

Commissioner's Annual Report to the Education
Committees of the Senate and General Assembly
on Violence, Vandalism and Substance Abuse
in New Jersey Public Schools

July 1, 2012 to June 30, 2013

Based on District-Reported Data in the
Electronic Violence and Vandalism Reporting System (EVVRS)
and the
Harassment, Intimidation and Bullying
Investigations, Trainings and Programs System (HIB-ITP)

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INTRODUCTION

In 1982, in response to the problem of violence and vandalism in New Jersey schools, the State Legislature passed the *Public School Safety Law (N.J.S.A. 18A:17-48)*. In 2010, Governor Christie enacted changes to the law to address growing concerns about harassment, intimidation and bullying (see [Appendix A](#)). The Commissioner’s annual report provides the Governor and Legislature with information reported by school districts concerning incidents of serious student misconduct grouped into the following five major reporting categories: violence; vandalism; harassment, intimidation and bullying (HIB); weapons; and substance abuse. An analysis of trends yields indications of progress and ongoing concerns, and provides guidance to districts, other agencies, and the New Jersey Department of Education (NJDOE) as they endeavor to focus resources on areas of need. The “Programmatic Response” section of this report provides recommendations to address areas of concern and describes the support that the NJDOE will provide to districts.

The “Key Findings” section below summarizes the data self-reported by districts over the Electronic Violence and Vandalism Reporting System (EVVRS). Districts are required to only report incidents on the EVVRS that meet the criteria of the EVVRS incident definitions, including the definition for HIB under the *Anti-Bullying Bill of Rights Act (ABR), P.L.2012, c. 122* (see [Appendix F](#)), if the incident occurs in school or on school grounds during school hours, on a school bus, or at a school-sponsored event. The one exception to this requirement derives from the ABR in its requirement that districts report **all** incidents of HIB, including those that occur off school grounds. An HIB incident must be reported on the EVVRS if the action taken by the offending student is motivated by an actual or perceived characteristic of the student victim, substantially disrupts or interferes with the orderly operation of the school, and meets at least one of three other conditions (see [Appendix F](#), HIB). Any incident occurring in school that does not meet all applicable criteria of the EVVRS definition is still required to be addressed under a district’s code of student conduct. The EVVRS data collection form given to districts to help them capture the required data elements can be found in [Appendix B](#).

In addition to statewide EVVRS data, this report summarizes data submitted over the Harassment Intimidation, and Bullying – Investigations, Trainings, and Programs (HIB-ITP) data

collection system. Districts (and charter schools) are required to report the following on the HIB-ITP: the number of HIB investigations conducted and the number of HIB incidents affirmed (i.e. found to be HIB) by the district board of education (or charter school governing authority); trainings provided to prevent and reduce incidents of HIB; and programs designed to prevent and address HIB. The HIB-ITP data collection form can also be found in [Appendix B](#).

The “Key Findings” section is followed by a summary of the Department’s programmatic response, that is, its efforts to create safe and secure school environments that are optimal settings for promoting student learning and growth.

This report is available in both printed and electronic formats. In the printed version, the figures may be found in [Appendix C](#) of the document. In the online version, the figures may be found by clicking on each hyperlink found in [Appendix C](#). In addition, summary data for each individual district and school may be accessed at <http://www.state.nj.us/education/schools/vandy/>. The percentages reported in tables and figures may not total to 100 percent due to rounding or when, as is the case for some items, the school or district may select more than one answer, (e.g., “check all that apply”). The incident data for this report represents the 2012-13 school year based on each district’s data verified by July 30, 2013.

KEY FINDINGS

Electronic Violence and Vandalism Reporting System (EVVRS)

Overall total and totals by EVVRS Incident Categories.

Overall total of incidents declined nearly 20 percent.

The unduplicated count of the total number of incidents reported by districts decreased by nearly 5,000 (19 percent) from 26,139 in 2011-12 to 21,170 in 2012-13 (see “Total” column in [Appendix D](#) for county and district totals). This decline is due principally to districts reporting 4,284 fewer incidents of HIB in 2012-13 than the year before. The decline follows a 50 percent increase in the overall total that occurred in 2011-12 (the first year that the ABR was in effect) -

an increase due principally to the high number of incidents of harassment, intimidation, and bullying (HIB) reported that year (12,024).

Data show a four-year decline in vandalism and declines in nearly every type of incident within the major reporting categories over the past three years.

[Figure 1](#) presents the total number of incidents for the major reporting categories over the four-year period, 2009-2013. Over the four years, vandalism decreased approximately 21 percent. Over the three-year period, 2010-2013, nearly every type of incident (e.g., *criminal threat* within the violence category and *theft* within the vandalism category) registered a decline (See [Trends in Types of Incidents Reported](#), below).

There was a large two-year decline in HIB incidents.

Threat was included as *harassment/intimidation/ bullying/threat* (HIBT) in the violence category in 2009-10 and 2010-11. In 2011-12, *harassment/intimidation/bullying* became a separate stand-alone category, and *threat* remained under the violence category. Because of this change, the totals for the violence category over the four-year period covered in [Figure 1](#) are comparable only for the last two years. Data for all five categories for the last two reporting years show the large decline in HIB incidents (36 percent) and smaller decreases in the other four categories, as indicated below.

