



The Anti-Bullying Bill of Rights Act: 2020 Update

PRESENTED TO THE MIDLAND PARK SCHOOL DISTRICT

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The Anti-Bullying Bill of Rights Act: What is it?

New Jersey's anti-bullying law, which includes the requirements that schools must follow in preventing and responding to harassment, intimidation and bullying ("HIB").

HIB: The Legal Definition

The conduct must meet all of the following criteria to constitute harassment, intimidation, or bullying under the law:

1. It is one or more gestures, acts, or electronic communications;
2. It is “reasonably perceived” as motivated by an “actual or perceived” characteristic or other “distinguishing” characteristic;
3. It occurs on school property, on a school bus, at a school-sponsored function, or off school grounds but has a nexus with the school;
4. It “substantially disrupts or interferes” with the operation of the school or rights of other students; and
5. It has at least one of the following characteristics:
 - a. A reasonable person should know it would physically or emotionally harm a student, damage a student’s property, or place a student in reasonable fear of such;
 - b. It insults or demeans a student; or
 - c. It creates a hostile educational environment by interfering with a student’s education or severely or pervasively causing physical or emotional harm.

What Type of Conduct?

“. . . any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents . . .”

Psychological

- Spreading rumors
- Deliberately excluding from activities
- Breaking up friendships

Verbal

- Name-calling
- Taunting
- Teasing
- Threatening

Physical

- Punching
- Spitting
- Taking or damaging personal belongings

Electronic Communication

- “cyberbullying”—communication via text message, social media, etc.

What Was the Motivation for the Conduct?

“... reasonably perceived as being motivated by any actual or perceived characteristic, ... or by any other distinguishing characteristic ...”

Actual or Perceived Characteristic

- Race
- Color
- Religion
- Ancestry
- National origin
- Gender
- Sexual orientation
- Gender identity/expression
- Mental/physical/sensory disability

Other Distinguishing Characteristic

- Hair color
- Piercings
- Braces
- Glasses
- Intelligence
- Weight
- Strength

Where and When Did the Conduct Occur?

- ▶ On campus;
- ▶ On the school bus;
- ▶ At a school-sponsored function; or
- ▶ Off school grounds, but there is a nexus between the HIB and the school.
 - ▶ The school may punish off campus conduct if:
 - ▶ The consequence is reasonably necessary for the physical or emotional safety, security, and well-being of the victim or other students, staff, or school grounds;
 - ▶ The conduct materially and substantially interferes with the requirements of appropriate discipline in the operation of the school; and
 - ▶ The consequence is in accordance with the District's code of conduct.

What Harm Did the Conduct Cause?

“substantially disrupts or interferes with the orderly operation of the school or the rights of other students”

AND

Meets at least one of the following:

- a. A reasonable person should know, under the circumstances, that it will physically or emotionally harm a student, damage the student's property, or place the student in reasonable fear of such;
- b. Insults or demeans a student or group of students; or
- c. Creates a hostile educational environment by interfering with a student's education or by severely or pervasively causing physical or emotional harm.

What Might a “Substantial Disruption or Interference” Look Like?

- ▶ The student's grades are declining;
- ▶ The student's attendance has become inconsistent;
- ▶ The student is acting differently (e.g., aggressive or withdrawn);
- ▶ The victim has physical manifestations of stress or trauma; or
- ▶ There are interruptions or distractions in the learning environment.

What About Freedom of Speech?

Students have the constitutional right of freedom of speech in all aspects of the school setting (e.g., classroom, cafeteria, playing field). However, schools can interfere with that right, and punish speech that “would materially and substantially interfere with the requirements of appropriate discipline in the operation of the school.” To punish speech, the school must identify more than “a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint” and more than “undifferentiated fear or apprehension of disturbance.”

Tinker v. Des Moines Independent Community School District,
393 U.S. 503, 508-509 (1969)

Off Campus Conduct and Freedom of Speech

Sophomore student B.L. was placed on the Junior Varsity cheerleading team for a second year in a row. An incoming freshman made the Varsity team. One Saturday, away from school, B.L. posted to her Snapchat story a photo of herself and her friend with their middle fingers raised, captioned “F*** school f*** softball f*** cheer f*** everything.” She posted a second Snapchat story, captioned “Love how me and [another student] get told we need a year of jv before we make varsity but that’s [sic] doesn’t matter to anyone else?” Her teammates reported the Snapchat to her coaches, who removed her from the team, finding she had violated school rules about respect for staff, coaches, and the school.

The court held that B.L.’s speech took place “off campus” because it did not take place in a school-sponsored forum, or on a school-owned or -operated online platform. Rather, the Snapchat story was created away from campus, on a social media platform unaffiliated with the school, and posted on a weekend. The fact that the second Snapchat story mentioned the school and reached District students was not enough to make B.L.’s conduct “on campus.”

The Court went on to establish that *Tinker*, which held that schools can regulate speech that materially or substantially interferes with the requirements of appropriate discipline, does not apply to off-campus speech, which is protected under the First Amendment. Thus the school’s decision to punish B.L. could not stand.

Levy v. Mahoney Area School District, 964 F.3d 170 (3d Cir. 2020)

Investigation Timelines

1. The Principal, or designee, must initiate an investigation within 1 school day of the verbal report, to be conducted by the anti-bullying specialist (“ABS”).
2. The investigation must be completed within 10 school days of the written report.
3. The ABS must report the investigation results to the Superintendent within 2 school days of the completed investigation.
4. If the ABS receives anticipated information relative to the investigation after the completed investigation, the ABS may amend the original report to reflect the new information.
5. The Superintendent may provide intervention services, establish training programs, impose discipline, order counseling, or take or recommend other appropriate action.

Off Campus Speech that Threatens Violence or Harasses Others

While *Levy* held that *Tinker* does not apply to off campus speech, it reserved on deciding the First Amendment implications of off campus speech that threatens violence or harasses other.

The Court held that a future case, “involving speech that is reasonably understood as a threat of violence or harassment targeted at specific students or teachers, would no doubt raise different concerns and require consideration of other lines of First Amendment law.”

The Court clarified that student speech that is within one of the well-recognized exceptions to the First Amendment is not protected and referred specifically to cases where a student threatened violence (e.g., threats to shoot other students) or harassed other students such as by creating a website with a blog that had offensive, racist, and sexist comments about school and classmates (*S.J.W.*, 696 F.3d 771 (8th Cir. 2012)) or ridiculed a student (*Kowalski*, 652 F.3d 565 (4th Cir. 2012)).

Therefore, the precise scope of First Amendment protection for off-campus speech remains unclear. This uncertainty may continue until the Supreme Court weighs in.

Levy v. Mahoney Area School District, 964 F.3d 170 (3d Cir. 2020)

Who Must Report a Potential HIB Incident?

District Policy 5512

Board members, school employees, volunteers, and contracted service providers who witness or receive reliable information regarding an incident of HIB, must report the incident to the school principal, verbally on the same day, and in writing within two school days.

Students, parents, and visitors are encouraged to report, but not required

Reporting Timelines

1. The Superintendent must report the investigation results to the Board of Education on or before the date of the next Board meeting following the completed investigation, as well as any action taken or recommended by the Superintendent.
2. The Board of Education must report the investigation results to the parents/guardians of the students involved within 5 school days of receiving the results.
3. A parent/guardian may request a hearing before the Board, and the Board must conduct a hearing within 10 school days of the request.
4. The Board must issue a written decision affirming, rejecting, or modifying the Superintendent's decision at the next Board meeting.
5. The parent/guardian may appeal the Board's decision to the Commissioner of Education within 90 days of the Board's decision.
6. A parent/guardian, student, or organization may file a complaint in the Division on Civil Rights within 180 days of the incident under the Law Against Discrimination.

How Must the School Respond to HIB?

The school **must** respond to an identified incident of HIB with an appropriate combination of services that are available within the district such as:

- Counseling
- Support services
- Intervention services
- Other

Is the Principal Required to Investigate Every Reported Incident?

District Policy 5512

The Principal or designee, in consultation with the ABS, may make a preliminary determination as to whether the reported conduct falls within the scope of harassment, intimidation, and bullying under the law.

The Principal must ask him or herself: “assuming all the reported facts are true, would the conduct qualify as harassment, intimidation, or bullying under the law?”

If, assuming the allegations are true, the conduct would not qualify as HIB, no investigation need occur.

Upon making such preliminary determination, the Principal must inform the parents of the students involved, who may appeal the preliminary determination to the Board of Education and thereafter to the Commissioner of Education.

HIB v. Code of Conduct Violation

Even if the conduct does not constitute HIB, the school may still discipline the offender if the conduct violates the District's Code of Conduct.

District Policy 5600

The District's Code of Conduct establishes standards, policies, and procedures for positive student development and student behavioral expectations on and off school grounds, including:

- A description of student responsibilities, including expectations for academic achievement, behavior, and attendance;
- A description of behaviors that will result in suspension or expulsion;
- A list of behavioral supports to fulfill behavioral expectations;
- A description of school responses to violations of behavioral expectations, depending on the severity of the offense and the offender's developmental age and history; and
- A list of community-based health and social service provider agencies and legal resources to support families of students.



HIB: You Be the Judge

Question

J.S. and J.M. were in the same second grade class. They had a history of not getting along and mutually participated in an ongoing conflict since first grade.

