single student in the State of New Jersey.

So, what do schools do to address bullying behavior? Counseling; student interventions; discipline; conflict-resolution sessions when appropriate; restorative justice activities; schedule modifications and others are options we consider depending upon the circumstances of each case, and the needs of the students involved. If an incident involves a potential crime, such as assault, law enforcement is notified and parents of the victim make difficult decisions about pursuing criminal charges. Often times, the investigation results in the behavior being -- at least temporarily -- halted, with appropriate discipline and interventions.

But, a harsh truth remains. In my role as principal, one of the most difficult points to explain to parents is that we can use every intervention in the book to address the behavior, but, in the end, no one can guarantee that the behavior will stop except the bully, him or herself. This is often why principals hear from frustrated parents and students that the school wasn't doing anything about it, or, "You don't care enough to stop it."

Trust me, principals care tremendously about ending bullying, but that is one superpower that we haven't been granted.

I would like to close by sharing with the Committee my hope for the future on this issue. Our school community takes the issue of bullying -- and, frankly, any disrespectful behavior within our schools -- very seriously. We have a code of conduct that governs the behaviors in our school, whether a student's conduct is legally HIB or a breach of that code of conduct warranting discipline. This is a critical point to understand.

Pre-pandemic, as was mentioned, we engaged in a school-wide project that earned us the designation as a "no place for hate" school. It was the engagement of students and staff together in a common, positive school climate project that set the tone for a mutually respectful school building. These efforts matter. Setting a mutually respectful tone matters. But, as I would argue with all large-scale issues, no school or district can school-wide project their way to a bully-free environment -- especially when, many times, the conditions for these behaviors are outside the reach of the schoolhouse gates.

I also want the Committee to understand that New Jersey has a strong statute in place, and strong procedures to implement them. School principals train their staff every year on the procedures; the definition of HIB; methods for identifying bullying behavior; and reporting requirements. Parents are also notified of bullying policy procedures and reporting options annually. We investigate every allegation, whether it is anonymous, online, or delivered to me in person. We want to be certain we are helping every student. When a bullying allegation is made in the state, every principal must fast-track this investigation under legally mandated

timelines. Anti-bullying specialists interview witnesses and conclude their report within 10 days, sometimes interviewing more than 15 witnesses. This means, in my case, that my specialist is losing valuable time to perform her job as a student assistance coordinator in a period of high-risk behaviors among our students.

My recommendation is to focus on the provision of school-based mental-health services to assist us in providing the counseling and deeper mental-health services our students need and deserve. An exploration of the cyberbullying issue and pressures the state can place on social media companies is another area that warrants exploration.

I know this Legislature is well aware of the staffing crisis in our schools, but the staffing crisis in the mental-health profession is of equal concern, and we appreciate your assistance in this area as well. Although no one has a magic pill to solve the current behavioral issues we are seeing in our schools, we believe that educators, parents, mental-health professionals, and the support of the State Legislature can make a difference for our students.

I absolutely love my job. Every day, I go to work knowing that families are entrusting me to oversee the care of 1,132 children. Overseeing bullying investigations has become a huge piece of that responsibility, and I will continue to do everything I can to protect and help my students. More often than I like to think about, I'll be speaking with a group about the work we need to do to address bullying. Undoubtedly, there will be someone who will remark to me that bullying is a fact of life, and it isn't going away. My response to them is simple: "Neither am I."

Thank you for your time and your consideration.

ASSEMBLYWOMAN JASEY: Thank you so much.

I am sitting here, I think as all of us are, a little bit overwhelmed by the size of this problem. But, I think it's probably better for me to hold any other remarks until we hear from all of our speakers.

But, first, we forgot to take roll. So, Becky, can you do that quickly?

And, while she takes roll, I want you to know that you can each get a transcript of this hearing from our director, right? OK.

MS. DiBENEDETTI: Senator Burgess. (no response)

I know she's here.

J A S M I N E M E T E L L U S: She's here, she just doesn't have connection. This is her Chief of Staff, Jasmine.

MS. DiBENEDETTI: OK, no problem.

Senator Thompson.

UNIDENTIFIED SPEAKER: He's here.

MS. DiBENEDETTI: Senator Testa is on his way.

Assemblywoman Flynn.

ASSEMBLYWOMAN FLYNN: Here.

MS. DiBENEDETTI: Assemblywoman Matsikoudis.

ASSEMBLYWOMAN MATSIKOUDIS: Here.

MS. DiBENEDETTI: Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Here.

MS. DiBENEDETTI: Assemblyman Simonsen. (no response)

I know he is here, I did see him.

Assemblyman Wimberly is on his way.

Assemblywoman Jasey.

ASSEMBLYWOMAN JASEY: Present.

MS. DiBENEDETTI: And, Senator Cryan.

SENATOR CRYAN: Here.

ASSEMBLYMAN SIMONSEN: I am here, sorry, I couldn't get to-- My mute was stuck.

Thank you.

MS. DiBENEDETTI: Thank you, Assemblyman.

ASSEMBLYWOMAN JASEY: All right, thank you so much.

And, I apologize for that interruption.

Next up, we would like to hear from David Nash, Esq., Director of Legal Education and National Outreach for the Foundation for Educational Administration and LEGAL ONE.

D A V I D N A S H, J.D.: Thank you so much, Chairwoman Jasey, Chairman Cryan, members of the Joint Committee on Public Schools. It really is an honor to be here with you to have a chance to discuss this incredibly important topic.

I am, as you heard, the Director of Legal Education and National Outreach for our Foundation for Educational Administration. I oversee a program known as LEGAL ONE, which is our legal education program, and we provide training for all of the stakeholders involved in our schools, including school leaders, teachers, anti-bullying specialists, parents, Board of Education members, across the board. And, we provide training on a wide range of legal issues, but there is no issue where we have had a greater request for support and training than the issue of bullying prevention.

In preparing for today's testimony, I went back and looked at how much training we have provided on this topic since the enactment of the Anti-Bullying Bill of Rights back in 2011. We've actually provided more than 400 training sessions on this issue alone across the State of New Jersey with more than 10,000 participants from a majority of school districts in the State of New Jersey. We have also developed a number of self-paced online courses, and we have had more than 15,000 participants complete one or more of our online courses related to issues of bullying prevention. So, this is a topic that is on the forefront of everyone's mind in our schools, and it has been a major priority for our association, New Jersey Principals and Supervisors, and across the board for stakeholders involved in our schools.

During the trainings that we have done, certain themes have emerged, and I think it is helpful for this Committee to be aware of the themes that we are hearing consistently across the State of New Jersey as we're working with school districts on this issue. And, these themes include a unifying commitment to keeping our students safe. Everybody wants to do all that we can on this issue, from school leaders to educators to counselors to Board of Education members to parents to students. And, there is this unifying commitment that we can build on to address this issue.

But, there are complications, and there are challenges that we have seen across the state, so there is some confusion and frustration that we will see often from parents regarding the specific legal definition that we have in the State of New Jersey of harassment, intimidation, and bullying. That definition includes a requirement that we show specific elements; that we show there was a motivating characteristic that can be proven in a

particular case; that there was substantial disruption that resulted; that there were measurable specific harms that were caused for particular students.

And, that legal definition doesn't always coincide with the lay definition of bullying that a parent or a student might have. So, there is a challenge, often, in educating parents and students and others about that specific definition. There is sometimes a misguided sense that if behavior doesn't meet New Jersey's definition of HIB, that it's not being taken seriously, which couldn't be further from the truth. In fact, school leaders, and school officials, and all stakeholders take issues such as code-of-conduct violations and student conflict just as seriously as we take issues of harassment, intimidation, and bullying. So, even if the behavior doesn't meet New Jersey's specific definition, there are lots of actions, lots of important steps that are being taken to address those issues.

There's also a misperception among some that school officials are not doing anything to address HIB incidents, when, in fact, school officials are constantly investigating and responding to alleged and confirmed HIB allegations. One of the reasons for that misperception is that school officials are not permitted under State and Federal law, to share the specific disciplinary consequences and other responses that were put in place for other students. So, the parent of a victim naturally may want to know exactly what we are doing to address the aggressor in a particular bullying situation. And, school officials are constrained and cannot share the details of that response that was put into place.

There is a misunderstanding about the many complex factors that can impact student health and well-being, and can lead to suicidal ideation, and it is an issue that is very complex. Certainly, bullying can be

an important contributing factor that has a major impact on mental health and suicidal ideation, but it is never a direct cause and effect between bullying and suicidal ideation. It's a much more complex issue that deserves a lot of attention.

There is a lack of understanding of the respective roles of law enforcement and school officials in bullying matters. There are times where -- many times -- where school officials are compelled to share information with law enforcement regarding what are considered bias-related acts. So, when bullying is linked to a protected class like race, ethnicity, gender, religion, disability, school officials have no choice but to share that information. But, law enforcement is also overwhelmed dealing with lots of issues, and, oftentimes, there may not be a response from law enforcement after that notice is given.

There is a concern that we hear constantly from our members, from school leaders across the state, and also from lots of others, about the hidden cost imposed as part of responding to HIB incidents. It takes significant time and resources to do each individual investigation, and the individuals who are involved in doing those investigations have other essential responsibilities, and we can't be in multiple places at once. So, this is impacting things like the provision of counseling services for students on a wide range of issues that are incredibly important.

Frankly, there is also a lack of effective pre-service education for aspiring school leaders and educators on a wide range of issues. So, our institutions of higher education are not always doing the level of work they should be on issues like bullying prevention, helping aspiring school leaders understand how to conduct effective investigations; threat

assessment; and addressing student mental-health needs. So, we have those unifying and common themes that we have heard across the state over many years, and we also have some emerging challenges. And, you've heard some of that from the great testimony from Principal Aaron Eyler.

