

PUBLIC TRAINING ON New Jersey's Anti-Bullying Bill of Rights

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160,000

children are absent each
day due to

BULLYING

This Presentation Will...

- ▶ Provide a brief overview of the genesis of the new law
- ▶ Review the requirements of the Anti-Bullying Bill of Rights
- ▶ Provide an overview of what bullying is and what it is not

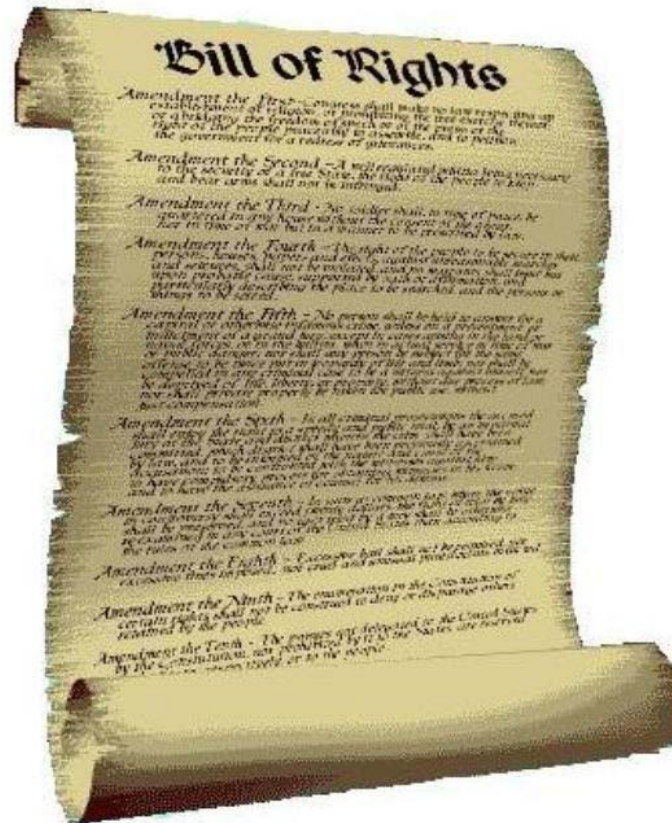
L.W. vs. Toms River Regional School District

- ▶ 1999 – 4th grade student taunted by classmates – “gay”, “homo”, “fag”
- ▶ April 2004 – initial decision dismissed the complaint – Division of Civil Rights
- ▶ Parents appealed
- ▶ February 2007 – NJ Supreme Court issued a landmark ruling

Context

- ▶ Commission on Bullying in Schools established in January 2008
- ▶ Commission sent its recommendations to the Governor in December 2009
- ▶ Tragedy at Rutgers in September 2010
- ▶ The new law was introduced in October 2010; amends the 2002 anti-bullying law
- ▶ Signed by the Governor in January 2011
- ▶ Primarily adds requirements

Anti-Bullying Bill of Rights



THE GOAL: To help districts create an environment which minimizes bullying.

NEW DEFINITION

N.J.S.A. 18A:37-14

“Harassment, Intimidation or Bullying”
 (“HIB”)

- Includes ANY gesture, or
- ANY written, verbal or physical act, or
- ANY electronic communication
- Can be a single incident or series of incidents

Definition – cont'd

Must meet **all three** of the following:

1. Is reasonably perceived as being motivated by *ANY ACTUAL OR PERCEIVED* characteristic, such as:
race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or
mental/physical/sensory disability, or
**ANY OTHER DISTINGUISHING
CHARACTERISTIC**

Definition – cont'd

2. LOCATION OF INCIDENT:

- On school property
- At school-sponsored function
- On a school bus
- Off school grounds (including cyberspace)

Definition – cont'd

3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students.

Definition – cont'd

AND....

MUST MEET **ONE** OF THE FOLLOWING
CONDITIONS

- Has effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property **OR**
- Has the effect of insulting or demeaning student or group of students **OR**
- Creates hostile educational environment for student by interfering with student's education or by severely or pervasively causing physical or emotional harm to student

DISTRICT STAFF FUNCTIONS

ANTI-BULLYING COORDINATOR (ABC)

DUTIES

- Coordinate and strengthen policies
- Provide data to NJDOE
- Meet with anti-bullying specialists

ANTI-BULLYING SPECIALIST (ABS)

- ▶ Principal appoints
- ▶ Responsible to LEAD investigations of reported HIB incidents

SCHOOL SAFETY TEAM

Formed to develop, foster, and maintain a positive school climate, including HIB issues

- ▶ Meets at least 2x per school year
- ▶ Chaired by Anti-Bullying Specialist
- ▶ Includes:
 - Principal or designee
 - Teacher in the school
 - A parent of a student in the school, and
 - Other members as determined by Principal

POLICY AND PROCEDURES

DETAILED, SPECIFIC TIMELINES

- ▶ Verbal report must be made to principal on same day incident occurs
- ▶ Follow-up written report within 2 days of verbal report
- ▶ Principal must initiate investigation [within one school day of] *immediately upon* receiving report.