On one particular day, J.S. slammed the lid on J.M.'s Chrome Book and called the J.M. a “weakling.” Later that same day, when J.M. was telling other students about a football launcher he received for Christmas, J.S. told J.M. to “shut up no one cares how you got your black eye, you can’t catch. You suck.”

J.M. felt embarrassed by the incident, as it happened in front of others.

Is this HIB?

Answer

Yes. This is an example of conduct that can be “reasonably perceived” as being motivated by a “distinguishing characteristic.”

The court held that merely because two students have an ongoing conflict does not mean that there may not be instances where the conduct crosses the line into HIB. In this case, J.S. made remarks about J.M.’s strength and athletic ability while engaged in a physical confrontation (slamming the Chrome Book). Therefore, J.S.’s conduct could be reasonably perceived as being motivated by J.M.’s apparent physical ability.

M.S. o/b/o J.S. v. Bd. of Educ. of Hainesport,
OAL Dkt. No. EDS 08878-10 (Initial Decision Mar. 28, 2019),
adopted, Comm’r (June 18, 2020).

Question

A group of five students were engaged in a voluntary group text message with each other. In the group chat, the students each engaged in the use of extraordinarily offensive language towards one another.

On one particular instance, one student texted another in the group chat, while off school grounds, stating, “F*ck your dad you little ni**er.” The victim interpreted the remark as “mutual pranking” among a group of friends.

Is this HIB?

Answer

No. There was no “substantial disruption or interference” with the victim’s rights.

The court held that the use of a derogatory word or racial slur alone does not automatically constitute HIB—all elements need to be established, including a “substantial disruption or interference” with the orderly operation of the school or the victim’s rights.

The court noted that while the use of the derogatory word in the group text message was abhorrent and cannot be tolerated, the students in the group chat were all engaged in mutually egregious behavior aimed one another, and the victim did not appear to suffer any detrimental effect from the incident.

W.D. and J.D. o/b/o G.D. v. Bd. of Educ. of Jefferson,
OAL Dkt. No. EDS. 10587-17 (Initial Decision July 13, 2018),
adopted, Comm’r (Nov. 20, 2018)

Question

On the morning school bus, A.K., a biological female, encountered N.V., a biological male, who went by a male name the prior year but now used a female name, and wore clothing closely associated with female children. A.K. questioned N.V. about her name change and choice of clothing. N.V. did not have an answer, was upset by the exchange, and reported the incident to the school.

School staff warned A.K. that such remarks were unacceptable and relayed to the incident to A.K.'s mother. A.K.'s mother instructed A.K. not to question N.V. anymore.

Despite the instructions from school staff and her mother, A.K. persisted in questioning N.V. about her choices, and refused to call her by her preferred name.

For some time after that, N.V.'s parents drove her to school because she did not want to ride on the same bus as A.K.

Is this HIB?

Answer

Yes. A.K.'s conduct could be reasonably perceived as being motivated by N.V.'s gender identity.

The court found that all elements of HIB were satisfied. The verbal remarks, which were made on school grounds, were demeaning and caused emotional harm and created a hostile educational environment for N.V.

The court noted that even though A.K. was only seven years old, because she was repeatedly counseled that her behavior was not appropriate, she should have known that her conduct was harmful.

L.K. and T.K. o/b/o A.K v. Bd. of Educ. of Mansfield,
OAL Dkt. No. EDS 7067-16 (Initial Decision Jan. 22, 2019),
rejected, Comm'r (Apr. 22, 2019)



Thank you!



School Culture & Climate Initiative

Midland Park School District

Findings from the Spring 2020 *School Climate Student Survey*

Supporting, Connecting and Empowering Schools

Patricia Heindel, PhD

- Professor of Psychology
- Co-Director and Co-Founder- School Culture and Climate Initiative
- Co-Director - On-line Academy for Social-emotional Learning in Schools
- Director - Center for Human and Social Development, Saint Elizabeth University
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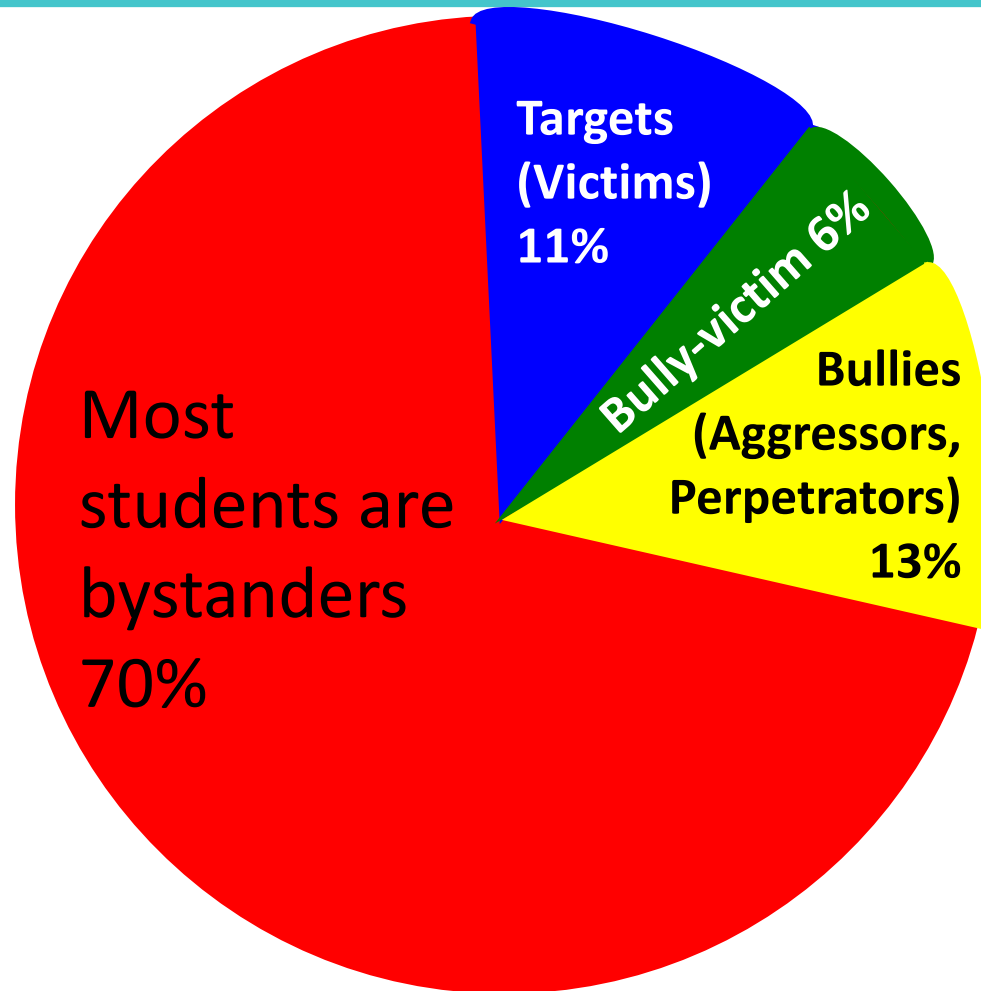
Elizabeth Warner

- Co-Director and Co-Founder- School Culture and Climate Initiative
- President – SEL4NJ

<http://www.schoolcultureandclimate.org>

Context: National Statistics

Bullying Statistics: Targets, Bullies, & Bystanders



- The term “target” is preferred over the term “victim.”
- The “Target-Perpetrator” or “Bully-victim” is an individual who is both a bully and a target. Usually a target who in turn bullies others or retaliates by bullying. These students are at special risk, socially and emotionally.
- Most students are bystanders.

NICHD study Self-reports by students of moderate or frequent involvement in bullying.

Midland Park Student Survey Findings

Response Rates

GRADE	2018	2019	2020
2 nd	85%	84%	76%
3 rd	80%	77%	93%
4 th	76%	92%	86%
5 th	77%	96%	99%
6 th	93%	88%	100%
7 th	75%	95%	79%
8 th	90%	88%	95%
9 th	84%	90%	89%
10 th	74%	89%	96%
11 th	79%	80%	79%
12 th	75%	63%	84%

Examples of Detailed Findings

SURVEY ITEMS*

- How many friends do you have that would support you?
- Do you have a trusted adult in school?
- Given a list of issues, how serious is each as a problem in your school?
- How often do you hear various types of derogatory language?
- In general, are students in your school nice to each other?
- Are the rules against bullying clear in your school?
- Are teachers able to stop bullying?
- Has each of the following things happened to you? If so, how often?
- If you were having a problem in school, whom would you go to for help?

**Note: This is not exactly how the questions are worded on the survey*

Percentage of Students Reporting Fewer than Four Friends

	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	HS				
2013												
2014												
2015												
2016												
2017												
2018												
2019												
2020												

Having fewer than four friends is a **risk** factor; the *lower* the percentages in this table, the better.