Major Category Totals, 2011-12 and 2012-13

	2011-12	2012-13	% Change
Violence	8,252	7,895	-4%
HIB	12,024	7,740	-36%
Vandalism	1,924	1,751	-9%
Weapons	1,125	1,048	-7%
Substance Abuse	3,482	3,358	-4%

Trends in Types of Incidents Reported

Most incident types declined over the three-year period, with Criminal Threat decreasing by 40 percent and Theft by 15 percent.

[Table 1](#) illustrates changes in the number of offenses reported in the five major reporting categories over the last three years. The numbers in [Table 1](#) are duplicated. Duplicate counts occur because more than one offense type may be selected for a single incident. For example, if a single incident includes a *fight* and *damage to property*, it is counted as a *fight* in the violence category and as *damage to property* in the vandalism category. If a single incident includes an *assault* and *robbery*, it is counted as one incident of *assault* and one of *robbery*, and is counted twice in totaling the number of incidents in the violence category. The duplicated category totals in [Table 1](#) are not the same as the unduplicated counts reported in the above table, Major Category Totals, and in [Figure 1](#) and [Appendix D](#).

Summarized below in [Table 1](#) and detailed in [Appendix E](#) (Substance and Weapons Detail) are the changes in the number of reported incidents by type within each category over the three-year period from 2010-11 through 2012-13:

- **Violence**

The 7,895 incidents of violence represent 37 percent of all incidents reported.

- *Assault, fight, robbery/extortion* and *sex offense* incidents all declined between 10 and 15 percent over the three-year period;
- *Criminal threat incidents, i.e.,* expressing – either physically or verbally – the intent to commit aggravated assault (or similarly serious violent criminal offense), decreased by 106 (40 percent) over the three-year period; and
- As previously noted, starting in 2011-12 *threat* was reported as a separate incident type, independent of HIB. The two-year comparison shows that there were 1,423 incidents of *threat* reported in 2012-13, an increase of 160 (13 percent) from the 1,263 reported in 2011-12.

- **HIB**

The 7,740 incidents of HIB reported in 2012-13 represent a significant decrease (36 percent) from the 12,024 HIB incidents reported in 2011-12. The size of the decline in HIB incidents may be attributed to the interaction of multiple factors that occurred during the 2012-13 school year, including:

- 1) a continued emphasis by districts in training personnel to better understand that only incidents meeting all of the criteria of the HIB definition under the ABR are to be reported on the EVVRS;
- 2) a 57 percent increase in the number of school district programs, approaches and initiatives to prevent HIB, totaling 13,718 (see [Figure 11](#));
- 3) 7 “Essentials of HIB Investigations,” training sessions provided by the NJDOE, in collaboration with the New Jersey Principals and Supervisors Association and the New Jersey State Police, to more than 500 school personnel; and
- 4) a total of 21 additional training sessions provided by the NJDOE for district personnel as described in [“Training and Technical Assistance”](#) in the Programmatic Response section of this report.

For further detail on HIB incidents, see [The Nature of HIB Incidents and Related Discipline and Support Services](#).

- **Vandalism**

The 1,751 incidents of vandalism represent 8 percent of all incidents reported.

- *Bomb threat, burglary, damage to property, and theft* offenses all showed moderate declines of 10 to 16 percent;
- There were 35 fewer *fire alarm* offenses over the three-year period, representing a decline of 44 percent;
- *Fireworks* offenses and *trespassing* showed little change; and
- Reported incidents of vandalism where the district incurred cost declined 38 percent, from 156 in 2011-12 to 97 in 2012-13 (not shown in Table 1).

- **Weapons**

The 1,048 weapons incidents represent 5 percent of all incidents reported.

- *Firearms* incidents (handguns and rifles) increased from 5 in 2010-11, to 9 in 2011-12 and remained at that level in 2012-13.
- *Other weapons* in Table 1 is the category name for all types of weapons other than firearms and bombs. Within that category, the number of incidents involving *knives* decreased by 116 (14 percent). Excepting *imitation gun* incidents, which increased from 29 to 51 (76 percent), other incidents involving *other weapons* changed little (see [Appendix E](#)).

- **Substance Abuse**

The 3,358 substance abuse incidents represent 16 percent of all incidents reported.

- Between 2010-12 and 2012-13, *use* of substances decreased 6 percent to 2,500, *possession* decreased 5 percent to 1,065, and the *sale/distribution* of substances decreased 21 percent to 138 (see [Table 1](#)).
- Trends by type of substance are documented in [Appendix E](#).
 - *Marijuana*, while decreasing by 180 incidents to 2,363 in 2012-13, continues to account for the vast majority of the total number of substance incidents reported (69 percent).
 - *Alcohol* incidents declined by 11 percent from 543 to 483 and accounted for 14 percent of reported substance incidents this year.
 - Increases occurred in incidents involving:
 - *Narcotics* from 60 to 89 (48 percent);
 - *Drug paraphernalia* from 164 to 213 (30 percent); and
 - *Inhalants* from 3 to 11.
 - Decreases occurred in incidents involving:
 - *Unauthorized prescription drugs* from 188 to 143 (24 percent);
 - *Amphetamines* from 49 to 28 (43 percent);
 - *Cocaine/crack* from 41 to 30 (27 percent); and
 - *Depressants* from 36 to 29 (19 percent).
 - Incidents involving other types of drugs changed 10 percent or less (see [Appendix E](#)).

