

ASSEMBLY, No. 3037

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

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District 6 (Burlington and Camden)

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SYNOPSIS

Establishes pilot program in DOE to address school climate issues related to harassment, intimidation, and bullying in public schools.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/20/2020)

1 AN ACT establishing an anti-bullying pilot program in the
2 Department of Education.

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

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7 1. a. The Commissioner of Education shall establish a one-
8 year pilot program to reduce bullying in the public schools. The
9 goals of the pilot program shall be to ensure that students have the
10 opportunity to learn in a safe and positive environment and to
11 provide student bullies with needed guidance and counseling. The
12 program shall address school climate issues through the
13 administration of an anonymous voluntary student survey that
14 allows students to identify issues related to harassment,
15 intimidation, and bullying in school, including individuals who
16 have engaged in such actions, without fear of reprisal. The survey
17 shall encourage students to identify issues related to harassment,
18 intimidation, and bullying, particular incidents that have occurred,
19 and the effects of the harassment, intimidation, and bullying within
20 the school in order to assist in the investigation of incidents. The
21 completed surveys shall be reviewed by the school official
22 designated to receive reports of incidents of bullying pursuant to
23 section 4 of P.L.2002, c.83 (C.18A:37-16). In addition to any
24 action required of school district officials pursuant to the school
25 district policy adopted pursuant to section 3 of P.L.2002, c.83
26 (C.18A:37-15), the school official shall address any identified
27 pattern of harassment, intimidation, and bullying in the school and
28 review school district policies in light of the survey. The school
29 official shall investigate any incident identified and shall arrange to
30 meet with any student identified by his peers during the survey
31 process. The school official may notify the parents or guardians of
32 the student of the reason for the meeting. In the event that the
33 school official determines that a student is in need of support
34 services, the school official shall work with the student, his parents
35 or guardians, teachers, and other educational personnel, as
36 necessary, to develop and implement appropriate support services.

37 Not less than 3 months after the administration of the first survey
38 and in the same school year, a second anonymous voluntary student
39 survey shall be administered. The school official shall review and
40 act upon the survey in the same manner required for the first
41 survey. The second survey shall also be used to determine if the
42 school climate has improved. All completed surveys shall be
43 forwarded to the commissioner for use in the preparation of the
44 report required pursuant to subsection d. of this section.

45 The commissioner shall select two districts in each of the
46 southern, central, and northern regions of the State to participate in
47 the program and shall seek a cross section of school districts from
48 urban, suburban, and rural areas of the State. The commissioner

1 shall not require a school district to participate in the pilot program.
2 The program shall apply only to the middle and secondary school
3 students in the selected districts.

4 b. The commissioner shall provide pilot districts with a sample
5 survey and guidelines that may be used to support implementation
6 of the pilot program. The sample survey shall provide sufficient
7 space to describe issues related to harassment, intimidation, and
8 bullying in school, including individuals who have engaged in such
9 actions.

10 c. Notwithstanding the provisions of P.L.2001, c.364
11 (C.18A:36-34) to the contrary, a school district may administer the
12 anonymous voluntary student survey without providing notice or
13 receiving prior written informed consent from the student's parent
14 or guardian.

15 d. At the conclusion of the pilot program, the commissioner
16 shall submit a report to the Governor and, pursuant to section 2 of
17 P.L.1991, c.164 (C.52:14-19.1), the Legislature. The report shall
18 contain information on the implementation of the pilot program and
19 shall include the commissioner's recommendation on the feasibility
20 of expanding the program to other school districts in the State.

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22 2. This act shall take effect immediately and shall first apply to
23 the 2020-2021 school year.

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STATEMENT

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28 This bill establishes a one-year pilot program in the Department
29 of Education to reduce bullying in the public schools. The goals of
30 the pilot program will be to ensure that students have the
31 opportunity to learn in a safe and positive environment and to
32 provide student bullies with needed guidance and counseling.

33 The pilot program will address school climate issues through the
34 administration of an anonymous and voluntary student survey that
35 allows students to identify issues related to harassment,
36 intimidation, and bullying in school, including individuals who
37 have engaged in such actions, without fear of reprisal. The survey
38 shall encourage students to identify issues related to harassment,
39 intimidation, and bullying, particular incidents that have occurred,
40 and the effects of harassment, intimidation, and bullying within the
41 school in order to assist in the investigation of incidents. The
42 completed surveys will be reviewed by the school official who is
43 designated under current law to receive reports of harassment,
44 intimidation, and bullying. A school district may administer the
45 anonymous voluntary student survey without providing notice or
46 receiving prior written informed consent from the student's parent
47 or guardian. In addition to any action required of school district
48 officials under the district's policy prohibiting harassment,

1 intimidation, and bullying as adopted pursuant to State law, the
2 school official must address any identified pattern of harassment,
3 intimidation, and bullying in the school and review school district
4 policies in light of the survey. The school official will investigate
5 any incident identified and arrange to meet with any student
6 identified by his peers during the survey process. The school
7 official may notify the student's parents or guardians of the reason
8 for the meeting. In the event that the school official determines that
9 a student is in need of support services, the school official will work
10 with the student, his parents or guardians, teachers, and other
11 educational personnel, as necessary, to develop and implement
12 appropriate services. Not less than three months after the
13 administration of the first survey and in the same school year, a
14 second anonymous student survey will be administered to be
15 reviewed and acted upon in the same manner as the first survey.

16 The Commissioner of Education will select six districts to
17 participate in the pilot program, two in each of the southern, central,
18 and northern regions of the State. The commissioner may not
19 require a school district to participate in the pilot program. The
20 program will include only the middle and secondary school students
21 in the selected districts. At the conclusion of the pilot program, the
22 commissioner will report to the Governor and the Legislature on the
23 feasibility of expanding the program to other school districts in the
24 State.