Percentage of Students Reporting Fewer than Four Friends

	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	HS				
2013	42%	28%	15%	16%	19%	22%	22%	21%				
2014	33%	25%	23%	21%	14%	21%	20%	20%				
2015	5%	6%	14%	7%	3%	13%	7%	13%				
2016	14%	11%	4%	20%	6%	3%	16%	15%				
2017	27%	16%	7%	12%	13%	10%	10%	14%				
2018	6%	15%	12%	4%	11%	15%	11%	15%				
2019	4%	8%	3%	14%	7%	12%	20%	13%				
2020	19%	8%	8%	7%	8%	6%	7%	17%				





Percentage of Students Reporting Fewer than Four Friends

	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	HS				
2013	42%	28%	15%	16%	19%	22%	22%	21%				
2014	33%	25%	23%	21%	14%	21%	20%	20%				
2015	5%	6%	14%	7%	3%	13%	7%	13%				
2016	14%	11%	4%	20%	6%	3%	16%	15%				
2017	27%	16%	7%	12%	13%	10%	10%	14%				
2018	6%	15%	12%	4%	11%	15%	11%	15%				
2019	4%	8%	3%	14%	7%	12%	20%	13%				
2020	19%	8%	8%	7%	8%	6%	7%	17%				

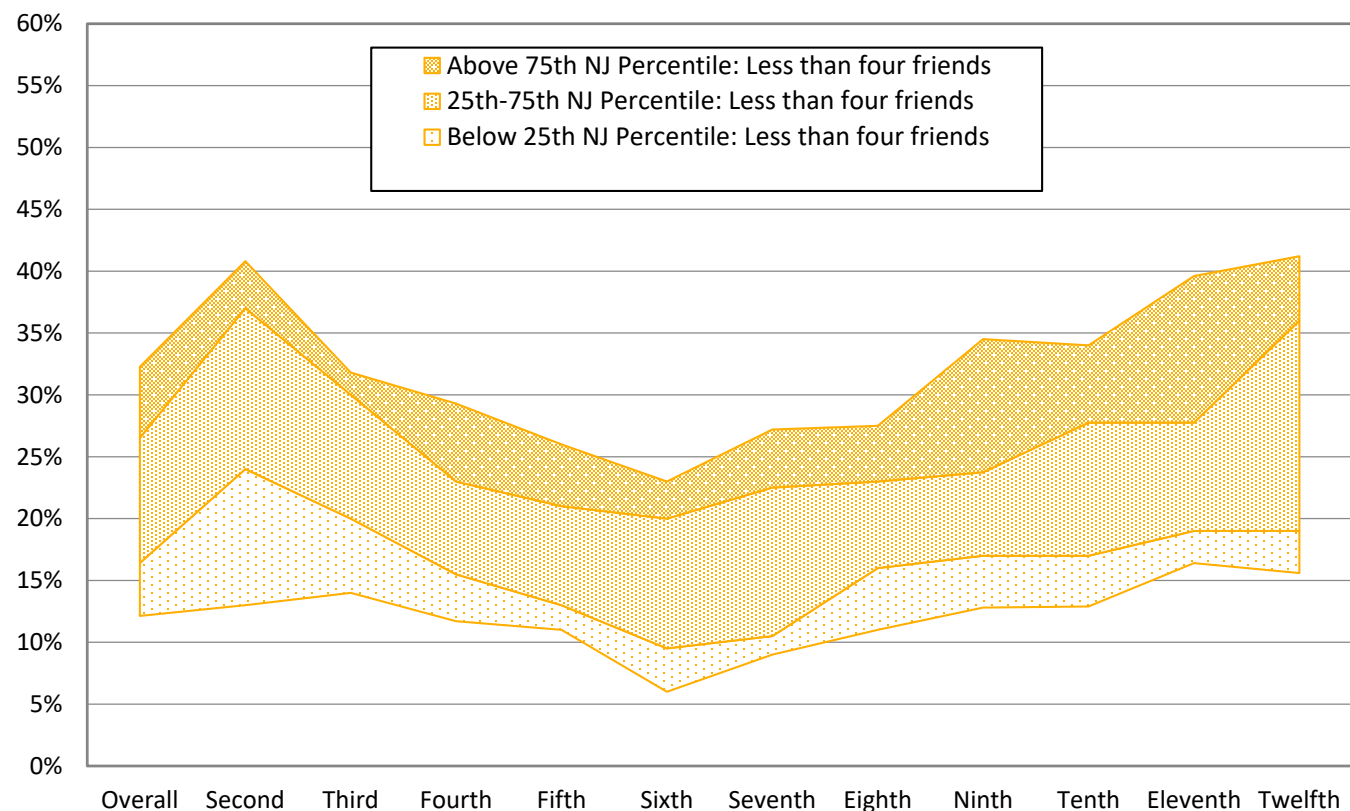


Percentage of Students Reporting Fewer than Four Friends

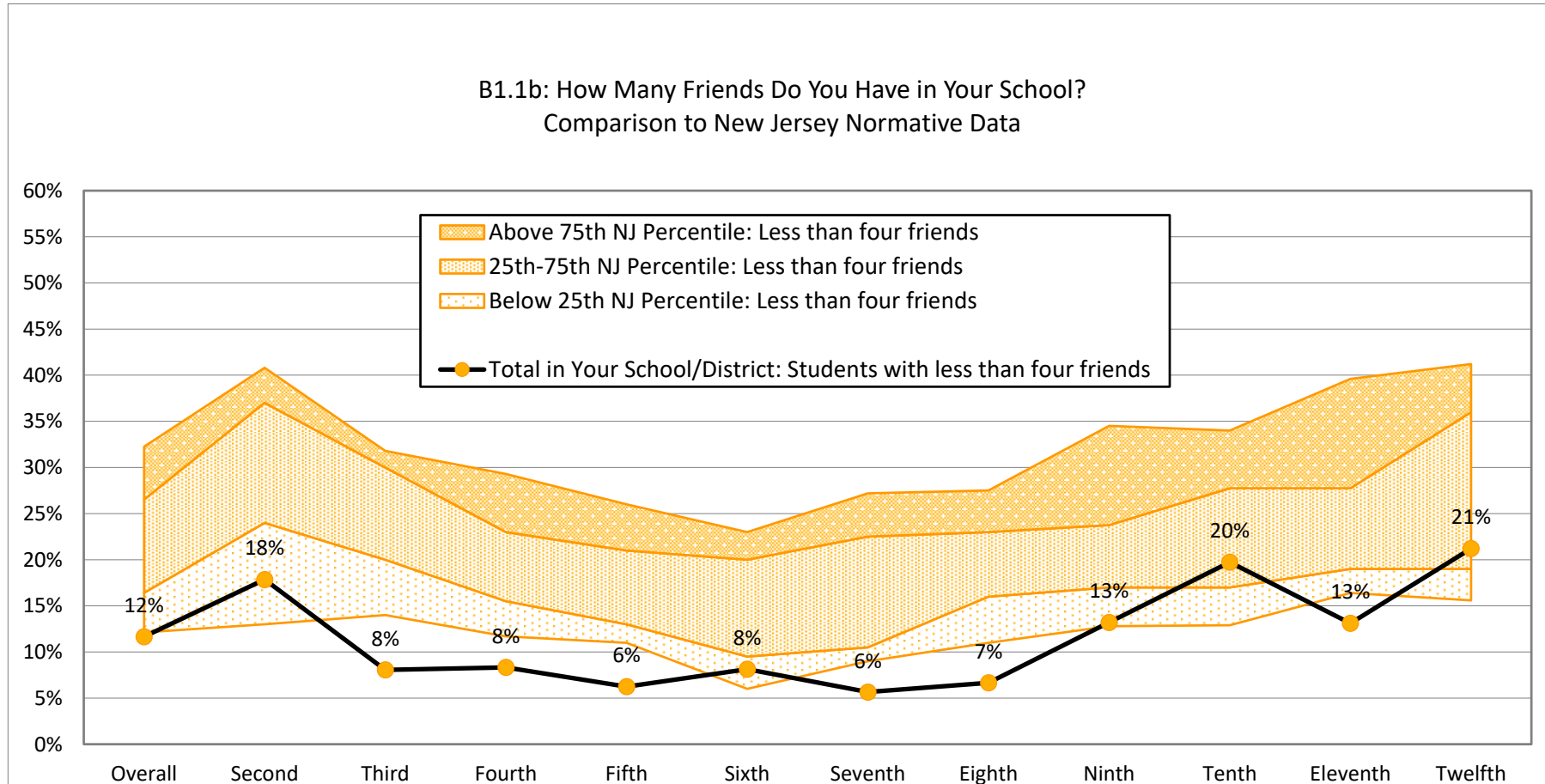
	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	HS				
2013	42%	28%	15%	16%	19%	22%	22%	21%				
2014	33%	25%	23%	21%	14%	21%	20%	20%				
2015	5%	6%	14%	7%	3%	13%	7%	13%				
2016	14%	11%	4%	20%	6%	3%	16%	15%				
2017	27%	16%	7%	12%	13%	10%	10%	14%				
2018	6%	15%	12%	4%	11%	15%	11%	15%				
2019	4%	8%	3%	14%	7%	12%	20%	13%				
2020	19%	8%	8%	7%	8%	6%	7%	17%				

Percentage of Students Reporting Fewer than Four Friends

B1.1b: How Many Friends Do You Have in Your School?
Comparison to New Jersey Normative Data



Percentage of Students Reporting Fewer than Four Friends



Percentage of Students Who Say They Have a Trusted Adult at School

	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	HS				
2014												
2015												
2016												
2017												
2018												
2019												
2020												

Having a trusted adult is a **protective** factor; the *higher* the percentages in this table, the better.