But, to reinforce some of what we are seeing as far as emerging challenges, there is clearly a significant increase in mental-health needs for students. And, this is a national crisis, a national phenomenon that we are dealing with. And, it's borne out of data from the CDC. The latest youth risk behavior survey shows an incredible spike in mental-health needs for students, coupled with a lack of access to critical mental-health services. There's an erosion that we have seen in social skills for students, and that was impacted significantly by the pandemic. We had large numbers of students who spent a good part of two years without the same level of social interaction that they would have previously had, and that impacted the social development of *many* of our students.

There is an ever-increasing sophistication among our students when it comes to the use of technology -- when it comes to how they utilize social media and electronic communications. And, of course, that is done in many positive ways, but, also, it is being used in increasingly harmful ways, and more and more students have become sophisticated about how to hide their identity when they are involved in cyberbullying.

And, frankly, there is a toxic national conversation that is impacting our schools on issues such as race, gender identity, immigration status, that is sometimes sending confusing messages to our students. Messages that can undermine the commitments that our schools are trying

to show to diversity, equity, and inclusion, and setting a positive, mutually respectful environment for all of our students.

So, we have these emerging challenges, but we do have, as our Director of Government Relations Debra Bradley mentioned, recent revisions to State law that we do think are important for us to keep in mind. Those provisions include new prevention and accountability tools for our courts, our schools, and parents, when we have issues of cyberbullying that rise to the level of cyberharassment -- which is a crime in the State of New Jersey. We have new standardized reporting forms that will make the reporting of HIB incidents more consistent across the state. We have, under the new law, heightened scrutiny and additional due process rights that surround district decisions to make preliminary determinations related to HIB incidents. There are new requirements related to tracking HIB incidents in student records and implementing student intervention plans for students who commit three or more offenses, which should provide a clear, comprehensive approach for students who are repeat offenders. And, we do have a new position of School Climate Coordinator, that has been created at the State level, and we hope will soon be filled and can provide great support for parents, for students, for school districts, on addressing the larger school climate issues.

So, as far as next steps, we do think there are some important steps that we should consider; although, of course, there are no simple fixes to this issue. One of those is ensuring effective implementation of New Jersey's 4S initiative, so that we can remove the significant obstacles that we are facing when it comes to students who have emergent and ongoing needs with mental-health services. Another key step is implementing

recommendations that have already been made, and exploring further incentives to help ease the staffing shortages that we are dealing with in critical areas when school districts are stretched even thinner by those staffing shortages. It's incredibly difficult to give the focus to this issue that it deserves; insisting that institutions of higher education do more to prepare aspiring school leaders and educators on issues like bullying prevention; conducting effective investigation and supporting mental health; exploring legislative means to hold social media companies accountable for working with school officials to remove harmful content, including efforts to urge Congress to act at the Federal level on this issue; providing funding and support for ongoing professional learning needs of school districts. These issues are constantly evolving, and our professional learning needs to be there to support school districts on this issue. And, monitoring the impact of the recent revisions in law that we have talked about, and considering the recommendations that we know will be forthcoming from the Anti-Bullying Task Force that has just begun its work, but needs to complete that work this year.

So, I want to thank all of you for your focus on this incredibly important issue, and for giving us the opportunity to work with you to explore how we can keep all of our children safe.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, David, I appreciate that.

I am going to ask members to hold their questions, because we have six more people to hear from, and I want to give everybody the opportunity to speak.

Thank you.

Next up, Peg Kinsell, Policy Director of the SPAN Parent Advocacy Network, and she will be followed by Jessica Smedley.

Peg, are you here? (no response)

Did we lose Peg?

P E G K I N S E L L: No, I'm here. Sorry, a little glitch--

ASSEMBLYWOMAN JASEY: That's all right--

MS. KINSELL: --with the mute button.

So, thank you Chairwoman Jasey, Chairman Cryan, and congratulations Assemblywoman Reynolds-Jackson; we look forward to working with you as well on these important issues.

SPAN is an organization, a statewide organization, that has been in New Jersey for the last 35 years. One of our projects is focused on students with disabilities. We are the Federally designated parent training information center under the Individuals with Disabilities Education Act. Our vision, though, is that all families will have the resources and support they need, and our mission is to empower and support families and professionals who are interested in the healthy development and education of children and youth of New Jersey, with our commitment being of course to the children and families with the greatest need.

I-- Well, first, let me apologize for not getting my testimony to you yet. I have been working on this for a week and a half now, and it's gotten really difficult, let me put it that way. Digging into numbers, digging into what's happening in New Jersey, what's happening nationally, is one thing. I did request from our staff-- We provide technical assistance and support to families across New Jersey to weigh in on what they might want

me to say, and also talk to some of the families and family organizations that we're engaged with. I'm *still* going through these stories. There are a lot of families out there who want you to hear their stories. And, since I promised them I would make sure you got them, you will be getting a robust amount of testimony from me, but I implore you that you take the time to read it, because all of these stories are tragic in their own ways, and the willingness for families to share some of the most painful times they've had in education, I think, is really important.

I'm going to tell you just a couple of them real quickly, because I really want to honor their willingness to share.

We have a family of a 13-year-old with a development disability, and autism diagnosis, who has significant disabilities. He was found in the bathroom with his pants down after going to the bathroom, and an HIB investigation was put forth, and he was found guilty of this HIB because of his exposure to students who had walked into the bathroom. Now, I will start out with saying that child was not supposed to be alone; the child was supposed to have one-on-one support. So, he should have never been in the bathroom. I will also say after we were able to engage the practical nurse who works with him, she was able to explain to the district -- which, there should have been an understanding of -- that he's physically and intellectually unable to do that around his toileting. And, then, on top of that, she got notice -- the mom -- about the guilty HIB investigation, or the founding, in English, and she only speaks Mandarin. So, whole lot of failure there. And, I won't go into a lot of details; I just want to give you a quick overview, just some of what's happening.

Another person wrote and said that their child was diagnosed with encephalopathy and some other issues, and has a child with a head that's shaped atypical. From the moment he stepped onto that campus, he has been bullied and harassed about his looks, the shape of his head, all of these type areas. She said when Area 51 became popular in the media, kids were throwing erasers and space aliens at him, and he was having a tragic time in school. He was afraid to ride the bus and afraid to attend school, and developed a school refusal, which we also see a lot of. Also, it was not investigated as bullying.

A 13-year-old student with autism and other disabilities, with no prior history of discipline charges -- and, this is something I want you also to understand, is a lot of times, kids with disabilities are the victims, and sometimes they are the perpetrators. That's a really poor choice of language, actually, but the victim or the bully-er. But, there's a line around a lot of things -- whether it's capacity, whether it's understanding what the expectation is, what the executive function is, and what the disability is, and why some of this gets so confusing and so painful for families. This 13-year-old had no prior history of any discipline charges or suspensions. The student was suspended for 10 days after hitting another student on the bus. But, then we come to find out, they hit the other student on the bus after months of harassment and bullying from these children on the bus.

This has happened, I can't tell you how many-- I will tell you, actually, because I have some stats from our TA folks on the increase in the bully-er and the zero-tolerance piece, which really conflict in a lot of ways. So, an advocate who I work with had, also, her son-- So she had awareness. She knew the rules; she was not a parent who was kind of just walking in and

not understanding what was supposed to be happening. And, her son was being bullied, but he was being bullied by other students with disabilities. So, they weren't a protected class, or were they a protected class because both kids had disabilities? This was the first question. But, the principal was like, "Don't worry, we're suspending the kids," and mom, who is an advocate, said, "Any other day I would be advocating on these kids' behalf."

Suspending this kid all year long -- or these kids all year long -- is not teaching anybody anything. It's not teaching my son when it's appropriate to ask for help. Who do I go to? Who is a trusted individual? How do I negotiate this in a life skills kind of support? And, it's also not supporting the kids by just sending them home without any peer mediation or anger management or social skill building or whatever these other children might need. So, sometimes, just having that punitive, "We're going to take care of this for you," is not the answer.

And, I will tell you what ended up being the answer. One day, this young man had had enough and turned around and broke the bully's nose, and, I will tell you that he was suspended for hitting back at a child who had bullied him all year long, because it falls within the zero-tolerance piece. And, all it taught this other student with a disability was, if this happened to you, violence or strike out, and that's the-- So these are-- And, I'm just pulling these couple stories. You will see the horror of some of these stories that these parents want me to share with you when I deliver them.

But, what I want you to understand is that it is very complicated. But, not doing anything is also not complicated, and just being-- Raising fines or being more punitive in nature is also not the answer for these families. And, I wish I could say this is-- You do one, two, and three,

and we're all good, but I would be lying. But, what I know is that it needs to be a more cohesive effort, that we have to have a lot more people at the table, and that we have to remember-- I mean, I applaud every single one of you legislators here, because you guys have made humendous (*sic*) efforts compared to what is happening in a lot of other states around bullying. But, the fact of the matter is, no matter how good the law is, or even when you put fixes, the proof is in the pudding. So, if it's not implemented correctly-- If it's not implemented across the board; if there's not an avenue for families to even understand what's going on-- I went to look at the new bullying reports on some of the local school districts, and I knew what I was looking for and wasn't sure what I was looking at when I saw the numbers. So, I certainly invite you to see that or to help me understand it, because I didn't get it.

So, we need improvement there. We certainly need improvement in our data collection. Our data is still skewed between the State and the Feds. And, if I'm honest, a lot of data around disability and around bullying is skewed across the board, but that doesn't mean we don't still try to find good answers for these questions.

ASSEMBLYWOMAN JASEY: Thank you (indiscernible)-

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MS. KINSELL: I also think we have to talk about more focused interventions; making sure kids understand the expectation; making sure we have programs and services in there to support them; and make those changes that we all want to see.