Table 1: Incidents by Type, 2010-11 – 2012-13

Note: The totals in this table are duplicated; therefore, they will differ from the unduplicated count in [Appendix D](#). See page 4 for explanation.

	2010-11	2011-12	2012-13	3-Year Trend
<i>Incident Type:</i>				
Violence				
Assault	3,161	3,109	2,745	-416
Fight	4,043	3,518	3,426	-617
Robbery/Extortion	82	76	71	-11
Sex Offense	252	292	227	-25
Criminal Threat	263	140	157	-106
HIBT ¹	3,412			N/A
Threat ²		1263	1,423	N/A
Total:	11,213	8,398	8,049	N/A
Harassment, Intimidation, or Bullying³		12,024	7,740	N/A
Vandalism				
Arson	81	64	61	-20
Bomb Threat ⁴	67	43	57	-10
Burglary	44	25	37	-7
Damage to Property	853	766	765	-88
Fire Alarm Offense	80	51	45	-35
Fireworks	36	35	35	-1
Theft	870	916	739	-131
Trespassing	71	75	72	1
Total:	2,102	1,975	1,811	-291
Weapons				
Firearm ⁵	5	9	9	4
Other Weapons	1,237	1,132	1,065	-172
Bomb Offense	4	0	1	-3
Total:	1,246	1,141	1,075	-171
Substances				
Use	2,661	2,419	2,500	-161
Possession	1,119	1,144	1,065	-54
Distribution	174	162	138	-36
Total:	3,854	3,725	3,703	-151

¹ In 2010-11 HIBT included incidents of harassment, intimidation, bullying and threat.

² Beginning in 2011-12, Threat is reported separately from HIB.

³ Beginning in 2011-12, HIB is reported as a separate category, independent of Violence, in accordance with the ABR.

⁴ Includes four fake bombs in 2010-11, two in 2011-12 and three in 2012-13.

⁵ Includes handgun and rifle incidents only. Air guns and imitation guns are classified as "Other Weapons."

Characteristics of Incidents

A third of incidents occur in the classroom; gang-related incidents are down; and nearly 3,000 complaints were filed with or by the police.

Location

[Figure 2](#) illustrates the distribution of the location of all incidents across three years. Nearly a third (6,754 or 32 percent) of all reported incidents occurred in the *classroom* in 2012-13, the highest percentage recorded in the past three years. The frequency of incidents occurring in the *classroom*, by category, is illustrated in [Figure 3](#). Slightly more than 1 in 10 incidents (2,297 or 11 percent) occurred in the *cafeteria*; another 6,788 (32 percent) occurred in other locations within the school building. A total of 5,242 incidents (19 percent) occurred outside the school building or at off-site functions or programs. The number of incidents that occurred on the school *bus*, 1,117, represents a decrease of 423 (27 percent) from the total of 1,540 in 2011-12.

[Figure 4](#) illustrates the distribution of HIB incidents by location for 2012-13. More than 1 in 3 (35 percent) of all HIB incidents occurred in a *classroom*. The number of HIB incidents happening in the *classroom* declined 31 percent from 3,873 in 2011-12 to 2,678 in 2012-13, somewhat less than the overall one-year decline of HIB (36 percent). Fourteen percent of HIB occurred in the *cafeteria*, 22 percent occurred at locations inside the school other than the classroom or cafeteria, 10 percent occurred on *school grounds* and 8 percent occurred on the *bus*.

Other Bias-Related Incidents

Any EVVRS-defined incident of violence, vandalism, weapons, or substance abuse may also be reported as motivated by bias. In addition to the 7,740 incidents of HIB reported in 2012-2013 (that include bias by definition), there were 36 incidents of violence, vandalism, weapons, or substance abuse reported as bias-related, for a total of 7,777 bias-related incidents. The total of 36 other bias-related incidents in 2012-13 represents a decrease of 53 percent from 2011-12 when 76 non-HIB incidents were reported as bias-related. Decreases can be seen across many types of incidents, particularly *fight*, *threat* and *damage to property* and *weapons*. The decline in HIB incidents (36 percent) and this decline in other bias-related incidents may reflect an impact

of the training in HIB policy and practice, as well as the implementation of prevention programs carried out by districts.

Gang-Related Incidents

Gang-related incidents are those incidents of violence, vandalism, HIB, weapons, or substance abuse where there is confirmation from a law enforcement official, the victim, or the offender that the incident was gang-related. Any offense may be reported as gang-related. The total of 27 gang-related incidents in 2012-13 represents a decline of 29 percent from the 2011-12 total of 38.

Police Notification

In 6,385 instances (30 percent of all reported incidents in 2012-13) police were notified of the incident; in nearly half the cases (2,928), a complaint was filed with or by the police. This level of police notification would indicate that school personnel are working with law enforcement to ensure that schools are safe. The number of incidents about which police were notified (6,385) represents 14 percent of all incidents.

Disciplinary Action Taken and Program Provided

The number of suspensions decreased by 11 percent in 2012-13.

[Figure 5](#) depicts the number of suspensions by the duration of the suspension for 2011-12¹ and 2012-13. As there was a decrease of 4,969 (19 percent) in the total number of incidents reported in 2012-13, a decrease in the number of suspensions (2,486 or 11 percent) would be expected. Suspensions of 2-4 days' duration were the most frequently administered (46 percent of cases in both 2011-12 and 2012-13). Whereas one-day suspensions constituted 21 percent of all suspensions in 2011-12, they were 19 percent of all suspensions in 2012-13. The proportion of suspensions of 10 days or more increased from 15 to 17 percent of all suspensions in 2012-13.