Percentage of Students Who Say They Have a Trusted Adult at School

	2 nd	3 rd	4 th	5 th	6 th	7 th	8 th	HS				
2014	87%	79%	91%	95%	81%	59%	74%	85%				
2015	89%	82%	85%	84%	86%	75%	71%	69%				
2016	88%	89%	80%	67%	95%	81%	75%	76%				
2017	91%	88%	91%	80%	75%	81%	78%	77%				
2018	92%	84%	86%	91%	81%	71%	79%	73%				
2019	85%	92%	89%	92%	95%	76%	72%	82%				
2020	86%	97%	93%	82%	91%	74%	72%	72%				

Having a trusted adult is a **protective** factor; the *higher* the percentages in this table, the better.

Grade 2-5 Students' Perceptions of Problems at School, 2018 to 2019

	2 nd	2 nd	3 rd	3 rd	4 th	4 th	5 th	5 th
Fighting, hitting, pushing								
Mean Name-calling								
Leaving each other out								
Gangs								
Prejudice (race, religion)								
Appearance pressure								
Mean text messages								
Rumors								
Teachers say mean things								

In general, findings less than 10% indicate there might be some students with individual concerns, but do not indicate school-related climate issue, and findings of 20% or less indicate low levels of concern among students.

Grade 2-5 Students' Perceptions of Problems at School, 2018 to 2019

	2018 & 2019							
	2 nd	2 nd	3 rd	3 rd	4 th	4 th	5 th	5 th
Fighting, hitting, pushing	25%	33%	14%	20%	23%	6%	25%	6%
Mean Name-calling	51%	41%	35%	36%	44%	35%	67%	38%
Leaving each other out	57%	40%	44%	38%	48%	45%	47%	41%
Gangs					15%	12%	2%	6%
Prejudice (race, religion)					11%	6%	18%	3%
Appearance pressure					19%	5%	22%	16%
Mean text messages					10%	15%	22%	9%
Rumors	29%	27%	40%	33%	41%	49%	65%	60%
Teachers say mean things	10%	11%	9%	6%	4%	9%	13%	12%

In general, findings less than 10% indicate there might be some students with individual concerns, but do not indicate school-related climate issue, and findings of 20% or less indicate low levels of concern among students.

Grade 2-5 Students' Perceptions of Problems at School, 2018 to 2019

	2018 & 2019							
	2 nd	2 nd	3 rd	3 rd	4 th	4 th	5 th	5 th
Fighting, hitting, pushing	25%	33%	14%	20%	23%	6%	25%	6%
Mean Name-calling	51%	41%	35%	36%	44%	35%	67%	38%
Leaving each other out	57%	40%	44%	38%	48%	45%	47%	41%
Gangs					15%	12%	2%	6%
Prejudice (race, religion)					11%	6%	18%	3%
Appearance pressure					19%	5%	22%	16%
Mean text messages					10%	15%	22%	9%
Rumors	29%	27%	40%	33%	41%	49%	65%	60%
Teachers say mean things	10%	11%	9%	6%	4%	9%	13%	12%

In general, findings less than 10% indicate there might be some students with individual concerns, but do not indicate school-related climate issue, and findings of 20% or less indicate low levels of concern among students.

Grade 2-5 Students' Perceptions of Problems at School, 2019 to 2020

	2 nd	2 nd	3 rd	3 rd	4 th	4 th	5 th	5 th
Fighting, hitting, pushing	33%	13%	20%	14%	6%	11%	6%	3%
Mean Name-calling	41%	19%	36%	16%	35%	13%	38%	17%
Leaving each other out	40%	20%	38%	23%	45%	17%	41%	14%
Gangs					12%	3%	6%	4%
Prejudice (race, religion)					6%	2%	3%	1%
Appearance pressure					5%	3%	16%	5%
Mean text messages					15%	6%	9%	7%
Rumors	27%	13%	33%	11%	49%	15%	60%	15%
Teachers say mean things	11%	6%	6%	4%	9%	5%	12%	3%

In general, findings less than 10% indicate there might be some students with individual concerns, but do not indicate school-related climate issue, and findings of 20% or less indicate low levels of concern among students.

Grade 6-12 Students' Perceptions of Problems at School, 2018 to 2019

	6 th	6 th	7 th	7 th	8 th	8 th	HS	HS
Appearance Pressure								
Social Exclusion								
Name-calling								
Racial prejudice								
Anti-LGBT prejudice								
Physical aggression								
Gangs								
Unwanted photography								
Hurtful posting								
Adults insulting students								
Adults disrespecting each other								
Rumors								

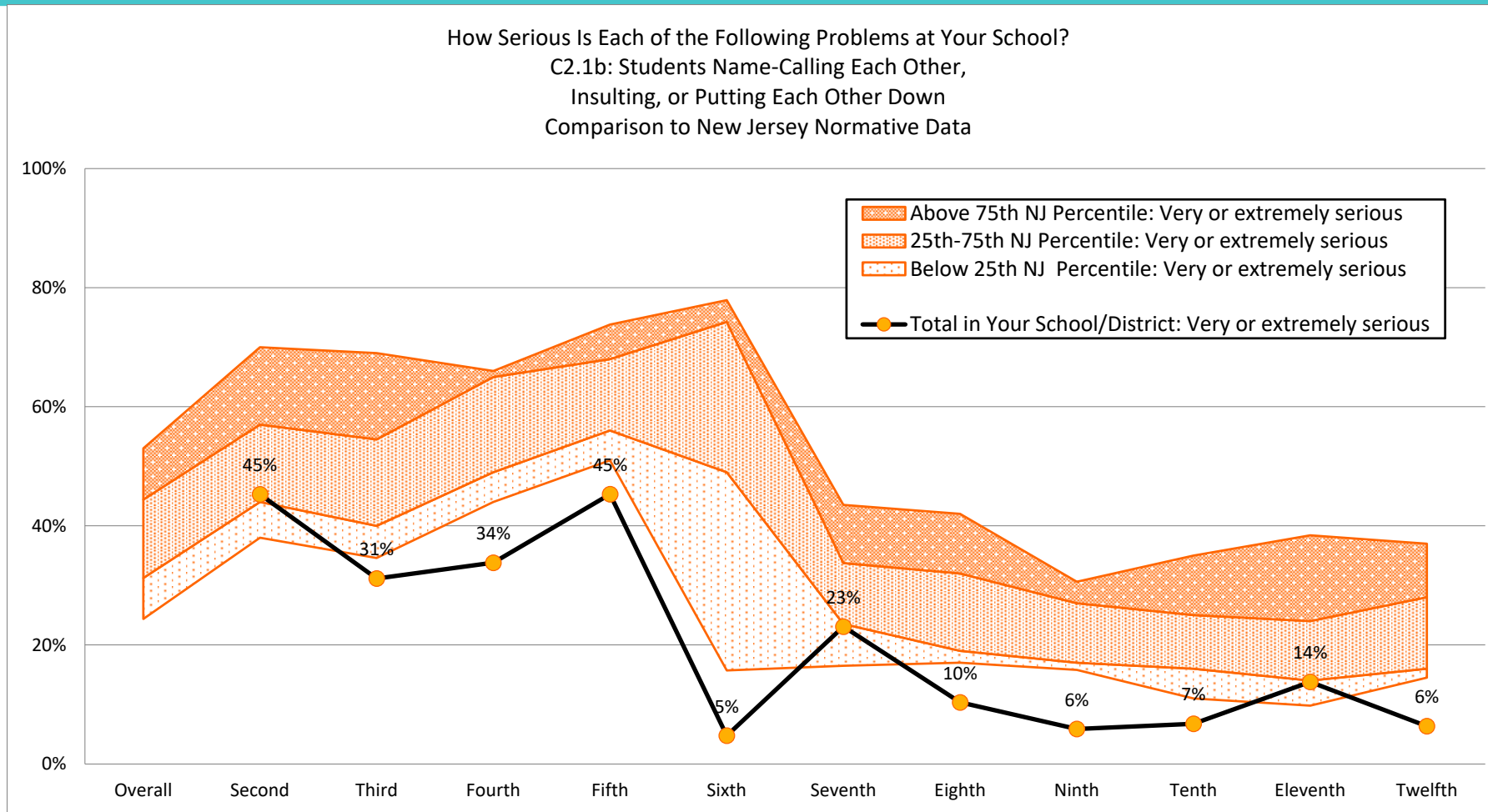
Grade 6-12 Students' Perceptions of Problems at School, 2018 to 2019

	6 th	6 th	7 th	7 th	8 th	8 th	HS	HS
Appearance Pressure	8%	16%	17%	2%	11%	13%	14%	8%
Social Exclusion	17%	9%	24%	25%	15%	11%	25%	17%
Name-calling	6%	21%	26%	7%	15%	17%	14%	9%
Racial prejudice	2%	5%	12%	5%	3%	10%	7%	4%
Anti-LGBT prejudice			16%	3%	3%	16%	8%	6%
Physical aggression	4%	9%	14%	10%	4%	11%	5%	4%
Gangs	2%	4%	11%	5%	2%	11%	6%	5%
Unwanted photography			16%	9%	16%	18%	14%	7%
Hurtful posting			19%	5%	11%	11%	15%	8%
Adults insulting students	4%	5%	12%	5%	6%	11%	8%	6%
Adults disrespecting each other			14%	7%	1%	10%	5%	2%
Rumors	14%	35%	27%	13%	24%	20%	34%	32%