I agree with some of the previous speakers that the isolation experienced during COVID had horribly detrimental effects on our

kids. And, we're going to be trying to fix that for a long time. I also agree with what someone else said: As grownups, we're really kind of stinky role models, and the way the level of hate and violence in the community is displayed across the TV and across the world every single day, it's no wonder that our kids are looking at that as an example.

And, I will also say God bless *any* parent right now who is dealing with social media. My kids were grown before I had to deal with the intense social media. But, when it's hard enough for a child to deal with six hours of bullying during the school day, these kids are carrying that around for 24 hours a day now, and it's just untenable.

So, thank you for letting me share. I appreciate it.

ASSEMBLYWOMAN JASEY: Thank you, I appreciate it, and I look forward to reading your testimony as well and continuing this conversation.

Next up, Jessica Smedley, who is the Communications Chair for the New Jersey School Counselor Association, and Director of School Counseling at Hillsborough Township Public Schools.

And, Jessica, I know you've been listening, so I hope that you will not repeat issues that have been covered but, perhaps, give us insights to other aspects of this issue.

Thank you.

JESSICA SMEDLEY: Of course.

Thank you so much for having me, and I'm glad that-- I'm glad to be here.

I'll just give a warning: I'm here at our high school, in the middle of giving our A.P. U.S testing to 250 students, and we do still have

bells ringing, so I apologize if there's a little background noise while I'm speaking.

Thank you so much, Chairwoman Jasey, and Chairman Cryan, for having me here.

Certainly, the other speakers-- I echo everything that everyone has said. You've heard a lot of facts this morning.

I think that one that I'd like to call out and maybe just expand upon a little bit is something that David Nash spoke about, in terms of, when we say bullying, we have the legal definition and the narrowly defined law that has a lot of components that we call "an incident of HIB," but, what we also have are really a lot of hurt people. And, the other speakers spoke to that, about the complications we've had still coming out of the pandemic. We know that people of all kinds -- young people, those of us as adults -- our last speaker just mentioned having -- being role models and the sort of conflict that we have in our communities is a lot to handle. It's a lot for schools to handle. And, cyberbullying is particularly difficult to handle in school because of other competing legislation in terms of privacy and what we can do with these social media providers.

But, I think what I'd like to focus on is really a concept that trauma therapists and counselors have talked about for years, which is the concept that hurt people hurt other people. And, when we know that people are hurting, they need help. And, so, the only way to get people their help that they need is to bring people to the hurt people. So, I think that the idea of having more helpers in our school who do have the time to provide not only counseling services but also the prevention and early intervention. Because, if we start to focus on what we can do for everyone, what everyone

needs-- Everyone needs to feel safe and supported in their school environment every day. We need to have resources for that. That does include hiring more counselors and social workers, which I think the Legislature-- We certainly need support and appropriations to bring that into our schools. So, we certainly are dealing with a lot of bullying here at school every day.

I would just echo what the principal said earlier-- I also have a Student Assistance Counselor who has not gone a single week this entire school year without conducting interviews for a harassment, intimidation, and bullying incident. We're at nearly 30, and the time commitment really can't be understated. So, we have-- It's really, we need to take a multi-prong approach.

I do think the Legislature has done a phenomenal job in finding ways to help interact more with parents and guardians. So, these most recent Legislative updates have been helpful. I think, in terms of getting parents educated, again, it's difficult because we don't have-- We didn't automatically have more professionals in the field to help educate, so that becomes part of a job of people who are already here, which is difficult to get to when we're dealing with the crisis. And, so, I really, truly believe -- and, the School Counseling Association of New Jersey really believes -- that employing more people who can be helpers to all students, the more we do for prevention and early intervention, to provide students with that safe and supportive learning environment through education, through learning skills like emotional regulation, we will start to see a decrease over time of the more crisis-oriented incidents.

And, so, even when we talk about-- And, I would echo the increase in physical violence that we've seen following the pandemic, coming back to school, which is really scary and makes it hard to provide a safe and supportive environment for our teaching staff and for our other educators here, because fear certainly doesn't equate to safety and security. And, so, we really need more support. I think that can look like-- There certainly are school counselors; there are many in the pipeline. There have not been funding sources for those beyond what has been identified, and some school districts have taken advantage of American Rescue Plan dollars, but with trying to continue that beyond these post-pandemic years, and really institute that, as well as really educating the people who are in the field.

So, the role of counselors and mental-health professionals in school has changed over time, and there needs to be further professional development -- signs and symptoms. We know that the legislation includes training our staff across all of our different stakeholders, including bus drivers, cafeteria workers, custodians, families, certainly anyone who comes in contact with students. But, I think that that could be something that really, that the mental-health professionals can help people understand, what do you see with students, and what do students and families need prior to having an incident of bullying?

And, so, I would really like to see us, as a State, move towards and be leaders in prevention and early intervention efforts.

So, thank you so much.

ASSEMBLYWOMAN JASEY: Thank you, I especially liked your last piece about prevention and education.

I think there's definitely a theme coming through here, which I will not comment on, but ask my fellow legislators to comment on after we've heard the last panel.

The last panel consists of four people: Shannon Cuttle, Founder of the New Jersey Safe Schools Coalition, Safe Schools Action Network; followed by Jane Clementi, CEO and Co-Founder of the Tyler Clementi Foundation; Laura Choi, Board of Ed. member, Greenwich Township. As a former Board of Ed. member, thank you, Laura. And, Dr. Jan Oosting, Ph.D., R.N., Professor of Nursing at City University of New York.

So, we'll begin with Shannon.

SHANNON CUTTLE: Thank you, Chairwoman Assemblywoman Mila Jasey; thank you to the Committee; thank you, also, to Senator and Co-Chair Cryan as well, for holding this very important discussion today.

And, I want to thank all the other people on the call. I think it's powerful for folks to speak up and speak out, and, as adults, that is so important right now for our youth.

I am-- I'm not going to go into a lot that was already said, of course, but I do want to speak from the perspective of somebody who has spent over 20 years working on the National Movement for Welcoming Inclusive State Schools and anti-bullying. I had the honor and pleasure of not just being a speaker with you all here today -- thank you so much -- but also as somebody who has worked on anti-bullying legislation and was an advisor to the Congressional anti-bullying caucus as well, and worked on anti-bullying efforts here in the State of New Jersey.

I am also a former school board member as well, South Orange and Maplewood; former Essex County school board member; and a former board of director to the New Jersey School Board Association. So, I wear many different hats, and have seen many different angles within this topic and conversation, both as a classroom educator, as an advocate, and also on the other side as a school board member.

So, one of the causes I think to bring up today is, as we're having the discussion, is talking about the impacts of the underrepresented and marginalized community folks of students who are disproportionately impacted by not just anti-bullying and cyberharassment, but also, at the same time, on the other side of that, could be disproportionately impacted by punitive measures that are tried to set up in the best meaning way to try to intervene and prevent bullying, harassment, and intimidation. Because, they also disproportionately impact marginalized students and those with disabilities at higher rates, and we need to be acknowledging about that.

One of the most recent, GLSEN -- the Gay, Lesbian and Straight Education Network -- does the National School Climate Survey, and their most recent survey of 2021 showed a statewide snapshot of New Jersey, which showed a majority of the students who reported -- self-reported, in the State of New Jersey -- said they felt unsafe at school. A majority. And, in that same survey itself, it also showed that only 21% of students reported that they had a school with a comprehensive anti-bullying policy. Only 21%. And, with that as well, there were 95% of the students who were self-reported in New Jersey that said that they heard LGBT terms that were hateful. Of those, over 70% of trans and non-binary identified students said that they

heard hateful commentary from school staff about gender identity and gender expression.

I bring that up because that's also important (indiscernible) talking about climate and culture in our schools and communities, and that's what this is. Policies alone are just part of the armor to help be able to create a defense for our students so they can be their best selves, creating welcoming, inclusive schools and spaces.

The second part of that is implementation. And, the third part of that is making sure the implementation includes best practices and training, and, as we talked about, parental understanding and outreach. The other additional part of that, though, is also making sure that our boards of education are well-versed and trained -- not just in the policy and what they need to do, but individually as board members. Oftentimes, speaking as a former board member sitting on that horseshoe, in order to have a best understanding of the policies we must implement and oversee -- including the code of conduct and other student policies -- it's helpful to be best trained. Now, in my district, we made that a priority; I can speak to that. We did not just LGBT cultural competency training, but made sure that all of the board members were trained on HIB. That is not a requirement in the State of New Jersey, it is just a recommendation.

The other part of that is being able to address how schools can self-identify. Mr. Nash and others already spoke to the challenges within the definition, and looking at it more broadly, and how that fits in today's climate and culture. Today's climate and culture where we're being inundated online and offline; students are hearing messages; hateful rhetoric; othering; told that they do or do not belong. And, that is infiltrating into our

communities and our schools. And, this is truly an issue that is not just classroom-based, but is actually school- and our communities-based. Because our students cannot feel safe and welcomed in that classroom, come to school every single day, if it is not connected together, working with our towns and our communities as well to combat harassment, bullying, intimidation. It's truly a community issue.

And, one of the ways we did that, I was an architect of the D.C. Anti-Bullying Bill of Rights under the Office of Human Rights. I was very proud to be the founder and creator of that office, and within that legislation. And, we created a foundation that modeled across our schools and communities; our public libraries; park and rec. departments; our towns; our municipalities; all connected in doing this work, and what that means to combat bullying, harassment, intimidation -- again, with that truly climate and culture piece. And, that is something that I would like to lift up and raise awareness for as something that we can do as well.