[Figure 6](#) shows the distribution of the types of programs/services provided, covering all disciplinary actions taken. In more than a quarter of actions taken (28 percent), the student received no assignment or academic instruction. When the action taken was an in-school

¹ Data in Figure 5 includes records from the 2011-12 data file omitted in error in last year's report.

suspension, 13 percent received no program or service; and for students receiving an out-of-school suspension, that figure increased to 23 percent. Assignments were the most frequently indicated category of program/services provided as part of the disciplinary actions taken.

Status of HIB Investigations

Districts select the “10-day investigation completed” option in the EVVRS for HIB incidents when the investigation is completed within 10 days or less from the date when the written report of the incident is received by the school principal. In 2012-13, 7,059 incidents (91 percent) were reported as completed within the 10-day timeline specified in the ABR compared to 94 percent in 2011-12.

Each local Board of Education (BOE) is required to issue a decision in writing to affirm, reject or modify the superintendent’s decision following the completion of an HIB investigation report. Since only an “HIB incident affirmed by the BOE” (wording on the reporting form, HIB Information Page – see [Appendix B](#)) is reported in the EVVRS, the number of HIB incidents recorded should equal the number of decisions rendered by Board of Education. However, in 2012-13, 7,740 HIB incidents were recorded; yet districts reported that a BOE decision was rendered in only 6,034 cases (78 percent). In some cases, the district may have entered the incident and related data prior to the decision of the BOE. For those districts that tried to return and modify their HIB data (i.e., indicate BOE affirmation), technical problems with the EVVRS software made it difficult to complete the modification and may have been a cause of the discrepancy.

The Nature of HIB Incidents and Related Discipline and Support Services

Nature of HIB Incidents

Data on the nature of the HIB incidents is collected under the following groupings on the EVVRS: 1) Protected Category; 2) Effect of HIB Incident; and 3) Mode of HIB Incident (see [Figure 7](#)).

*“Other Distinguishing Characteristics”
was the most frequently cited “Protected
Category” of victims of HIB.*

The percentages of each protected category changed little from 2011-12 to 2012-13. The most frequently cited *protected category* in 2012-13 was *Other Distinguishing Characteristics*, followed by *Race* and *Color* combined –reported separately- on the reporting form and [Figure 7](#), and then *Sexual Orientation*, and *Gender*. The combined *Race/Color* category increased from 13 percent in 2011-12 to 15 percent in 2012-13, while the *Other* category decreased from 62 percent to 60 percent in 2012-13, and the percentages of the remaining categories remained stable.

Protected Category, 2012-13

	Number	Percent
Race/Color	1,144	15%
Religion	186	2%
Ancestry/Origin	341	4%
Sexual Orientation	898	12%
Gender	890	11%
Gender Identity and Expression	385	5%
Mental, Physical or Sensory Disability	676	9%
Other Distinguishing Characteristics	4,611	60%

“Insulting or demeaning a student or group of students” was the effect of three incidents in four.

As a result of each HIB investigation, schools reported what they perceived to be the effect of the HIB incident on the victim and/or the school. As was the case in 2011-12, the single most frequently cited effect was “*insulted or demeaned a student or group*” (71 percent in 2011-12, 73 percent in 2012-13). While the proportion of incidents where the victim was “in fear” (29 percent) did not change from the prior year, the proportion of incidents that required the district to determine, during its investigation, if the offender had foreknowledge of the effect of his/her action, and to gauge the effect on the *victim’s education* and *educational environment* increased noticeably in 2012-13. The response category *Offender knew action would cause harm* increased from 31 to 38 percent; the category *Interfered with victim’s education* increased from 25 to 29 percent; and the category *Created a hostile educational environment for the victim* increased from 22 to 28 percent. This pattern of increase suggests that districts became more

aware of and applied the criteria in the definition of HIB under the ABR that speak to the effect of the incident on the victim and the school. This more active review by districts could explain, in part, the decline in HIB incidents reported on the EVVRS. Their review also resulted in more effects, on average, being reported for each incident. The 2.3 “Ratio of Effects to Incidents” reported in the table below represents an increase of 14 percent from the average of 2.0 effects per incident in 2011-12.

Effect of HIB Incident, 2012-13

	Incidents	Percent
Victim was in fear of physical or emotional harm or damage to personal property	2,259	29%
Interfered with victim’s education	2,249	29%
Created a hostile educational environment by severely or pervasively causing physical or emotional harm	2,178	28%
Substantially disrupted or interfered with orderly operation of school or rights of other students	2,378	31%
Insulted or demeaned a student or a group of students	5,687	73%
Offender knew action would physically or emotionally cause harm to the victim or damage to the victim’s property	2,976	38%
Duplicated Total	17,727	
<i>Ratio of Effects to Incidents</i>	2.3	

Most acts of harassment, intimidation or bullying were delivered verbally.

The distribution of data on the *mode* of delivery of the HIB incident did not essentially change in 2012-13 from the prior year. The one exception was “Electronic Communication” which increased marginally from 12 to 14 percent. HIB incidents delivered verbally are by far the most common.