Grade 6-12 Students' Perceptions of Problems at School, 2019 to 2020

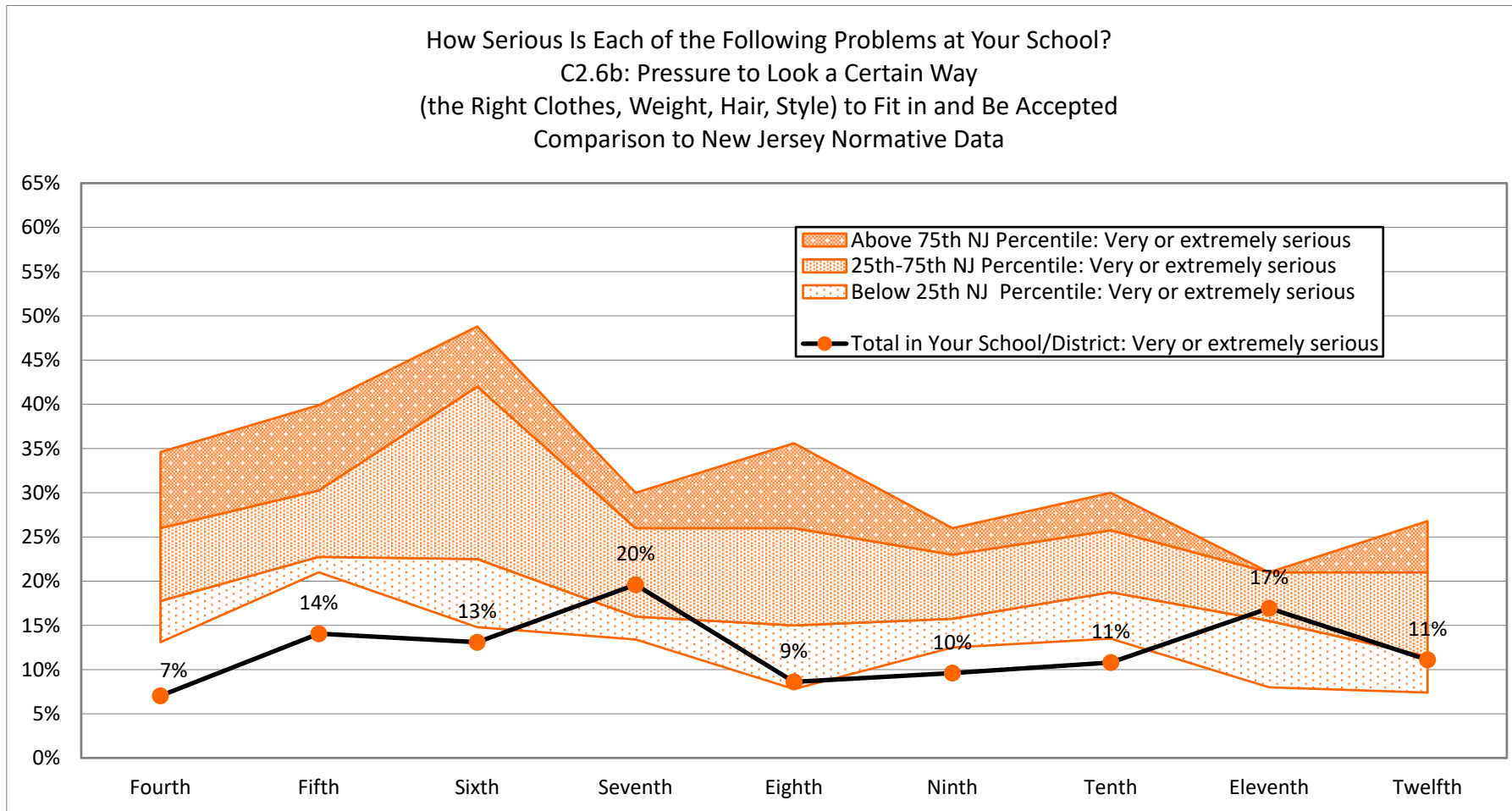
	6 th	6 th	7 th	7 th	8 th	8 th	HS	HS
Appearance Pressure	16%	13%	2%	20%	13%	9%	8%	12%
Social Exclusion	9%	14%	25%	23%	11%	16%	17%	14%
Name-calling	21%	4%	7%	23%	17%	10%	9%	8%
Racial prejudice	5%	7%	5%	4%	10%	6%	4%	10%
Anti-LGBT prejudice			3%	14%	16%	4%	6%	7%
Physical aggression	9%	7%	10%	6%	11%	6%	4%	5%
Gangs	4%	9%	5%	0%	11%	2%	5%	8%
Unwanted photography			9%	19%	18%	5%	7%	11%
Hurtful posting			5%	12%	11%	6%	8%	9%
Adults insulting students	5%	6%	5%	2%	11%	6%	6%	7%
Adults disrespecting each other			7%	2%	10%	5%	2%	3%
Rumors	35%	31%	13%	26%	20%	25%	32%	19%

Grade 2-12 Students' Perceptions of Problems at School



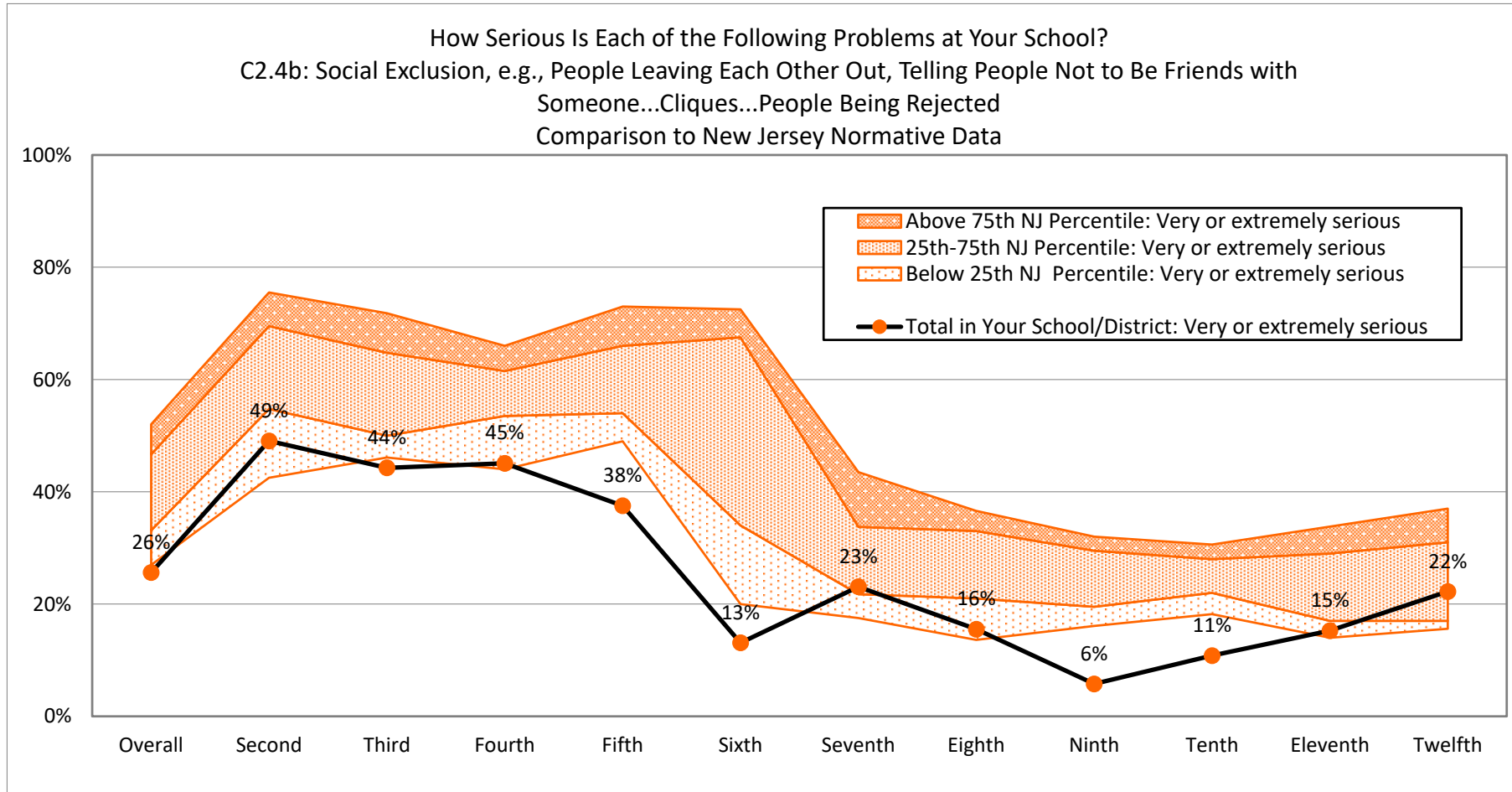
Compared to normative data, the percentages of students who say that **name-calling** is a problem are low in most grades. Percentages for Grades 2, 7, & 11 are slightly higher, but still only at the 25th percentile.

Grade 2-12 Students' Perceptions of Problems at School



Compared to normative data, the percentages of students who consider “**appearance pressure**” to be a problem are low.