I would also like to bring up the idea of digital citizenship. This is something that I've come to you before and have brought up in the past, and I believe that this is something that is valuable right now. As others have spoke to, what we're talking about with cyberbullying, cyberharassment, the current climate right now with social media-- It is different than it was three years ago; it's different than it was five or 10 years ago, as we continue to work on this, and it's continuing to evolve and change. Mandating and being able to create coursework or recommendations, and what it means in digital citizenship to teach students to teach our communities; to help educators be able to have the tools that they need so students can be their best selves and learn safety online and offline and what that might look like.

And, I would encourage us to be able to look at measures around that as well, just as much as we have taken into account being able to support students in other ways.

Folks have already spoken about the mental-health challenges, and I won't go on about that, but that's also something that I think that's really taxing our administrators right now. Just speaking as here in South Orange and Maplewood, you know, we have a ratio of 1-to-300 of our guidance counselors, our school counselors, and we have a mandate that at least they have a touchstone moment of at least meeting with that student at least once during the school year. Sometimes, they can meet that; sometimes they cannot. That shouldn't be just the baseline. A student should be able to see and identify and know of a supportive adult every day, everywhere, in their classrooms. And, the fact that a student can go through the whole entire high school experience and walk away saying that they have never known one touchstone moment with a school guidance counselor; that they have not been able to identify one trusted adult that they can go to in need to get resources, or when they are in crisis, is a challenge, and that is also something that is *so* disheartening for our students.

And, my final point on this, too -- because I don't want to belabor it -- is the fact that within our students, that they themselves are struggling, but they also are struggling what I'm hearing from as an advocate in ways that are not just with bullying. A lot of the reports that I'm hearing as an advocate do not meet the definition, completely, of bullying. But, they primarily are existing also in spaces that could be considered sexual harassment. We're talking about bigotry; we're talking about a lot of racial discrimination; we're talking about discrimination against body autonomy;

we're talking about discrimination or hate speech or language that may not fit that full definition, but what it does, along with anti-LGBTQ+ hate that -- honestly, a lot of youth are just repeating what they're hearing online and in the news -- don't meet that criteria, but they're still spinning schools into a crisis where they're not sure how to completely respond.

And, more so in a way where they are concerned about this is not, but what types of crisis prevention systems are in place. And, what I have heard is "dear-colleague" letters, and requesting guidance documents, to be better informed about how they can be able to move within that language and guidance to better serve.

Thank you so much for having me, and thank you for the time.

ASSEMBLYWOMAN JASEY: Thank you very much, Shannon, I appreciate your input as always.

Next up, Jane Clementi, CEO, Co-Founder of the Tyler Clementi Foundation.

Jane.

JANE CLEMENTI: Good morning, thank you for including me this morning to share some of my thoughts and ideas with you, which I'm sorry also overlap some of the previous speakers. But, I will hopefully expound in different areas.

As stated, I am the Co-Founder of the Tyler Clementi Foundation, whose mission is to end online and offline bullying in schools, workplaces, and faith communities. We started the foundation to honor the legacy of our son, Tyler Clementi, who was the gay Rutgers University freshman who made national headlines in the Fall of 2010 after his sexual

orientation was used to humiliate and shame him in the digital world. Sadly, this cyberbullying incident led Tyler to make a permanent decision to a temporary situation, because on September 22, 2010, Tyler died by suicide.

All the media attention and headlines following Tyler's death helped shed some light on the ever-increasing occurrence of bullying behavior -- especially within the new frontier of the digital world. This new technology can be a very useful tool when used as it was intended, but it can also be a great -- give great harm, and a weapon of great harm and pain when used by some people.

I believe Tyler's story had impact right here in our fine State of New Jersey, as it pushed, I think, lawmakers into action as they updated the Anti-Bullying Bill of Rights in January of 2011. And, thankfully, New Jersey continues to move forward from there, updating the Anti-Bullying Bill of Rights several more times. But, we can't stop there, we must continue to move forward, building on what is already put in place, and not lose ground and go backwards, because the causes and solutions of bullying behavior are not a simple one-size-fits-all issue. Bullying is a complex phenomenon, and often needs a multi-pronged solution, and, I believe, requires resources for both educators, parents, and students.

Legislation is a powerful component in the solution of bullying behavior. My only thought is not to always use that power to focus on punishment. We certainly need consequences, but punishment -- or the threat of punishment -- does not always work as a deterrent for everyone. Knowing the limits for what is and is not acceptable behavior is always the first step, and if we cross that line, then there certainly needs to be

consequences. But, the “three strikes you’re out” approach just moves the aggressor to a new location, without ever really addressing the issues.

We need to give educators the freedom to call out aggressive behavior so that they can start the process of behavior modification to change the unwanted aggressive behavior into behavior that is respectful and civil. The reality is, bullying behavior doesn’t magically disappear when someone turns 18, or when they are transferred to a new school. If we don’t change the behavior, it will just continue on into adulthood.

For me, a piece of the solution is legislating funds and resources for schools to engage in behavior modification -- as well as increase their social-emotional curriculum. We absolutely need the safety net of intervention following a bullying event, but, ultimately, I think our goal should be focused on reducing or even eliminating bullying behavior altogether, before the harm that leaves lasting scars and pain ever even occurs. For me, that means we must go well above and beyond any anti-bullying bill of rights. We need to go further upstream, and support our students’ social and emotional well-being, in addition to their academic growth.

I know it is a heavy burden on an already stretched educational system, but it is critical that we give our students tools and healthy outlets to deal with their anger, their disappointment, their frustrations, and sadness, and fears. Because, often times, it is hurt people who hurt other people, as well as themselves, and we need to break that cycle. And, of course, you also need to ensure that we have an easily accessible, comprehensive, efficient, and culturally competent mental-health care infrastructure within the State of New Jersey.

One of the things that I have learned in the past 12 years is that if we want to decrease aggressive bullying behavior in our schools, we need to increase empathetic behavior. One simple and effective way to teach empathy is by sharing stories. Whether fictional or non-fictional, reading about people who are different from ourselves is a great way to learn to see life through someone else's eyes. Connecting with characters can help us to understand that, although we may have some differences, we all share common experiences and emotions. We all want to be accepted for who we are; to belong and not be excluded; to not be shamed and not feel alone. Including age-appropriate diversity, equity, and inclusion curriculum helps students learn to celebrate differences and not to fear those differences -- or, worse, use those differences as a weapon to target and humiliate their classmates.

So, I commend you legislators on two important pieces of legislation that has passed within the last few years: The LGBTQ+ Inclusive Curriculum in 2021, as well as, just last year, the AAPI inclusive curriculum -- as well as, I do believe, there's some bills still waiting to be passed. I believe something was introduced last September that requires school districts to provide anti-bias education as part of the New Jersey learning standards. And, I just want you to know that these laws will have -- or have already had -- positive impact in the reduction of aggressive bullying behavior. So, don't go backwards; don't let those existing laws be taken away. Rather, continue to move forward and build on those laws and build on the two that are in existence and add the other one, anti-bias bill, as well.

Years ago, GLSEN research showed how when one subject of a greater larger school community was affirmed and safe from harm, *all* the

students' well-being was improved. That's right -- all harmful behavior is reduced among the entire school population when it is reduced in the LGBTQ community. Which is why I believe youth need to have access to even more stories and books. It is by sharing our lived experiences we can learn more about each other, and continue to build caring, empathetic, compassionate, and respectful school communities.

So, please, don't put an end -- actually, let's put an end to all of those time-consuming and money-wasting book bans. Don't allow taxpayer money to be wasted. Create legislation that will not allow books to be taken off our library shelves. We need to ban the book bans.

ASSEMBLYWOMAN JASEY: (laughter) I like that.

MS. CLEMENTI: Thank you.

I believe you are also reviewing several other pieces of legislation that will have positive impact on the LGBTQ+ community, which is also a true anti-bullying initiative, since one of the main reasons why someone is targeted in a bullying scenario is their sexual orientation and/or gender identity. So, I encourage you to move forward with legislation requiring schools to adopt policies concerning the needs of its transgender students, and using preferred names on student diplomas. I think there's bills within the Senate and the Assembly on those issues. And, it's just common sense. Use proper names and pronouns. Don't let bureaucracy continue to inflict more harm.

Also, just a side note: Don't ever think about cutting funding for extracurricular activities. Research has shown that students who are connected to their peers and involved in school activities are less likely to

feel isolated and alone, and less likely to cause harm to others, as well as themselves.

And, my final last thought, I have heard over and over again and I think all the speakers have talked about that -- the frustrations of parents and families who have reported a bullying issue to a teacher, and then it's gone right up the chain within the school district without anyone taking the issue seriously. Maybe they are, and maybe it's just that they're not hearing back, but I think that this is not acceptable for a parent to be left hanging like that. I think there needs to be, possibly, an outside agency or organization that parents and students can go to for help. They can at least give reassurance that the issue was taken seriously, and that there was an investigation. *At least* give them some feedback, and they may even improve the situation. The agency can also be something that can provide anti-bullying programming within schools.

Because, I just keep hearing about it so often from families, and maybe there's that silence and lack of response from educators and school administrators that needs more education themselves. And, I believe that schools should provide professional -- and, especially, non-professional -- staff members of every school -- yes, I think even public and private as well, that's my own little delusional dream -- some type of mandatory DEI class every year. After all, we all have internalized biases and prejudices, and we have to accept them. Sometimes we don't even realize that they're there, but they are, and even if they just manifest as microaggressions that cause teachers to remain silent, that's not acceptable.