Mode of HIB Incident, 2012-13

	Number	Percent
Gesture	1,116	14%
Written	562	7%
Verbal	5,939	77%
Physical	1,500	19%
Electronic Communication	1,093	14%

Students in the middle grades (5-8) represent more than half of HIB offenders.

Grade Level of Offenders

Of the 8,289 students who committed acts of HIB, over half of the students responsible were in grades 5-6 (25 percent) or grades 7-8 (31 percent) (see [Figure 8](#)). The combined total of 56 percent (down from 63 percent in 2011-12) is nearly twice the proportion of student enrollment overall (29 percent).

Fewer schools reported HIB incidents.

The Number of Schools Reporting HIB Incidents

As would be expected with a significant decline in the number of HIB incidents reported, the number of schools reporting HIB incidents decreased from 1,621 in 2011-12 to 1,441 in 2012-13. This decline of 11 percent, as opposed to the 36 percent decline in the total number of incidents, means that fewer schools are reporting incidents of HIB affirmed by the district BOE and that, of the schools reporting, fewer HIB incidents on average are being reported (see [Figure 9](#)).

Counseling was the most frequently cited supportive service provided to offenders.

Other Disciplinary and Remedial Actions for HIB Offenders

In addition to the types of disciplinary actions captured in the EVVRS for all incidents, the ABR requires reporting of additional disciplinary actions, including consequences and appropriate remedial actions for a person who commits an act of HIB (see “Other Disciplinary and Remedial Action Taken” in [Figure 10a](#) and summarized in the table below). In 2012-13, a total of 20,274 of these actions was recorded, 37 percent fewer than the number recorded the prior year (32,062). The proportion of actions of *individual or group counseling* increased from 27 percent in 2011-12 to 30 percent and *suspension of privileges* decreased from 7 to 4 percent. Other categories remained relatively stable.

Other Disciplinary and Remedial Actions, 2012-13

	Number	Percent of Actions
Student Conferences	5,669	28%
Parent Conferences	5,298	26%
Individual or Group Counseling	6,034	30%
Suspension of Privileges	795	4%
All Other	3,273	16%

Over 14,000 actions were taken in support of victims of HIB. Three-in-four student victims received counseling services.

There were 14,454 remedial actions taken in the form of support services for student victims of HIB (see [Figure 10b](#)). Counseling constituted the largest category selected, followed by parent conferences, and support services. The 2012-13 school year was the first for which data on remedial actions for victims was collected.

Remedial Actions Taken for Student HIB Victims, 2012-13

	Number	Percent
Counseling	6,182	43%
Parent Conference	3,772	26%
Support Services	1,239	9%
Seating change	857	6%
Other	1,354	9%
Locally described measures	1,050	7%

Harassment, Intimidation and Bullying – Investigations,
Trainings and Programs (HIB-ITP)

The HIB-ITP data collection system was created in 2011-12 in order to respond to the reporting requirements of the *Anti-Bullying Bill of Rights Act (ABR)*, P.L.2012, c. 122. Information reported in this section is for 2011-12 and 2012-13 only. It should be noted that 16 districts/charter schools did not report HIB-ITP for one or both reporting periods in 2012-13. The HIB-ITP requires schools to enter the number of HIB incidents affirmed by the board of education. The Electronic Violence and Vandalism Reporting System (EVVRS) collects the incident detail for each BOE-affirmed incident of HIB. Therefore, the number of incidents affirmed by the BOE in each system should be equal. However, there was a discrepancy in the number of affirmed HIB incidents in EVVRS (12,024) and the number reported in HIB-ITP (13,684) for the 2011-12 school year, a difference of 1,660, or 14 percent. That gap widened in 2012-13, with 7,740 affirmed incidents being reported in EVVRS and 9,339 being reported in HIB-ITP, a difference of 1,599, or 21 percent.

Recent feedback from districts has provided the Department with insight into the reason for the reporting inconsistency that may have contributed to the discrepancy between the number of affirmed incidents on the EVVRS and HIB-ITP. The ABR requires that the results of all HIB investigations be brought before the local BOE. Each BOE is then required to issue a decision in writing to affirm, reject or modify the superintendent’s decision following the completion of a HIB investigation. However, through conversations with local district personnel, the Department has learned that there was some confusion around the term “affirmed” and what should be reported, since HIB incidents that are affirmed by the BOE may be either affirmed as “substantiated” (i.e., found to be HIB) or affirmed as “not substantiated” (i.e., not found to be HIB). Some districts were interpreting “affirmation” to mean agreement with the results of the investigation, independent of the outcome of the investigation. However, only HIB incidents affirmed as HIB by the BOE are reportable under “Incidents” on the HIB-ITP and under the “HIB” category on the EVVRS. The NJDOE has clarified reporting instructions on the data collection forms for 2013-14 and will provide further training to district staff on how to correctly

report affirmed incidents of HIB in both the EVVRS and HIB-ITP. Detailed results from the HIB-ITP Data Collection Form (see [Appendix B](#)) may be found in [Figure 11](#).

HIB Investigations and Incidents

The number of HIB investigations carried out in the 2012-13 school year represents a decline of nearly 40 percent.

School districts reported conducting nearly 22,000 HIB investigations to determine if an incident met the definition of HIB according to the ABR. Some incidents investigated are found not to be HIB and therefore not reportable on the EVVRS. The total represents a decrease of 38 percent from the prior year in investigations conducted.