New Investigation Procedures cont'd

- ▶ Conducted by Anti-Bullying Specialist
- ▶ Completed no later than 10 school days from date of the written report.
- ▶ Conclusion reported to superintendent within 2 school days of completed investigation

New Investigation Procedures cont'd

Superintendent must...

Report results to Board at next board meeting following completion of investigation, along with information on action taken or recommended

Parental Rights

- ▶ After report to the BOE, the District has 5 days to report information to the parents (letter sent)
- ▶ Parents are entitled to know:
 - Nature of investigation
 - If HIB was found; and/or
 - Whether discipline /services were provided

WHAT HAPPENS IF PARENT DOES NOT AGREE WITH FINDINGS????



DUE PROCESS RIGHTS FOR ALLEGED ACCUSED AND ALLEGED VICTIM(S)

- ▶ Parents have the right to request a hearing before the BOE after they receive letter

Must be provided within 10 days of request in executive session

What Is Bullying?



TYPES OF BULLYING

- ▶ DIRECT – hitting, taunting, name calling
- ▶ INDIRECT – rumors, exclusion, cyber bullying

DISTINGUISHING AMONG...

- ▶ Rough and Tumble Play
- ▶ Real Fighting
- ▶ Conflict
- ▶ Bullying

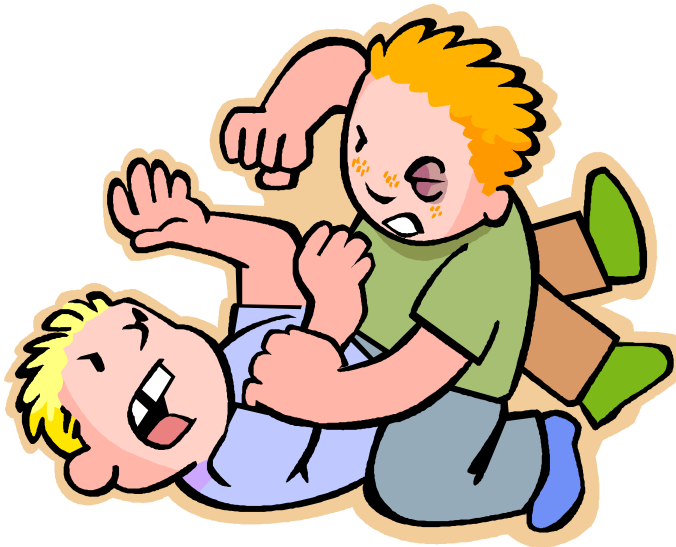
Rough and Tumble Play....

- ▶ 2 or more students hit, push, threaten, chase, or try to wrestle with each other in a friendly, nonhostile, playful manner
- ▶ "It's fun" "I like it" "It makes me laugh"
- ▶ Participants are usually friends and like each other
- ▶ Rarely develops into real fighting



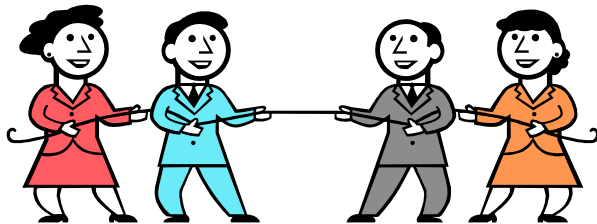
Real Fighting....

- ▶ Typically a one time event between 2 parties of reasonably equal strength or power



Conflict

- ▶ “Mutually” completive or opposing action or engagement
- ▶ Includes disagreements, arguments and fights
- ▶ A normal part of growing up and of life



Bullying or HIB is...

- ▶ One sided
- ▶ Can include a real, but uneven fight (imbalance of power)
- ▶ One or more students are victims of one or more person's aggression
- ▶ The intent is to physically or emotionally hurt someone.



Ultimately.....

It's a
question
of rights.



Cyber Bullying is ...

"The act of sending or posting harmful or cruel text messages, emails or images using the Internet, cellular telephone or other digital communication devices in order to threaten, harass, embarrass, socially exclude or damage reputations and friendships."

Morris County Prosecutor's Office



What Students Say...

“Cyber Bullying is not really Bullying!”

“You Can't See Me!”

“I Can't See You!”

“Everybody Does It!”

“It's Just a Game!”

“It's Not Me It's Just My Online Persona!”

“Sexting is a cool thing to do”



It *is* possible to reduce bullying.
It requires a *team* effort.
It requires a long-term
commitment.



THANK YOU



DARE TO TAKE THE ROAD LESS TRAVELED