Students tell me they see an incident, and the teachers or educators or staff members, bus drivers, lunch aides -- they don't intervene

and interrupt the situation. And, then, sadly, sometimes it doesn't just even manifest just with those microaggressions, causing the teacher to become silent, or the staff member. Sometimes it's the teacher or staff member themselves who are the aggressor. And, that's rare, I understand that, but I have heard incidences of that, where the bullying behavior actually comes from the educator or the staff member within a school. That is what I believe so strongly that we need DEI in-services, as well as an outside agency to help end these horrific situations. We need (indiscernible) to support our students -- all of our students, including students who look like my son; students who belong to the LGBTQ+ community.

Research repeatedly shows, going back--

ASSEMBLYWOMAN JASEY: I'm sorry--

MS. CLEMENTI: -- 20 years--

ASSEMBLYWOMAN JASEY: Jane?

MS. CLEMENTI: My final (indiscernible)--

ASSEMBLYWOMAN JASEY: Wrap up--

MS. CLEMENTI: Having a supporting adult can make all the difference, even recent Trevor Project research shows that.

So, we need to have supportive adults in our classrooms.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, thank you.

I know this is an issue that is very close to you personally, and we appreciate your continuing to work to prevent further tragedies.

If there is more that you want to add, you can give it to our staff to include in the transcript.

All right, we have two people left to speak: Laura Choi, Board of Ed. member, Greenwich Township; and, Dr. Jane Oost-ing, or Oost-ing, I'm not sure -- Professor of Nursing at City University of New York.

Laura.

L A U R A C H O I: Yes, hi everyone, I am grateful for the opportunity to speak to you today and share my perspectives.

I am going to try to get as much in as I can; I know everyone has their time as well.

I want to introduce myself. This is not to boast, but I want to share the perspectives that I am here-- I carry, that I am speaking from. I am a School Board member of the Greenwich Township School District. I want to preface that I'm here representing myself, and not my Board. By words are mine and mine alone. I am also here as the parent of a transgender young adult who is now 20, who socially transitioned a few months before Trump tweeted the anti-transgender military ban and the world started to feel less and less safe for my child and children like her.

I am on the Steering Committee of API Rainbow Parents, of PFLAG New York City. I support other Asian American families as they navigate this journey with their children. I am part of the Make Us Visible New Jersey team that successfully advocated for the passage of the historical curriculum bill that mandates the inclusion of Asian American history in K-12 public education.

So, we started our work at the height of the anti-Asian hate during COVID, amidst the xenophobic language that often led to violence targeted at our elders and our children. We were all afraid for the safety of our children in school, and our elderly parents in their communities, and

knew that we had to act at the education level to combat ignorance and disinformation. I am now on their professional development team who trains organizations and school districts to implement this new mandate, because we found a lot-- We found many obstacles to actually implement this new law.

And, by day, I work as a home instructor for a mental-health organization -- GenPsych -- that serves students across New Jersey who are on medical leave from school to focus on recovering from mental-health crises. And, where I see a disproportionate number of LGBTQ+ students. I am also a faith leader in my community, in the Presbyterian Church of the U.S.A, and I am currently pursuing ordination as a minister in our denomination. So, I am speaking from these experiences that I have, these identities that I carry, and the perspectives that I am able to share from.

So, this was added to this speech that I wrote just 30 minutes before I hopped on this call. We received an email from our superintendent of our high school, and it shows how seriously social media can be weaponized to impact the safety of our students in so many ways.

So, I quote, “Last night, the Lopatcong Township Police Department was informed of a threat on social media against an unnamed school. After investigating the matter, it was determined that the social media post was actually reposted by a former student who now resides out of state.” So, it was nothing, but the superintendent just wanted to make sure that the safety of our staff and students is their first priority, and they felt it was important to share this information.

That just happened today -- this morning. So, I wanted to share the experiences of my own child -- as a parent -- who socially

transitioned during high school. I am grateful for the acceptance and support that my child received at her school. While I had also been a strong advocate for all of her rights, most school districts in New Jersey adopted the Transgender Student Policy 5756 in the Spring of 2019. That includes the right to access facilities such as bathrooms and locker rooms. However, even for the best-intentioned schools, these necessary policies are passed without clear guidance on how they can accomplish these goals. My kid went to a supportive school with supportive administration who try to do all the right things. And, yet, my kid did not go to the bathroom for seven months in school, from September to February, because the school encountered barriers in converting single-stall bathrooms into a gender-neutral bathroom.

So, with the best intentions, the teachers-- And, I concur with so many of the speakers today that there needs to be training for teachers and staff as well. The teachers, especially those who have taught for many years but have not received training on these new policies or how to provide safe spaces and be safe adults for LGBTQ students, they might unintentionally cause harm. My student's English teacher, in sophomore year, outed her to me at an open house; showed me a piece of writing by my child who was just slowly coming out to their teachers and peers. She thought she was trying to be a good ally and ask me if I knew my child wanted to be called by a different name. She insisted that she would try her best to be supportive and safe for my child, for which I am deeply grateful. But, she didn't consider or ask if I was a safe parent. Because many-- Some parents are not.

And, there was another teacher who had been teaching for a very long time -- great math teacher, my kids love him as a math teacher --

but he would frequently make fun of my kid, and other queer students, because-- And, make comments, like, “Because these kids think they can do whatever they want. If they want to be cats, we should just let them.” So, those are things that I think lots of students are still encountering in schools.

My kid ran on a track team her freshman year, and then on the girl’s team her sophomore and junior years. Her coach was supportive, but I was terrified of other parents’ acceptance of my daughter running with their daughters. This was a few years before trans student athletes became a culture war, and I can’t tell you how grateful that my kid got to do what she enjoyed without the backlash from grown adults who now might see her as less than human.

And, I want to tell you a story about another sweet kid named Jax. I have permission from his mom to share his story. Jax was a freshman in high school when his district became embroiled in the book-banning movement in New Jersey, and they became the case study by *New York Times* for their podcast, “The Daily,” titled, “When Book Bans Came to Small Town New Jersey.” And, this happened in September ’21. Community members in Jax’s district who had been advocating against masking and vaccines started to show up at School Board meetings and demanded the banning of certain books that center on LGBTQ characters. Jax, who identified as transgender, along with his very brave and courageous classmates, counter-organized against book banners. Their supporters and their communities supported these students -- and the librarians -- en masse at subsequent Board meetings. At 15, Jax was able to come up with a very constructive solution to protect and support not only LGBTQ students in his district, but all marginalized students. He went through every single inclusive

policy and mandate line by line, identified every single one, and gave reasons for why each is important and made suggestions for the implementations for each, and presented it to his administrators.

And, Jax not only cared about his own inclusion, but the inclusion and affirmation of everyone else who had been traditionally excluded and marginalized, harmed by lack of policies that protect them. He, at 15, understood at a much deeper level than many of us that all of our liberation is intricately tied to each other's. And, while the rest of us try to make change and progress where possible, and sometimes, in teeny-tiny incremental steps, sometimes one step forward, three steps back while we compromise and negotiate and try to make sure to take care of the feelings of those with more power. But, Jax -- kids like Jax -- didn't have time to waste.

Jax-- I have sent, actually, the Committee the document that Jax created, the author of this amazing document. Jax took his own life a year later, in October of '22 at 16. And, I spoke with Jax's mom and a group of community members who loved him, and they thought that sharing this document with you would be the best way to honor his life. And, we can all use it to keep an account of how we're in compliance, and how inclusion mandates are being implemented.

I received a few more quotes, direct quotes, from a child psychiatrist who is also the founder of Make Us Visible New Jersey, and local counselors. I don't know if I have time to read all of them. So, several recommendations that I've included at the bottom, which included the recommendations by Dr. Kani Ilangovan, who is the founder of Make Us Visible, and a child psychiatrist and several counselors in the area -- school

counselors. They suggested wraparound support services for families and children at the younger age for prevention and intensity, as they get older. So, wraparound support.

And, I am grateful for the progressive policies that we're able to pass in our state, but we do lack points of accountability and implementation, which has been mentioned before. And, we are encountering that as we're trying to implement the Asian American history curriculum as well.

So, I am hoping that accountability of implementation of the policies are included in the policies that you pass, that we would consider including accountability measures along with the policies.

And, I have Jax's document to share with you all. I hope districts read it and hear it and just evaluate where they are at with their own policies, and how they are implementing. Sort of like a self-evaluation guidance by Jax.

ASSEMBLYWOMAN JASEY: Thank you.

I think you've given us a lot of insight, and issues to look at further, and I appreciate that. And, I especially appreciate your service as a Board of Ed. member. I think it is the hardest job out there.

Thank you for sharing your story, and I look forward to reading the testimony again. And, if you have anything additional to add to it, please send it to us so that we can share it with all the members.

Our last -- but not least -- speaker is Dr. Jan Oos-ting, Oust-ing? I don't know if I'm pronouncing that correctly or not. Ph.D., RN., Professor of Nursing, City University of New York.

And, it's hard to be the last speaker, but it's also an opportunity to cover anything that we haven't heard yet.

So, the platform is yours.

JAN OOSTING, Ph.D., RN.: Thank you so much.

I appreciate it, and I understand we're under the wire with time, so I'm going to submit my full six pages of remarks in a written format, so you can all take your time with them.

I really do appreciate you taking the time to address these important issues today.

I am Dr. Jan Oosting, my pronouns are she/her, as written there. I am a registered nurse and a nursing professor and, most importantly, a mom to three New Jersey teenagers in middle school and high school.

And, so, my testimony is from a health-care perspective, and also a focus on LGBTQ+ youth. As I mentioned, I am going to basically skip over almost all of what I was going to say today. I'll let you read it; a lot of it has been discussed already. And, what I wanted to move to is sort of the final words of my presentation.

We typically come at this from a place of crisis management, or after-the-fact discussion, as we are doing today, as opposed to addressing it from a place of what positive reinforcement we can prioritize. Specifically, I'm interested -- as I mentioned -- in health care, but even more specifically in LGBTQ+ youth as we've discussed today as well.