Trainings Provided to Reduce Incidents of HIB

Trainings conducted to reduce incidents of HIB are reported in three categories: 1) district HIB policy training (“Policy Only”); 2) district policy training including instruction on preventing bullying on the basis of protected categories and other distinguishing characteristics (“Policy and Prevention”); and 3) “Other Topics.” The number of trainings related to the reduction of HIB (11,199) remained relatively stable in 2012-13, declining only two percent from the prior year. The number of training sessions devoted to “Policy Only” did not change. Training in policy that included instruction in prevention (“Policy and Prevention”) declined 27 percent while training in “Other Topics,” numbering 7,229, increased 11 percent (see [Figure 11](#)).

A training may target one or more types of audience. The target audiences for district trainings did not change significantly from the prior year: Teachers were the target audience in 53 percent of the training, followed by school anti-bullying specialists (47 percent) and school-level administrators (39 percent). See [Figure 11](#).

District training in 2012-13 continued a focus on “Policy Only,” with an increase in “Other Topics” addressed.

Programs Provided to Reduce Incidents of HIB and Conditions Addressed

There was an increase in 2012-13 of nearly 5,000 programs provided by schools and districts.

There were 13,718 programs, approaches or initiatives other than trainings reported by schools and districts in 2012-13, an increase of 4,958 (57 percent) from the 8,760 reported in the 2011-12 school year. More than 9 in 10 programs, approaches or initiatives (92 percent) were targeted to students. Teachers participated in half (51 percent) of the programs, while school anti-bullying specialists, school-level administrators and other school staff were the target population in approximately 3 programs in 10 (see [Figure 11](#)). The percentage of programs targeted to each group is very similar to the percentages reported last year.

As part of reporting, districts selected the type of safe and supportive school-wide conditions on which the programs, approaches or initiatives were focused. Each program, approach or initiative may support one or more of the condition types. The ten choices are fully described in the *Essential Dimensions for Consideration for Safe and Supportive School Conditions* ([Appendix B](#)). Of the 13,718 programs provided, the 3 top school-wide conditions addressed in 2012-13 were the same as those addressed the prior year with the percentages essentially unchanged: *Relationships* (approximately 78 percent), *Sense of School Community* (approximately 73 percent), and *Peer-Social Norms* (73 percent). See [Figure 11](#).

PROGRAMMATIC RESPONSE

Methods of Prevention

Violence, as is the case with many community problems, can become manifest in schools. The NJDOE and local school staff continually strive to foster safe and secure school environments that are optimal settings for promoting student learning and growth. . The most effective strategies for the prevention of school violence and related at-risk student behavior involve continuous vigilance and proactive, coordinated efforts among all facets of the community for the maintenance of safe, supportive and disciplined school environments.

State and local interagency collaborations have enhanced educators' capacities to cultivate positive learning conditions and to address complex student problems. A growing recognition among representatives from state and local partner agencies regarding the importance of data-driven decision-making and the use of evidence-based practices has contributed to more focused and functional prevention and intervention efforts and more efficient use of resources.

In the interest of advancing the overarching goals of preventing, reducing, and effectively managing incidents of violence, vandalism, harassment, intimidation and bullying (HIB), substance abuse, and other at-risk student behaviors, the NJDOE and its partner state agencies support a diverse array of initiatives designed to help schools achieve the following objectives:

- To protect the health, safety, security, and welfare of school populations;
- To establish and maintain civil educational climates and cultures;
- To prevent at-risk student behaviors;
- To intervene with and remediate at-risk student behaviors at all stages of identification;
- To provide supportive services for staff, students, and their families; and
- To prevent, intervene in, respond to, and recover from emergency and crisis situations.

Programs, services, and activities designed to support these aims are at the heart of safe and supportive schools. There continues to be important gains in our knowledge from the research on the types of school-based strategies that have proven to be effective in creating safe,

supportive, disciplined and drug-free schools. At their core, all of the evidence-based school strategies for preventing problematic student behavior and for fostering positive student development are designed to advance the following protective factors:

- Student engagement in learning;
- Student attachment to school; and
- Student acquisition of the social skills that have been reported in the research literature to result in measurable positive effects on academic performance, student retention and reductions in violence, HIB, substance abuse, and other at-risk student behaviors.

Schools are most likely to prevent problematic behavior and promote student well-being and success through comprehensive, coordinated and systematically planned programs, services, and activities designed to develop students' abilities to identify and manage emotions, make healthy decisions, establish constructive relationships, develop care and concern for others, and effectively manage challenging situations. The NJDOE's initiatives are designed to help schools embrace and cultivate the strategies and to increase the factors that protect students from engaging in at-risk behavior (e.g., unexcused absences, conduct problems, poor school performance, violence, substance abuse, HIB, gang involvement) and achieve the purposes described above.

Advisory Council Recommendations

In response to numerous requests from districts on clarification of how to report in the Harassment, Intimidation and Bullying – Investigations, Trainings and Programs (HIB-ITP) data collection system during its first year of implementation in the 2011-12 school year, the department created an HIB-ITP Advisory Council in January 2013. The council, comprising district anti-bullying coordinators from across the state and county office of education specialists, met to review the statutory requirements for reporting in HIB-ITP and the components of the system, the council members then worked in small groups to generate information on and elicit ideas for improving the HIB-ITP in two areas:

- Content – The information that is requested and the text used to obtain the requested information; and
- Function – The way the information is reported and the way the system is designed.

