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Anti-Bullying Bill is Signed into Law

The Anti-Bullying Bill of Rights ([A-3466](#)), which passed both houses of the state Legislature by an overwhelming majority, was signed by Gov. Chris Christie on Jan. 5. The law, which strengthens previously enacted legislation, is designed to combat harassment and bullying in schools through training, instruction and a detailed reporting procedure for bullying incidents.

The New Jersey Department of Education is expected to issue regulations regarding the implementation of the law.

While NJSBA supported the bill based on its policies on student health and safety, it did cite the additional administrative burden that the legislation would place on school districts and called for several amendments.

The act contains numerous provisions that impact school board members and school districts, including:

- Requires all school board members, teachers, and administrators to complete anti-bullying training. NJSBA will provide required training to school board members. NJSBA will ask the state education department to allow training to be included in the state-required programs that board members already complete, rather than through a separate program.
- Includes harassment, intimidation and bullying as reasons that would constitute “good cause” for suspension or expulsion;
- Members of the school board are among the people who may not engage in reprisals against victims or witnesses of acts of harassment, intimidation or bullying, and are required to report such acts to appropriate officials in the school district;
- Requires school districts to establish bullying-prevention programs or approaches (as compared to current law, which only “encourages” school districts to establish such programs);
- Provides that a school district’s policies must include appropriate responses to actions of harassment, intimidation and bullying that occur off school grounds;
- Requires the school superintendent of each district to appoint a district anti-bullying coordinator. The law also describes the responsibilities of the coordinator;
- Calls for each school district to form a school safety team in each school in the district to foster and maintain a positive school climate within the schools;
- Amends the definition of “harassment, intimidation or bullying” to specify that the “harm” that a student may experience could be either physical or emotional, and to add two additional criteria to the definition: the creation of a hostile environment at school and



the infringement on the rights of the student at school;

- Adds a conviction of “bias intimidation” to the list of crimes for which a person may be disqualified for employment in a school;
- Calls for candidates for school administrator or teacher certification to be required to complete a program on harassment, intimidation, or bullying prevention by the 2011-2012 school year, and that the training will be a part of the professional development requirements for those individuals;
- Provides a detailed procedure that must be included in each district’s policy concerning the investigation of incidents of harassment, intimidation or bullying;
- Says that a school administrator who fails to initiate or conduct an investigation of an incident, or who should have known of an incident and fails to take action, is subject to discipline;
- Provides that a school employee or contracted service provider must file a written report with the school principal within two days of observing or being made aware of an act of harassment, intimidation, or bullying;
- Provides that the principal in each public school must appoint the currently employed school guidance counselor, school psychologist or another similarly trained individual as the school anti-bullying specialist. If there is no employee who meets the criteria, the principal must appoint another currently employed individual in the school to the position of school anti-bullying specialist. The bill also sets forth the responsibilities of school anti-bullying specialists;
- Creates the “Bullying Prevention Fund” in the state Department of Education to be used to fund grants to school districts to provide training on bullying prevention and effective means to create a positive school climate;
- Designates the week beginning with the first Monday in October of each year as a “Week of Respect” and requires districts to observe the week by providing age-appropriate instruction focusing on preventing bullying;
- Provides that the school superintendent provide a violence, vandalism and bullying report to the board of education twice a year, rather than annually. The report will be used to grade schools and districts in their efforts to identify harassment, intimidation or bullying, pursuant to a program for which the commissioner will provide guidelines; and
- Includes in the state’s School Report Card data identifying the number and nature of all reports of harassment, intimidation or bullying.