So, where do our students, our LGBTQ+ youth, find joy and strength? And, the Trevor Project has just let us know; released their 2022 survey, and it includes a list of places that these students -- these most vulnerable students -- find joy and strength. And, I have quoted and listed

all of the places that students cited in this very large study in my written testimony, so you can all read through them. But, some of the things they have cited as sources of joy are: community support; accepting and affirming friends; and school support systems; online communities -- so, a place we've talked about cyberbullying, but we've also talked-- Now I want to just bring up that these youth are finding support in their online communities; learning about LGBTQ+ history, which we've been in the forefront of in New Jersey; allies, they've discussed learning that they're not alone; supportive teachers; safe spaces in their schools; all-gender restrooms; and role models; art and art expression; dance; LGBTQ+ clubs on campus.

So, again, I have six pages of testimony that I won't read in the interest of time and not repeating, but I do want us to think about-- Not only do we want to neutralize these HIB issues, we want to actually come out with our students feeling celebrated for their individual identities, their individual strengths and resilience. These kids who are out here -- our most vulnerable students -- are also among our most resilient and who could have the potential to make the most impact on the world. And, that is something that they can't do if they're not here, and they're not healthy to do it.

So, I would love us to look at what are the ways that we can celebrate the individual joy, resilience, strength of our youth, and prevent the bullying that takes away that joy and that strength and that empowerment, because we want our students to thrive, succeed, find their strength and joy. Because, we know that oftentimes, the most vulnerable folks grow up to be the ones who have the most creative, dynamic, impactful, successes in the world, and I really just-- I wanted to leave us today with that kind of positive energy, because so often we talk about the disparities and

discrimination that we face in our vulnerable youth, and, I also just want to talk about their strength, their joy, their optimism and power, as they move forward into their adult lives.

So, again, I will provide my six pages of written testimony as well, but I really do thank you for your attention to this important issue today.

ASSEMBLYWOMAN JASEY: Thank you so much for that.

So, that gives us a little bit of time if members would like to pose questions, make comments, ask for additional information.

SENATOR CRYAN: I would.

ASSEMBLYWOMAN JASEY: Yes, Senator Cryan, my Co-Chair.

SENATOR CRYAN: Well, let me thank you, Chair, and to everyone who spoke. The perspectives were, in just about each and every case, unique and valuable.

Just, thank you all. It's been an illuminating and educational day, and I think it's safe to say we're all grateful for it.

I wanted to go back to Debra, Debra Bradley, if I could. I just want-- I always like to try to gain a perspective on statistics. And, maybe that's fair or unfair a little bit. And, I was just going to ask if these sound right.

I saw a report pre-pandemic, 2018-2019, the total is 17,000 bullying cases with 9,900 not confirmed; 7,200 confirmed. Does that sound, in your experience, about right, in terms of this area, or is that an unfair question? Or, if anybody else has a sense of it.

MS. BRADLEY: I'm going to ask Dave Nash to jump in, since he has had a lot more experience on a statewide level with the cases.

MR. NASH: That does sound accurate. I don't have those figures in front of me, but that is in the ballpark of what they would have been.

SENATOR CRYAN: OK, so, that's really like-- I was surprised at the amount of cases not verified. I think that's something that the bullying taskforce needs to take a look at, as to how that works. There was a lot of discussion today about frustration from parents. I wonder how much of that lies-- And, again, pre-pandemic number.

And, basically, one for every 200 students? Does that sound about right in the State of New Jersey? Just to give a perspective?

MR. NASH: That does align with the data that we have.

SENATOR CRYAN: OK.

One other quick question in terms of data, and it's for Principal Eyler. Eleven hundred-thirty-two students you mentioned -- by the way, thanks for your testimony -- 15, either 7 and 8, wanting either providing or receiving mental-health services, a little over 1% -- 1.5%.

Does that sound about right, in terms of a perspective statewide, for those of us who just have to look a little bit broader? Or, from your work as principal, and what you know about it, does that seem right? Or, are (indiscernible)?

MR. EYLER: I don't feel comfortable speaking on a statewide perspective of that. I can tell you, for me, that yes, that is-- Those are the statistics.

And, I would venture to say, because of the amount of mental-health counseling -- both proactive for situations, and also reactive -- if I had enough staff that that number could increase dramatically--

SENATOR CRYAN: That's what I was--

MR. EYLER: --those are the things that's really holding us back, is not having access to the necessary mental-health professionals.

So, if you tell me that I have 15 slots, I could fill 15; if you told me I have 25, I could fill 25. It's just a matter of getting kids that access.

SENATOR CRYAN: And, that's what I wanted to kind of understand and ask about.

In a moment, I want to ask you about the proposed hub-and-spoke approach on mental-health services. If there's a thought on that; are we-- With that proposal, are we beginning to address this issue on a better-- But, I do just want to share our perspective.

And, Madam Chair, I know we're going through a change in leadership, but, boy, I would love to do a hearing on just the social media companies. This is just me, I speak for myself, but I believe they are complicit in crimes. And, one of the few things I disagreed with Mr. Nash on was the perspective that there's-- If you're a 12-, 13-year-old kid, and you can't get up in the morning unless you're worried about whether you're going to get beat up or crucified each and every day for what you do, that can lead you to the potential position to take your life. I know there may be other things, but, really, I believe that that can actually be its own cause, and I believe they are complicit.

I'm actually going to drop a bill on kids and taking videos of fights and things like that to hold them somewhat accountable, knowing

full well it's got no chance of passage, but hopeful that it begins a discussion. Because, I think this idea of young people -- and, not all young people -- but hoping that they'll be viral by taking, creating an Instagram account that lasts for 48 hours and then becomes untraceable, and that they'll be some sort of influencer or star instead of jumping in, which we used to do in the day, and preventing a fight, has got to change. That culture has got to change. It's not the only concern, but it's part of the problem, and I really, truly believe that the social media influence here -- the phone, the 24/7 -- you can't even go in your room anymore and be alone. And, I think that's a big piece of this that's-- They don't own enough of the accountability for some of this stuff, in my view. Others may feel different, but I don't want to be shy about it.

But, that said, the hub-and-spoke approach-- Anybody have any comments on that, in terms of how it is potential aid for mental health? Does it look like it's promising? Should we review it further?

Anybody got any thoughts?

MS. BRADLEY: I--

MS. KINSELL: If I could weigh in for a second. I'm sorry, Deb.

MS. BRADLEY: Go ahead.

MS. KINSELL: I mean, this is another one that could take hours, but the short--

SENATOR CRYAN: Yes, short--

MS. KINSELL: --question is, as far as prevention or classes or social-emotional learning, those kinds of pieces, I'm sure it'll be great. As far as direct intervention, the type of mental-health support that kids are

going to need, especially in the building, in their local community, I have some doubts about.

SENATOR CRYAN: OK.

Deb.

MS. BRADLEY: I would weigh in similarly. We're cautiously optimistic about getting it in place by September, but we do feel that getting something available on a regional basis, in terms of preventative services to school districts -- many school districts may not have them available to us, so we welcome that -- but, we also do believe that school-based youth services is a much stronger approach. We just can't afford it in the state. We only have, I think, about 90 schools -- not even school districts, schools -- who have those programs. And, I think that's the stumbling block, is the ability to put that in every school building.

So, we're working hard with the Division of Children and Families to provide feedback to them as they set it up. But, we hope that it's going to work.

SENATOR CRYAN: Two other -- three other very fast points, all right, and I will be quick, because everybody has waited.

One: My last question will be to you, Shannon, on the digital citizenship. I'd love to hear a little bit more about that; I thought it made a lot of sense.

But, before that, principal Eyler, you talked about your school is a "no place for hate," in a school culture. How do we-- First off, do we track data by school? I mean, I hate to call somebody out, but I think most folks looked at the Central Regional situation and said, "This is not a

place that I think is appropriate for supports,” let’s put it at that. I think most folks looked at that.

Is there data by school? Is there data by district? What is the definition of “no place for hate?” Is there some sort of-- I saw some of the data very quickly that Ms. Choi sent over from Jason, but I didn’t really get a chance -- or, Jaxson -- that I didn’t really get a chance to read.

But, is there a defining definition somewhere that a parent could look at, or, say, a legislator, and feel that there’s some sort of comfort level, or is it individual? And, is there any data by district?

MR. EYLER: So, I would respond to that with, for that particular program, “No place for hate,” it is coordinated by the Anti-Defamation League, and they have a protocol that schools have to go through in order to receive that designation. But, it is not something that is up and down the State of New Jersey. Every school doesn’t apply for it; it’s an opt-in program.

In terms of school climate, I can really just speak in data for that point. I can really only speak for my school. We administer a school climate survey to students, parents, and staff in the beginning of the year, the middle of the year, and the end of the year. And, then, our school Climate and Diversity Team -- which is mandated to have through legislation -- they then review that data, come up with recommendations as to areas where we are doing really well and areas that we really can improve on. So, it’s very much done internally, and school Climate and Diversity Committees are understanding that even each school has a different culture than the next and needs to work on different things. I think it’s really important. My colleagues

in administration, principals, kind of are at the helm of that with their committees and administering those surveys.

I can tell you, at least in our district, every building does a climate survey the same way I'm doing it -- beginning of the year, middle of the year, end of the year. But, outside of Matawan-Aberdeen, I would defer to my colleagues at NJPSA for any data they may or may not have that we can investigate that.

SENATOR CRYAN: How much time does that survey take?

MR. EYLER: The survey, in total, probably takes an individual person 15 minutes or so to complete.