The discussion resulted in a revised HIB-ITP data collection form that was disseminated to the council for further feedback. After final revisions to the form were made, the HIB-ITP system was reprogrammed to collect and report on data in a more user-friendly format that was enhanced to increase accuracy in reporting. For a description of the revisions to the HIB-ITP data collection form, go to the [EVVRS Welcome Page](#) and click on the September 3, 2013 memo under “Notices.”

Reporting Inconsistencies

In response to the data discrepancy between the number of HIB incidents affirmed by the Board of Education reported in the HIB –ITP and the number of incidents reported in 2011-2012, the Department increased its technical assistance to improve data accuracy. The Department developed and conducted three EVVRS and HIB-ITP technical assistance webinars, and posted a PowerPoint presentation, a Frequently Asked Questions document, and revised training materials and guidance on the EVVRS Welcome Page.

Unfortunately, these efforts did not have the desired impact. Future technical assistance from the Department to districts along with the revised HIB-ITP data collection forms for 2013-14 clarifying that only substantiated HIB incidents affirmed by the BOE may be entered into the HIB-ITP should increase reporting accuracy. It is also recommended that districts do the following to ensure accurate self-reporting in EVVRS and HIB-ITP:

- Provide annual training to staff to fulfill the reporting requirements pursuant to *N.J.A.C. 6A:16-5.3(e)3*;
- Identify roles and responsibilities of staff completing and/or entering EVVRS and HIB-ITP data; and
- Establish ongoing and systematic communication between the staff completing and/or entering EVVRS and HIB-ITP data.

Department Recommendations

School districts, county agencies, and state agencies must continue to coordinate and collaborate on efforts that promote safe and supportive conditions for learning and also prevent at-risk and disruptive behavior. In response to the occurrence of at-risk student behaviors and the existence of some unsafe educational environments, the NJDOE will continue to focus its efforts on areas

of statewide concern, and districts should focus on locally-determined concerns. In support of these ends, the NJDOE recommends that districts and schools do the following:

1. Coordinate, improve and expand existing and required policies, procedures and plans to address areas of concern, such as:
 - Assess the immediate school surroundings, as well as the social and emotional learning climates and cultures of the school communities;
 - Develop and consistently apply clearly defined codes of student conduct and related policies and procedures, including strategies for addressing HIB, student attendance and truancy;
 - Maintain current comprehensive school safety and security plans that incorporate clearly defined procedures and mechanisms for responding to and recovering from emergencies and crises;
 - Apply the *Memorandum of Agreement Between Education and Law Enforcement Officials* to strengthen communication and optimize the prevention and intervention of and response to unlawful behavior;
 - Take advantage of building-based multidisciplinary problem-solving teams to assist students who are experiencing learning, behavior or health difficulties; to assist staff who have difficulties in addressing students' learning, behavior, or health needs; and to inform principals of school-wide issues; and
 - Use School Safety Teams created under the ABR to identify systemic concerns, particularly for school climates and cultures, and recommend programs, strategies, services and other initiatives for addressing them.

2. Use local data (e.g., attendance, conduct referrals and dispositions, grades) and collect additional data to more effectively target resources to areas of concern and to track progress and outcomes of implemented programs and strategies, including through the use of the following data sources:
 - Electronic Violence and Vandalism Reporting System (EVVRS);
 - Harassment, Intimidation and Bullying – Investigations, Trainings and Programs (HIB-ITP) data collection system;
 - New Jersey Student Health Survey;

- School Health Profiles Survey;
 - School Performance Reports (formerly the School Report Card);
 - NJSMART (the NJDOE’s education data system);
 - School climate surveys, such as the [New Jersey School Climate Survey](#), which is a free and research-based resource. Implement evidence-based prevention and intervention programs and strategies that focus on areas of local concern; and
 - HIB-ITP data to identify and address systemic concerns related to the number of HIB investigations, incidents affirmed (i.e., found to be HIB) by the BOE, and the types of trainings and programs offered to identifiable audiences (i.e., students, staff, parents, other) to support general prevention efforts to help students succeed in a respectful and caring school culture and climate.
3. Use district improvement initiatives to support general prevention efforts by establishing school climates and cultures that are supportive, respectful and caring; create meaningful adult-student relationships; provide learning experiences that are relevant and rigorous; and give students sufficient support to help them stay engaged and succeed in school. Some examples include:
- School improvement efforts that address each of the following elements:
 - High expectations for academic achievement and conduct that establish school cultures and climates that support teaching and learning;
 - Social and emotional development;
 - Open and honest interpersonal communication;
 - Community engagement;
 - Positive morale in the school community; and
 - A safe and secure physical environment.
 - Personalized Student Learning Plans that are designed to use adult mentors (including parents, teachers and counselors) to help students recognize and achieve their goals and that include at least the following three areas of development: personal, academic and career;
 - Professional Learning Communities in which schools are characterized as learning organizations united by a shared vision of student and staff learning and mutually

accepted values of respect and caring, and in which staff and students function interdependently to achieve shared goals;

- After-school programs that engage students in productive, educational, and healthy activities during the hours after school when youth might lack adult supervision and are most likely to become involved in delinquent or dangerous activities;
- School Wellness Teams (councils) that promote healthier nutrition choices, breakfast in the classroom and increased physical activity throughout the day; and
- Educational stability guidelines that are designed to improve the educational outcomes of children in out-of-home placement by promoting, developing, and enhancing collaboration between schools and child protective and behavioral health and prevention systems.