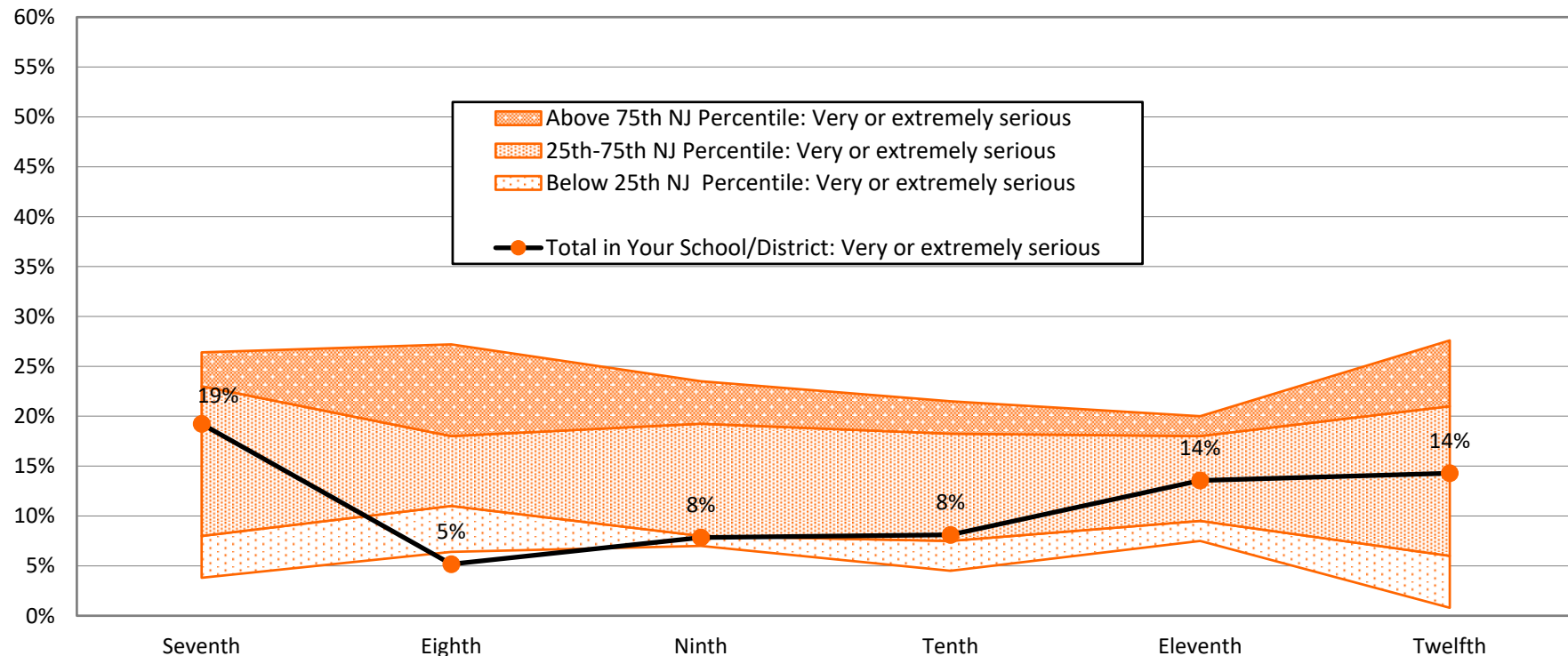
Grade 2-12 Students' Perceptions of Problems at School



Compared to normative data, the percentages of students who consider **social exclusion** to be a problem are low.

Grade 7-12 Students' Perceptions of Problems at School

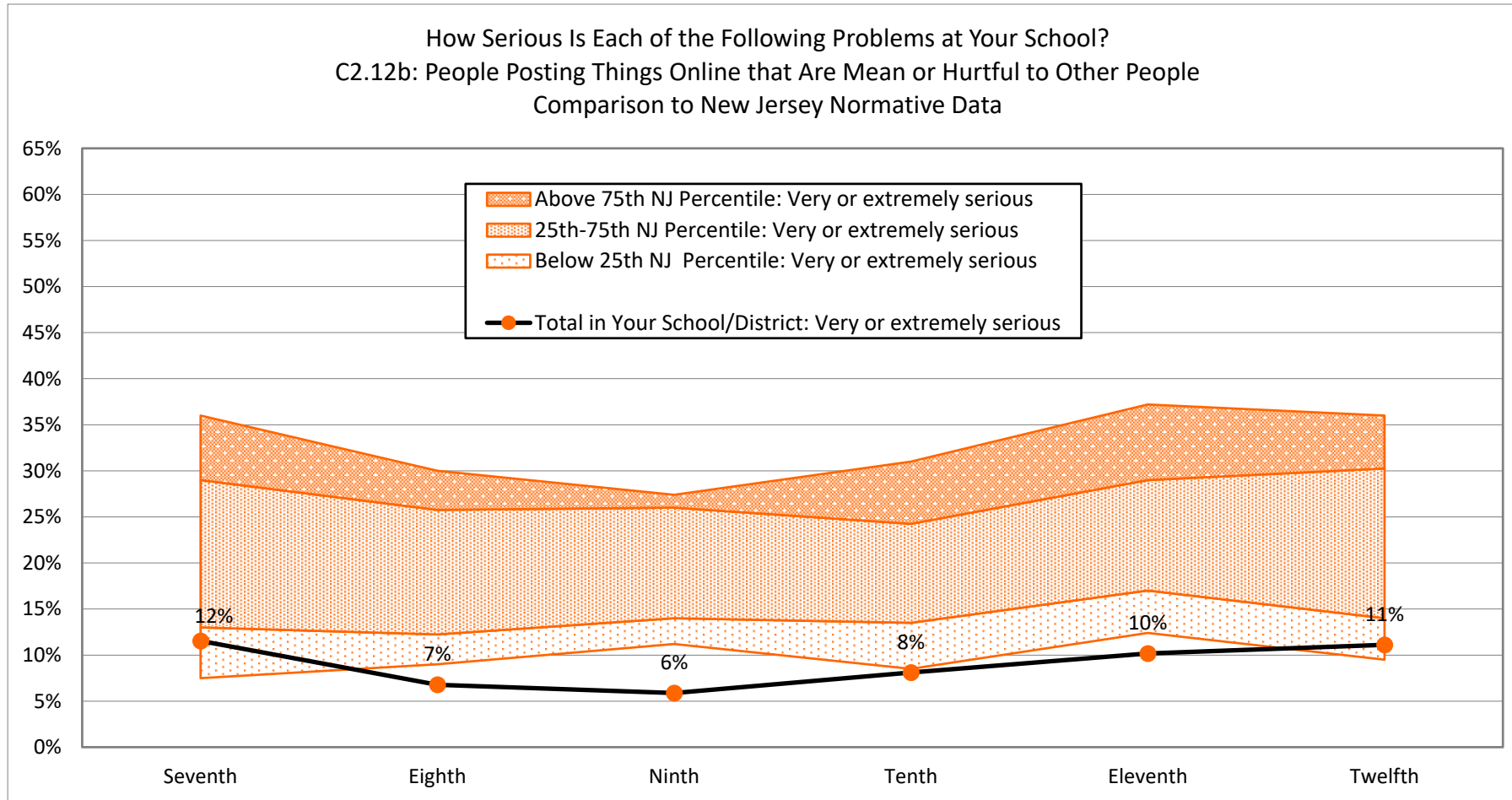
How Serious Is Each of the Following Problems at Your School?
C2.11b: Taking Photos or Videos of Other Students that are Embarrassing,...
or When the Other Student Doesn't Want to Be Photographed...
Comparison to New Jersey Normative Data



Compared to normative data, the percentages of students who consider **“taking non-consensual photos or videos”** to be a problem are moderate.

Findings indicate that this issue should be a focus for the cohorts now in Grades 8 and 12.

Grade 7-12 Students' Perceptions of Problems at School



Compared to normative data, the percentages of students who consider **“posting hurtful things online”** to be a problem are low in all grades.



Frequency of Derogatory Language among Students

- In grades 2-8, 4%-28% of students say they frequently hear peers make insulting comments about someone's APPEARANCE; **down from 15%-61% in 2011, and *similar to the all-time low of 3%-22% in 2018.***
- In grades 2-8, 5%-48% of students say they frequently hear peers call each other "DUMB," "RETARD," "STUPID," etc.; **down from 12%-84% in 2011, and *almost identical to 2018 and 2019 findings.***
- In grades 4-8, 3%-38% of students say they frequently hear peers use the word "GAY" AS AN INSULT (i.e., "so gay"); **down from 27%-77% in 2011, *but higher than the top of the ranges in 2018 (24%) and 2019 (23%).***



Frequency of Derogatory Language among Students

- In High School, 22% of students say they frequently hear peers make insulting comments about someone's APPEARANCE; **down from 42% in 2011, and nearly identical to 2019 (25%).**
- In High School, 36% of students say they frequently hear peers call each other "DUMB," "RETARD," "STUPID," etc.; **down from 80% in 2011 and 53% in 2018, and nearly identical to 2019 (39%).**
- In High School, 24% of students say they frequently hear peers use the word "GAY" AS AN INSULT (i.e., "so gay"); **down from 76% in 2011 and 35% in 2018, and identical to 2019 (25%).**