The data is then put into a spreadsheet, and we used to be a part of the "School Climate Transformation Project" through Rutgers University, so we have maintained that same survey so that every year we're administering the same survey to understand where we may or may not be growing; where we may be regressing; where we may all of a sudden be opening up a cavern. The difference in data pre-pandemic and post-pandemic was having our focus placed into completely different areas.

So, the actual evaluation of the survey takes-- We meet three or four times for an hour each session just to go through the surveys, but for an individual, 15 minutes should be plenty of time to complete it.

SENATOR CRYAN: So, there's a district commitment.

MR. EYLER: Yes.

SENATOR CRYAN: OK. And, that is the choice of each district?

MR. EYLER: Yes.

SENATOR CRYAN: OK. That will be something for us to consider.

Second to last -- and, I'm not sure how to word this not meaning -- I don't mean to be insensitive, so I'm not really sure I'm going to be politically correct. The numbers I mentioned were pre-pandemic, and we talked a lot today about the child that's post-pandemic. And, I understand that there's a difference, but this situation has been here-- 17,000 cases reported in the full school year before the pandemic is a significant issue in the State of New Jersey, and I think all of you would agree it's underreported.

Is it violence? Is that the most predominant thing post-pandemic that we see? Is it really just an isolated student now acting up, or is there-- I'm just trying to grasp the understanding of the issue and the most recent losses of life. I mean, there was bullying when everybody on this call or on this Zoom was in school, right? That doesn't make me a crusty old man, it just-- Now we understand it; now we report it; now we talk about it.

Does that -- is it *so* different-- I mean, just as somebody who is trying to understand it, or doesn't have kids in school any longer, is it that different? Can somebody just kind of comment on that, or am I--

MR. NASH: Senator, I think that the scope of the issue has become a greater challenge now. So, the erosion of social skills has led more situations to escalate to, in some cases, violence. The isolation that students felt in the pandemic led more students to turn to social media, and led to an increase in cyberbullying issues.

So, you're absolutely right, these issues have been there for quite some time. There was an accelerator that we saw because of that pandemic.

SENATOR CRYAN: Does everybody agree with that? I'm just curious.

SHANNON CUTTLE: If I may, Senator.

So, one of-- Agreeing with Mr. Nash, the other challenge-- I think you mentioned the numbers before, pre-pandemic, and I definitely believe that they're underreported.

I mean, just from a perspective of being somebody as an advocate, and being on the other side, knowing that schools -- some schools -- are the numbers that they're reporting, and I always say -- and, Assemblywoman Jasey knows this -- that if a school says that they grade themselves an A, or they say that they have only had five cases for the whole year, I am not going to say "well done" to that school or that school district. I am going to say, "What are you missing? What are your real numbers? How are you really advocating for kids in the school?" And, the district that grades themselves a C, or reports 100 cases, I'm going to say that's actually data collection. That's actually-- You're trying to make an effort and what you're doing is trying to analyze and see where you can best support students.

That's part of the problem. Because some of the schools, with the reporting, see themselves in a light, perhaps, where if they report heavy, they will be penalized. And, the gleaning of that, what that looks like-- So, the numbers are different.

In regards to what you're saying, in regards to, are our students really suffering more? They are, because within the past five or six years, there's research that also shows -- and data -- that the impacts of using social media, how kids are attached to their phones and devices in ways, have actually changed some parts of not just how they communicate with each

other, but actually fundamentally have changed some of development within their brain and how they interact with this world. That's why I mentioned looking into, perhaps, legislation that adds to our toolbox of digital citizenship supports.

SENATOR CRYAN: It's a concept-- I'll follow up with you. I've gone on too long.

Thank you, Madam Chair, I appreciate it.

But, by the way, a lot of heads shaking yes, Shannon, to your comments. And, I appreciate everybody very much today.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, Senator. As always, you're right on top of things.

Other members -- questions? Comments? I think probably we're all pretty sobered--

MS. DiBENEDETTI: Assemblywoman Flynn has a comment, Assemblywoman.

ASSEMBLYWOMAN JASEY: Yes, Assemblywoman.

ASSEMBLYWOMAN FLYNN: First of all, thank you Assemblywoman, thank you Chair, Madam Chair. Thank you for everyone who participated today.

This is a topic that we can go on for days, and I think it deserves more of our attention, so I want to thank you all for distilling a difficult topic into so few points as quickly as you did.

I agree with the Senator, I wrote down on-- I think we need to do more with the cellphones. As you all know, I hate repeating myself, but I am a former Board member, I did sit there; I was a Board

member when the HIB law did come into effect. I understood-- I thought I had a responsibility to report and, to Shannon's point, I think people weren't reporting. So, I think one of the data points I think we should pull out and request if we can, because the DOE does collect it, is -- and, I don't know if they collect it to this level -- but, who is reporting? Because, I think the schools depend a lot on the kids or a parent to report, and it's not coming from the people who are in the buildings all the time reporting that stuff. So, I think we need to look at that. Because, I think that's what leads to underreporting.

I mean, even the kids don't want to report because they say nothing is done, or, "I don't want to be pulled in." There's so many barriers to reporting an incident. And, then, one of the things I think I try to educate people about-- like I've talking about with our own colleagues -- whether or not something's bullying under HIB laws. That kind of comes later, after something has already happened. We all know about the incident with the assault in the hallways that led to this young woman going home and killing herself a day later. That incident -- good, bad, or different -- that wouldn't have been labeled harassment, intimidation, and bullying until much later in the process.

The issue I think we really have is how are we -- and, especially with talking about how the brains of these young children post-pandemic, with a phone in their hands -- how does it change? What do we have to do in the student conduct, like that conduct, and the rules, to address that behavior right away? Because we know if you don't address it right away, you're going to lose that learning opportunity down the road.

So, I think we have to somehow figure out to get away from and get people to understand, unless we encourage schools to define bullying as a student code of conduct right at the beginning. Mr. Nash, he's a lawyer like myself, so he gives you the lawyer explanation about harassment, intimidation, and bullying, and it might not fall in-- It's like a hostile work environment. Is it a hostile school environment? And, you have that protected classification. And, so many-- When I was a Board member, even when a kid was terrorized by a bunch of students, it didn't constitute harassment, intimidation, and bullying because it wasn't a protected classification. It wasn't directed at him because of something.

I would always ask everyone to search for something, because we would get the parents coming in screaming at us that their kid, who was experiencing a bad fallout mentally from that event, that wasn't-- And, they can't get to school, and it impacted their lifestyle. They can't-- We're not saying it's harassment, intimidation, and bullying, so we're not validating that need; a parent or a student needs to say, "I've been subject to something that's really derailed me." It's different than a fight, where someone-- It's almost over. It's the psychological element.

But, I don't want to go on. The few questions I think we need to know -- and, I know, Principal Eyler, let me ask you this to kind of give some flavor to the members here. How many people do you have on staff to address mental-health needs in the high school? And, kind of tell us how many students are in your high school. Because, I can share what we did in Holmdel, but I want to hear from you.

MR. EYLER: Certainly. I have just over 1,100 students in my building right now. I have five counselors who serve as academic

counselors, but also social-emotional supports. I have four child study team members, three of which are able to provide mental-health support for students. One of them is an LBTC, who, by job description, is not permitted to do that. I have a specialized program in my building that offers intensive counseling to 18 of our highest-need, highest-risk students. And, then, I have partnerships with several local agencies -- CPC, the YMCA -- that we bring them in, also, and they offer supportive counseling services also.

So, in terms-- I'm sorry.

ASSEMBLYWOMAN FLYNN: Do you feel like that's something that's replicated? I know you have the Monmouth County roundtables. Is that something that's replicated in all the schools?

MR. EYLER: I feel, without the data in front of me, I feel comfortable saying it is not.

ASSEMBLYWOMAN FLYNN: Right.

Because, it's an expensive endeavor; it requires a lot of time, a lot of planning, a lot of effort. And, that's why, again, pre-pandemic -- Senator Cryan, to your point, you were talking a little bit earlier -- we were already investing in this, in Holmdel, when we were on the Board. And, we found that we needed more of a social-- Someone just very focused, not doing case manager reports, doing everything plus trying to provide services for someone who is in emotional need. We needed it in our building with the fourth-, fifth-, and sixth-graders, because they kept getting pulled. The person we hired from Rutgers-- We had one person who was going to be there two days a week; he ended up being there five days a week. We ended up having to pull them down to the building, the four, five, six building. That

was pre-pandemic. And, it was a significant investment, so every year we were building to do that.

Schools don't have those resources to do that. That's one of the things I think we as a Legislature have to figure out, how we're going to help them. I mean, I guess, because I think they need someone. And, that's a complaint I hear from a lot of other superintendents and principals, is that they don't have the staff to handle what they need to handle right now to create that safe environment for kids who are suffering through many different -- their own issues.

And, that's the real-- I think it handcuffs the principals to create that climate. I mean, Mr. Eyer is probably-- His staff is probably spending gobs of time to do it, but that's a huge commitment. But, I don't know what we can do legislatively to have something -- like I always say -- replicate what's working there.

But, that's about it. I just-- Again, I think we should try to pinpoint some of the data, talk about-- I agree with Senator Cryan about putting pressure on these social media sites who literally target our youth in this capacity. I mean, it is what it is. I think Congress is making an attempt at it; I was talking to someone today about it.

But, I think we can do better here. I think the cellphones need to be-- When you take cellphones away from these kids, they're like so addicted to it. It has similar reactions. So, I think if they could get a break during the school day from these cellphones, then-- We sadly got them so used to being on a Chromebook, and learning in that capacity, we now have to, I think, reverse it; go a little old school. That's my advice.