Frequency of Derogatory Language among Students

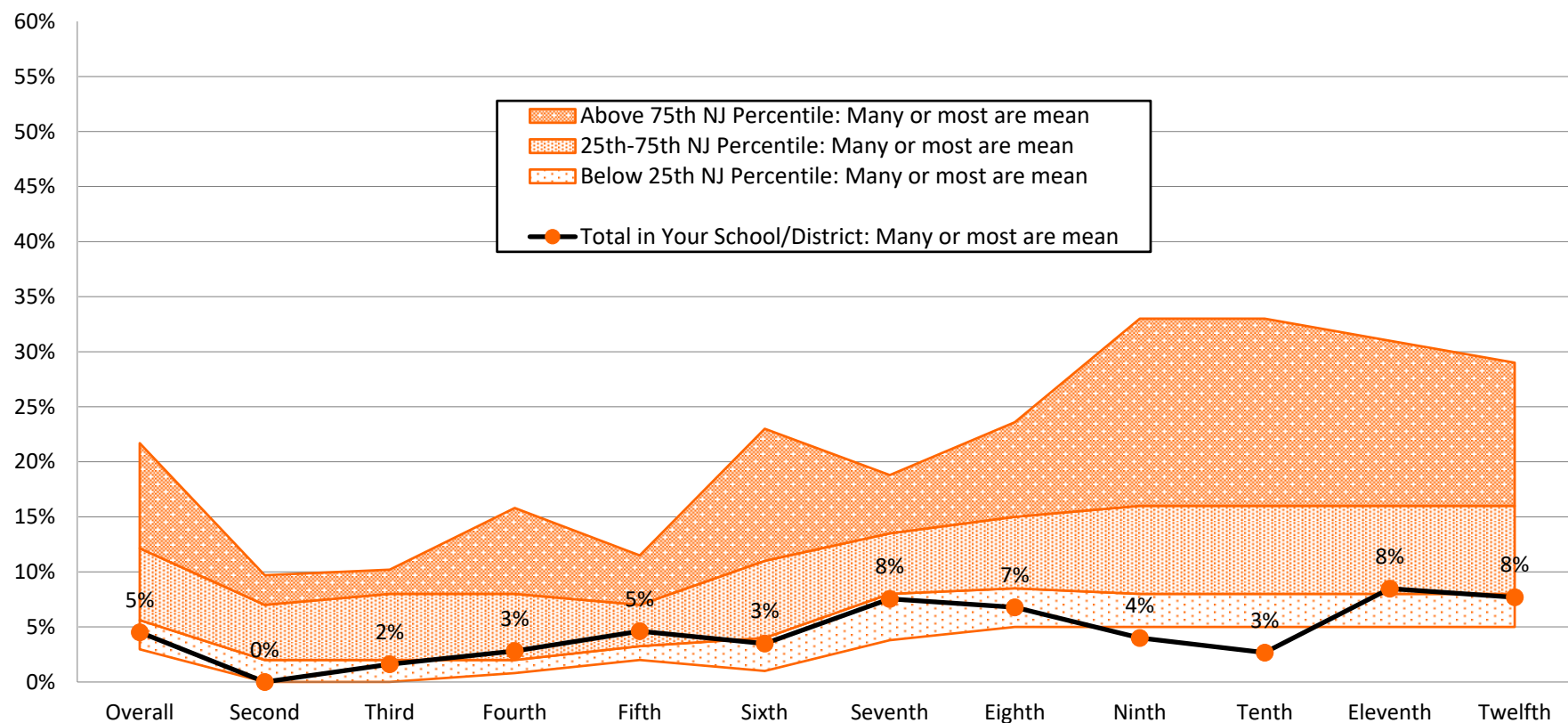
- The cohort that was in seventh grade in S2020 has, for the past six years since they were in second grade in S2015, reported hearing more derogatory language than other cohorts before or after them. As seventh graders:
 - 28% hear appearance-related insults frequently, *compared to 8% in the previous seventh grade cohort*
 - 48% hear intelligence-related insults frequently, *compared to 5% in the previous seventh grade cohort*
 - 38% hear “so gay” frequently, *compared to 10% in the previous seventh grade cohort*

Grade 2-12 Students' Perceptions of Whether Students are Usually Nice to Each Other

NOTE: This variable is coded as a “risk factor;” what you will see on the next slide are the percentages of students who say that many or most of their peers are *mean*. Therefore, the ideal would be for these percentages to be *low*.

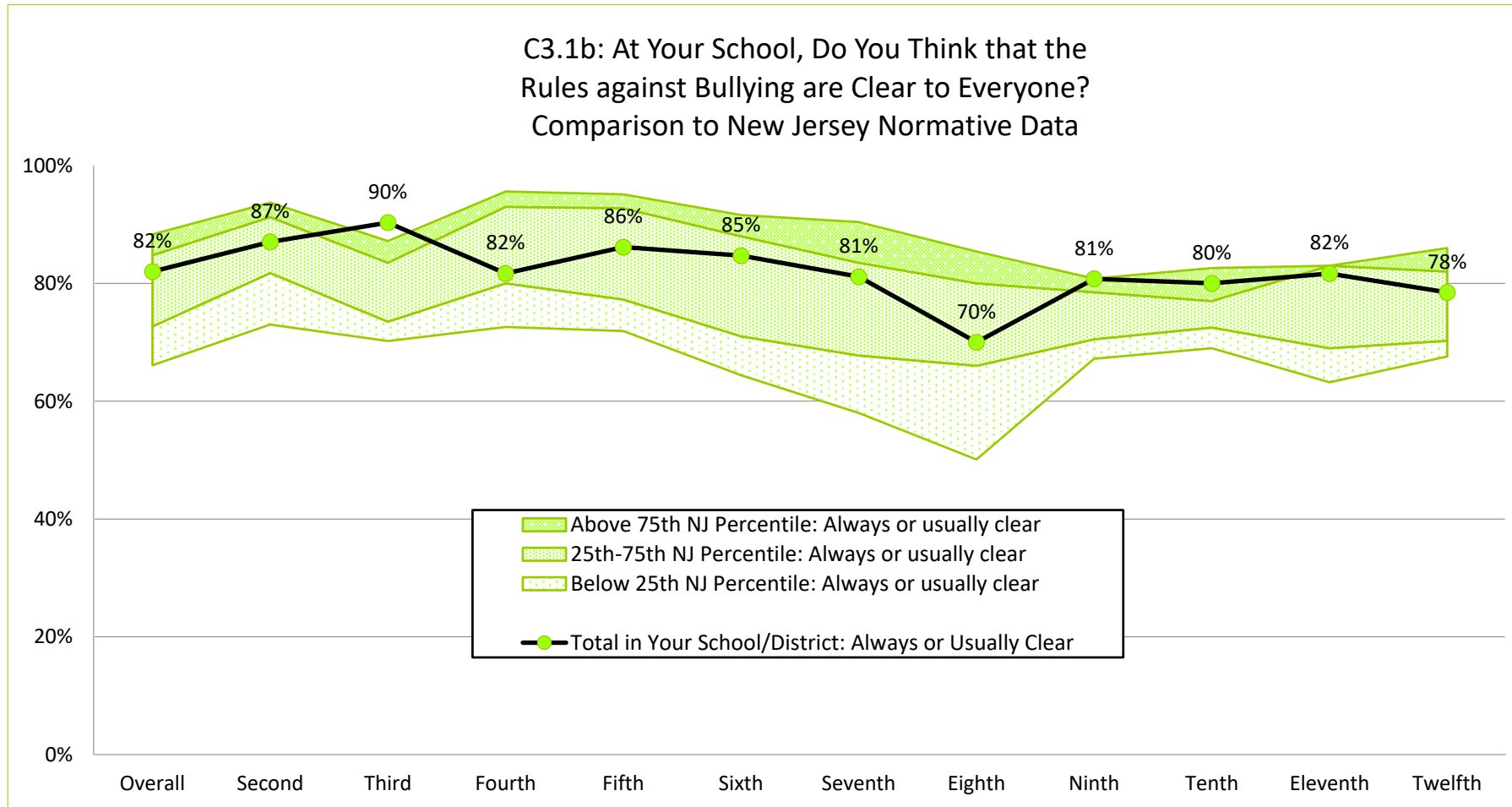
Grade 2-12 Students' Perceptions of Whether Students are Usually Nice to Each Other

D1.1b: Are Students at Your School Usually Nice to Each Other?
Comparison to New Jersey Normative Data



Compared to normative data, the **percentages of students who say that many or most of their peers are mean are very low in every grade.**