But, I also think we have to look at, legally speaking, the HIB law is not something that really validates a parent or student's belief that they are being -- how they're being treated. So, maybe we could talk about how we could make the code of conduct be something a little bit with more bite, so it's addressed right away, and not wait for the HIB law designation - - which, again, to Shannon's point, I agree with you Shannon. Reporting seven cases a year, or whatever, and saying, "Look at me, we did a great job," that's not it. We all know there's underreporting, and we all know -- and, that goes back to what I started with -- people don't report.

So, I think we need to start looking at who is reporting, and if we're not seeing enough in-school reporting going on, then that's a problem. Because, us as parents, we're not in the buildings; we can't see what's going on; we're so dependent upon what our kids or other people are telling us.

So, I'm hoping the conversation continues. And, any other ideas anyone has, I appreciate to hear them.

Thank you.

MR. NASH: Assemblywoman, just one quick comment.

One of the things that we always stress is that while an HIB investigation is going on, school principals will very often respond to issues that day, that moment, because you can confirm -- in many cases -- a code of conduct violation instantly, that moment, that day.

ASSEMBLYWOMAN FLYNN: I agree with you, except that, personally speaking -- both as a Board member, both as a parent -- I have seen it not happen that way.

MR. NASH: And, that is something we do lots of training on to help everyone understand.

ASSEMBLYWOMAN FLYNN: I'll tell you, my 12th-grader is still in their classroom despite who I am with my big mouth, with the kids who tortured her for, probably, years on end. Absent me suing them and telling them to do their job, I don't know what to tell you. The fact that that happens to a kid like my kid scares the hell out of me, because it's probably happening to so many other kids and it's really unacceptable.

That's the other thing: There's no accountability. I think that's why, to Shannon's point, no one wants to report a lot because someone is worried that something is going to happen to them, and we have to take away that stigma, because nothing's going to happen. We need truth. We need-- You can't change a climate in a building unless you actually see what is going on in that building. And, kids shouldn't be forced to learn in these buildings with these climates that aren't conducive to learning, and that's what they are struggling with right now. And, I think that's the other thing that's probably impacting test scores. But that's a whole other subject.

ASSEMBLYWOMAN JASEY: Clearly, we've hit a nerve here. I know that Assemblyman Simonsen has a question.

Assemblyman?

ASSEMBLYMAN SIMONSEN: I'm just going to make a brief comment, as-- And, I do have a little background. I was a vice principal when the HIB law passed, and I have about a decade as a bullying specialist as well as doing the reporting.

And, I agree with a lot of it. I mean, one of the issues is I think some schools are better equipped through their trainings. The trainings

that I took were very good, and I can tell you that I was part of many positive, that were found bullying, and many that were found weren't bullying, due to both sides. You get two sides to every story.

But, I do agree with the reporting, because I would go over the numbers throughout the state, and I remember other administrators saying, "Hey, how come our numbers are so high?" And I said, "Because we're honest about what we report." And, looking at some schools, especially in some of the schools that I knew had more discipline issues -- not just bullying, but discipline issues -- saying that their numbers were lower. But, again, you have to worry about yourself when you're doing that job, and the school that you represent.

But, there needs to be -- there definitely needs to be some sort of monitoring as far as we monitor test scores; we do QSAC and monitor other things; and it seems like that's fallen short as far as the administrators that -- to a couple points. And, there's been a lot of great points made today; it's been long, so I'll finish up.

If the school districts are training those administrators or whoever their bullying specialists are properly, and having them take the proper-- And, I think sometimes corners get cut, and that's where you have the issues. And, I would bet you that in the most serious incidents that we've talked about here, that those people who handle the investigations-- And, listen, I spent weeks sometimes, not just the 10 days, but we spent a lot of time investigating and interviewing and talking to parents and getting permission for things and working with the school resource officer and so on, and so on, and so on, to make sure these bullying investigations were thoroughly carried out so that we had the proper outcome -- whether it was

a suspension, whether it was a suspension plus a psychological evaluation, or whether it was a suspension plus a psychological evaluation plus a charge by the police. They all vary depending on the severity of it.

Anyway, I will leave it at that. I think that the monitoring of how well the schools are trained, or those individuals carrying out the HIBs are trained, would definitely have a huge impact on it. And, I do agree that the reporting isn't always-- You can't worry about what it looks like number-wise. If they're there, you carry out the investigation, it either is or it isn't an HIB, and you report that accordingly. And, I do agree that that's one of the issues. And, I'll leave it at that for now.

I do want to mention one other thing. I also have a bill I'm working on, I worked on it with my school resource officer, involving cellphones in some of these incidents -- and beyond -- but I will leave that; I will reach out to the Senator's office, and maybe we can combine, because his sounds like a great idea as well. But, maybe we can incorporate all of the two bills into one on the Assembly and Senate side. But, again, I can take care of that at a later time.

Thank you for your time, I appreciate everyone who testified here today.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, Assemblyman.

I know that Assemblywoman Matsikoudis has a question, and yours will be followed by Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN MATSIKOUDIS: Thank you so much, Chair.

I actually don't have a question, I have a comment or two that I'd love to make.

First of all, thank you so much. This has been hugely, hugely insightful. I am actually looking forward to even reading the written testimony, because I'm sure I missed words in between that I would really like to catch up on. So, thank you so much for that.

A couple of things -- many things stuck out to me, but one of the things-- It was interesting, just yesterday I got a phone call from a constituent, asking me to write a letter of recommendation for their child to go to another high school because they are being bullied. Talk about timing. That breaks my heart. This is such a huge issue, I think, and to say it takes a village is just not even enough.

And, a couple of things, again, that stood out to me were--
- Sometimes when a kid is bullying, there's different kinds of parenting, right? There's the parent who says to their child immediately, "What did you do?" which was me. My kid was always wrong. Then there's the other parent who says, "Not my child." So, I feel like a lot of-- When we were talking about mandatory parent-student training, I think it's hugely important to bring these parents in, because if they are the type of parent who says, "No, not mine" or they're just not aware of what's going on -- which happens in a lot of cases -- I think these things are hugely important. Because, let's be honest, these things tend to go from the top down. Not that the kids are learning this from their parents, I would never say anything like that because I don't believe that's true, but I do think that the parents have to be interactive with the kids to help correct some of this.

And, the other thing is I am a parent of a child who has special needs. She went through early intervention, and she did remarkably well. So, I think that early intervention, even in this space, again, is *hugely*, *hugely* important, and I cannot state enough that I think a lot can be overcome with the proper education to, again, parents and children to make everyone get on the same page and understand the right way to treat others with kindness, respect, and love.

So thank you, thank you again. I really appreciate this.

ASSEMBLYWOMAN JASEY: Thank you, Assemblywoman.

Your points are well taken.

Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Yes.

I want to thank all of the brave people who came on today to share their stories, their personal testimonies.

I am a person who was bullied from the age of 13, 14, and 15. And, that was grades seventh, eighth, and ninth grade. It wasn't that I was a shy kid, but, again, I think when you are that age, you are just finding your voice, so you don't know who to talk to, or, am I just being sensitive?

And, so, you don't know what to do. And, I think that was a couple decades ago, and, so, let's fast forward to where we are now with the pandemic; with our students lacking those social skills, but they still have that sense of belonging. And, so, I've seen where you have some, the bully-er and the bully-ee -- they can be friends one moment and then they can be kicking their chair or pulling their hair or being mean in other ways. And, then, the student just wants to be friends.

So, it's hurtful, though. And, so, I wonder where we start to see the trend in uptick from elementary school to middle school to high school. But, it is that culture within the school district that we're talking about. And, how does the average student who doesn't have us -- because we're all, on this call, we've spoken up about our thousands of students who don't have that support to speak up. And, this is where we're looking to the teachers, to the principals, to be those eyes and ears in those supportive services that they need.

And, I feel that's kind of where we are lacking. So, Shannon, I appreciate all of the information you've given, but we have so much more work to do, because we can plan, we can legislate, but if we're not getting to those students to help the bully-er, it's still an ongoing problem, and so we have a lot of work to do, but I am so, so appreciative of all of the stories you've told us today, and it only impassions me more to continue the work that we're trying to do, and that's to protect all children, and may they live long and have healthy, productive lives.

ASSEMBLYWOMAN JASEY: Thank you, Assemblywoman.

I think that's a very good-- Your points are good points to conclude on.

I have one comment, and that is I kind of feel like we're going to need a follow up, because we have-- We've heard a lot of information today. And, I feel that is-- We didn't talk about race, specifically, or religion. And, I have to believe that, unfortunately, in the world that we're living in, that these are also factors that may well be resulting in the bullying of

students who are otherwise at higher risk in addition to those with disabilities or those who are LGBTQ.

So, I think that there's more for us to talk about here, and I think that, also, we have to find a way to find the resources and the support that administrators, Board of Ed. members, and students need. Because, I think we've probably only kind of uncovered the tip of this iceberg.

I also want to-- I want to thank everyone who took time to prepare and share your information with us today. As I said, we will have a full transcript, written transcript, because I find that we hear a lot during our meetings, we get a lot of information, and this makes it easier to go back and say that we need to explore this or something else more deeply.

I want to thank Becky and Ivy for putting this together. It's another great meeting; you've done a wonderful job, you've pulled together a diverse set of experts for us to hear from.

And, I think -- I have a feeling that I see Assemblyman -- sorry, Senator Cryan, nodding his head. I think we have a lot of work to do here, and I think we have to be very aware of not burdening our administrators and our districts with more requirements without the resources.

So, you know, it's complicated. But I think that everyone on this call -- all the members on this call -- have benefited from the information you have taken the time to share with us today.

Thank you very much, and, unless there is-- Senator Cryan, would you like to say anything?

SENATOR CRYAN: I am very grateful, thank you to all of you, thank you.

ASSEMBLYWOMAN JASEY: Thank you.

Thank you, and everybody, take care of yourselves. We'll see you next time.

(MEETING CONCLUDED)