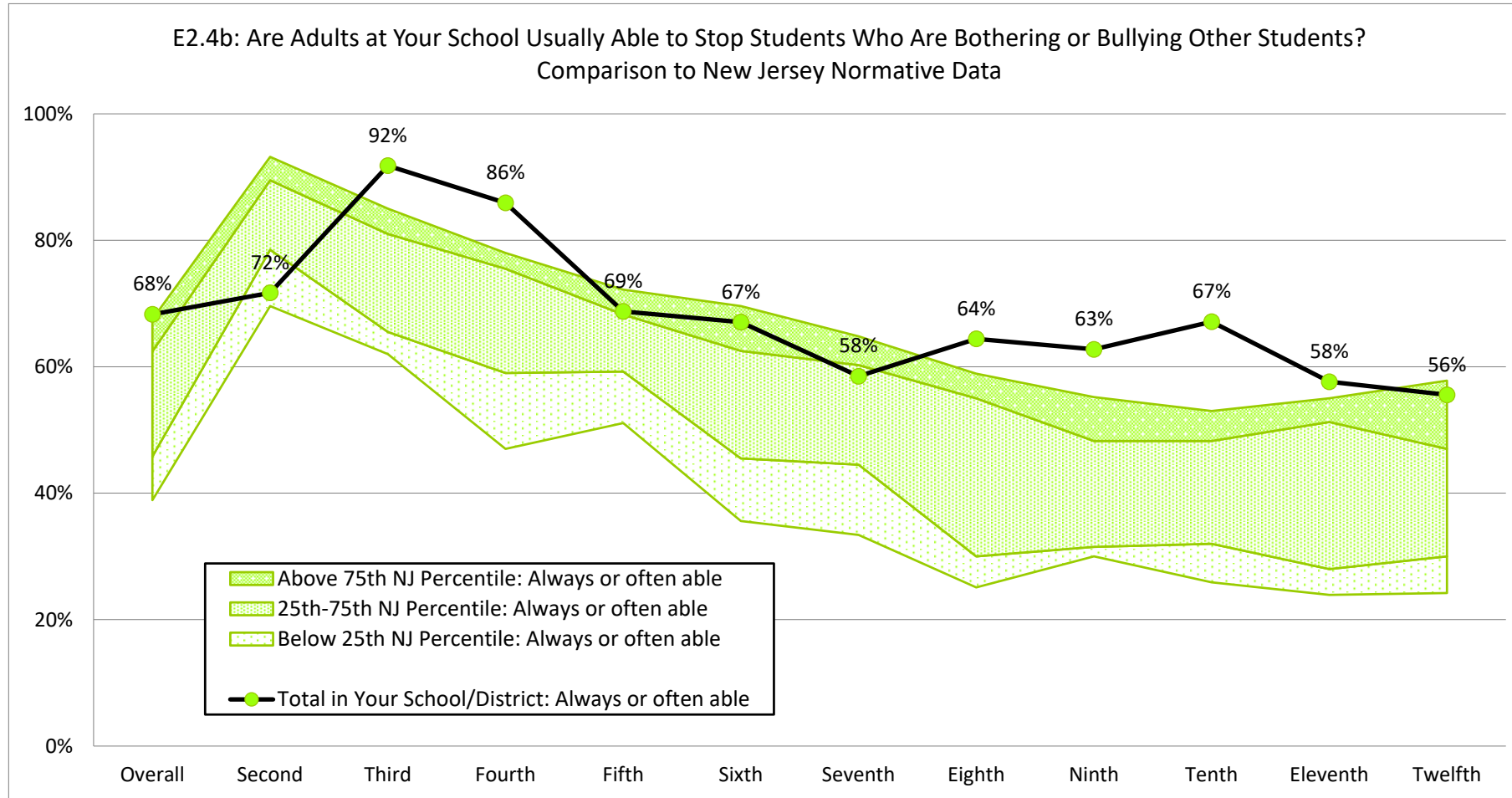
Grade 2-12 Students' Perceptions of Whether the Rules Against Bullying are Clear



Compared to normative data, the percentages of students who say that the rules against bullying are clear are very high in most grades.

Findings indicate that this is an area for specific focus in grades 4 & 8.

Grade 2-12 Students' Perceptions of Adults' Ability to Stop Bullying



Compared to normative data, the percentages of students who say that adults are usually or always able to stop bullying are very high in most grades.

Findings indicate that this is an area for specific focus in grade 2.

Has this happened to you... (percent saying often, weekly, daily, or more than once a day)?

	<i>Verbal Name-calling</i>		<i>Hurtful Exclusion</i>		<i>Appearance Denigration</i>	
	2019	2020	2019	2020	2019	2020
2 nd grade	3%	10%	2%	8%	0%	0%
3 rd grade	0%	10%	2%	2%	0%	6%
4 th grade	8%	1%	8%	4%	3%	2%
5 th grade	6%	8%	5%	8%	5%	7%
6 th grade	12%	6%	5%	6%	9%	3%
7 th grade	3%	12%	7%	8%	2%	6%
8 th grade	13%	10%	6%	2%	8%	5%
HS	9%	11%	5%	8%	8%	5%

Students were asked about 17 different experiences. The three shown here are those that are generally most common, throughout New Jersey, and the Midland Park percentages indicate typical age-related issues. The fact that an issue is typical does not mean it does not have to be addressed, but it does indicate that these issues are not unique to Midland Park; these are issues facing schools throughout New Jersey.



Has this happened to you... (percent saying often, weekly, daily, or more than once a day)?

	<i>Verbal Name-calling</i>		<i>Hurtful Exclusion</i>		<i>Appearance Denigration</i>	
	<i>2019</i>	<i>2020</i>	<i>2019</i>	<i>2020</i>	<i>2019</i>	<i>2020</i>
2 nd grade	3%	10%	2%	8%	0%	0%
3 rd grade	0%	10%	2%	2%	0%	6%
4 th grade	8%	1%	8%	4%	3%	2%
5 th grade	6%	8%	5%	8%	5%	7%
6 th grade	12%	6%	5%	6%	9%	3%
7 th grade	3%	12%	7%	8%	2%	6%
8 th grade	13%	10%	6%	2%	8%	5%
HS	9%	11%	5%	8%	8%	5%

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Has this happened to you... (percent saying often, weekly, daily, or more than once a day)?

	<i>Verbal Name-calling</i>		<i>Hurtful Exclusion</i>		<i>Appearance Denigration</i>	
	<i>2019</i>	<i>2020</i>	<i>2019</i>	<i>2020</i>	<i>2019</i>	<i>2020</i>
2 nd grade	3%	10%	2%	8%	0%	0%
3 rd grade	0%	10%	2%	2%	0%	6%
4 th grade	8%	1%	8%	4%	3%	2%
5 th grade	6%	8%	5%	8%	5%	7%
6 th grade	12%	6%	5%	6%	9%	3%
7 th grade	3%	12%	7%	8%	2%	6%
8 th grade	13%	10%	6%	2%	8%	5%
HS	9%	11%	5%	8%	8%	5%

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Has this happened to you... (percent saying often, weekly, daily, or more than once a day)?

	<i>Verbal Name-calling</i>		<i>Hurtful Exclusion</i>		<i>Appearance Denigration</i>	
	2019	2020	2019	2020	2019	2020
2 nd grade	3%	10%	2%	8%	0%	0%
3 rd grade	0%	10%	2%	2%	0%	6%
4 th grade	8%	1%	8%	4%	3%	2%
5 th grade	6%	8%	5%	8%	5%	7%
6 th grade	12%	6%	5%	6%	9%	3%
7 th grade	3%	12%	7%	8%	2%	6%
8 th grade	13%	10%	6%	2%	8%	5%
HS	9%	11%	5%	8%	8%	5%

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If You Were Having a Problem... Bullying... and You Needed Help, How Would You Get Help?

- Tell a teacher
- Tell a counselor at school
- Tell the principal
- Tell the nurse at school
- Put a note in a bully report or comment box
- Tell my parent/parents/mom or dad
- Tell my older brother or sister
- Tell another adult (aunt, uncle, religious leader, coach)
- Tell a friend my own age

*Older students are less likely to tell an adult. Percentage decreased from 98% in Grade 2 to 56% in HS. The turning point where student are less likely to tell an adult appears to be 6th grade.

Conclusion: Implications

STRATEGIES TO MAINTAIN PROGRESS

- Parents and School Should Work Together to Ensure that:
 - Each student has friends in school who can be supportive. In most grades, 8% or fewer reported have less than four friends.
 - Each student can identify an adult at school whom they trust, to whom they could go if they had a problem with another student. The vast majority of students across all grades indicated that they had a trusted adult to go to.
 - Students are encouraged to help each other; students confide in peers, more than in adults. If a peer is in trouble, tell an adult.
 - Each school has a positive and safe school climate. 80% - 90% of students across all grades indicated that they felt very or mostly safe in school.



STRATEGIES TO MAINTAIN PROGRESS

- Parents and School Should Work Together to Ensure that:
 - Students are discouraged from using language that is derogatory to others.
 - Students know that harmful social exclusion and rumor-telling are forms of bullying.
 - Cyber safety education occurs both at home and at school.



STRATEGIES TO MAINTAIN PROGRESS

- Parents and School Should Work Together to Ensure that:
 - Continue to encourage students to include each other and develop positive social relationships with peers in school.
 - The word “bullying” is not used for incidents that involve other types of hurtful behavior that are not bullying.

WHAT DO YOU NEED TO KNOW ABOUT THE SCHOOL'S PROCEDURES?

- School personnel must protect the confidentiality of all students. The school cannot provide you with information about discipline given another student.
- The school's jurisdiction is limited. If an incident occurred off campus, your recourse might be with law enforcement, and not through the school.
- “Tough on Bullying” means appropriate, not extreme, responses; remedial responses are often more effective.
- School staff are required to report certain types of incidents within the district, and at the state level.

WHAT CAN YOU DO TO HELP?

- Be familiar with your district's anti-bullying policy.
- Know that bullying today is different than it used to be; take it seriously. Listen/talk about it.
- Tell your son/daughter what to do if s/he is bullied (tell an adult). Do not give advice that will put your child in a difficult situation in school (e.g. do not advise to "hit back").
- Teach your son/daughter what to do if someone else is bullied (tell an adult, stand up for them, help them walk away, etc.).
- Teach about cultural diversity; teach the difference between Respect and Agreement.
- If you learn of a situation or incident in the school, tell a member of the school staff immediately.

THANK YOU
Stay Safe, Stay Well, and
Have a *Respectful*
School Year