Department Support

The NJDOE will continue to provide school staff, parents, community members, students and other constituents with information, technical assistance, training and web-based resources to support the recommendations above. Supportive information, including resources to prevent problematic behavior, foster positive student development, and promote safe, disciplined and supportive schools are posted on the [NJDOE's Keeping Our Kids Safe, Healthy and in School](#) web pages.

1. In order to support consistent, effective, and precise implementation of the *Anti-Bullying Bill of Rights Act* (ABR), the NJDOE provided training and technical assistance, engaged stakeholders, developed guidance materials, and modified and created reporting systems. During this reporting period (from September 1, 2012 to August 31, 2013) the NJDOE completed the following:

Training and Technical Assistance

- Provided four training sessions in September 2012 for 300 district anti-bullying coordinators (ABC) and school anti-bullying specialists (ABS) and posted the presentation, [Best Practices for the Practical Implementation of the Anti-Bullying Bill of Rights Act](#) on the Department's website.

- Provided eight separate trainings in October and November 2012 for school district teams of three staff (900 total participants) on “Improving School Climates and the Conditions for Learning: Support for the Anti-Bullying Bill of Rights Act.” [Webinars](#) of the training program were developed to accommodate victims of Hurricane Sandy and others who could not attend the training.
- In collaboration with the New Jersey Principals and Supervisors Association and the New Jersey State Police, provided seven separate training sessions in March through May 2013 for over 500 ABCs and ABSs and other school staff on “[The Essentials of HIB Investigations.](#)”
- Provided two separate training sessions in August 2013 for a total of 60 staff from the Priority and Focus Schools, through the Regional Achievement Centers, on “The Anti-Bullying Law and School Climate Connection.”
- Provided seven additional HIB trainings and presentations to over 500 people, upon request in 2012-13;
- Pilot-tested a professional development module to be used by schools to establish safe and supportive school environments for LGBTQ² students;
- Continued its work supporting school district efforts to create positive school climates for all students. Specifically, the Office of Special Education Programs (NJSEOP) continues to expand the use of positive behavior supports (PBS) statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the Learning Resource Centers. Activities include targeted training and technical assistance for school districts, implementation of a PBS network of districts and schools and resource dissemination activities.
- Continued to support the Inclusive Schools Climate Initiative (ISCI). This is the continuation of a three-year Memorandum of Understanding between NJSEOP and the Rutgers Center for Applied Psychology to provide support to 10 middle schools with

² Lesbian, Gay, Bisexual, Transgender, and Questioning

high suspension/expulsion rates of students with disabilities and to districts with priority and focus schools. The initiative focuses on educating students with disabilities within the district as it relates to harassment, intimidation and bullying programs to develop a school climate that is inclusive and supportive of these students' academic and social/emotional needs. This project is also developing an initiative to support web-based resources which would be available to all students.

- Provided ongoing technical support to the county offices of education and their constituent schools regarding requirements in the ABR; and
- Revised the EVVRS and HIB-ITP guidance manuals and provided additional guidance and webinars that can be found on the [EVVRS Welcome Page](#) under “Training Materials.”
- Provided technical assistance visits and webinars on the use of the EVVRS and HIB-ITP reporting systems and their respective reporting requirements to increase consistent and accurate reporting.

Consultation

- Provided ongoing consultation with and support to the Anti-Bullying Task Force (ABTF), and established a web page for the [ABTF](#). The ABTF issued its first [Interim Report](#) in January 2013.
- Convened the HIB-ITP Advisory Council in January 2013 to consult with stakeholders to amend the HIB-ITP data collection form to clarify for users the information intended to be collected.

Guidance Materials

- Disseminated the [“Week of Respect”](#) and [“School Violence Awareness Week”](#) guidance in September 2012, to assist districts with the observance of each week.
- Posted [“Guidance on the Annual Review and Approval of the Uniform State Memorandum of Agreement between Education and Law Enforcement Officials \(MOA\)”](#) in August 2013 to clarify the requirements for the annual review and approval of the [MOA](#) and describe general procedures for facilitating the annual review and approval.

- Posted a document titled “[Obtaining Assistance for Harassment, Intimidation and Bullying Concerns under the Anti-Bullying Bill of Rights Act](#)” to explain options available to the public for receiving assistance with instances of HIB against students.
- Disseminated materials on the [Commissioner's Program and Guidance for Determining Grades under the Anti-Bullying Bill of Rights Act \(Commissioner's program\)](#), in accordance with *N.J.S.A. 18A:17-46*. The materials explain the school and school district procedures for complying with the Commissioner's program.
- Posted all materials necessary for school staff to conduct a social norms campaign based on the NJDOE's [Social Norms Project](#) that was administered in collaboration with Rowan University. The project targeted HIB in participating middle schools and substance abuse in participating high schools.
- Created new a [School Climate and Culture](#) web page that includes information on government agencies, statutes, regulations and case law, resources, reports, data collection and professional associations.
- Developed and disseminated in November 2012, a [New Jersey School Climate Survey \(NJSCS\)](#) and supportive materials in collaboration with the Bloustein Center for Survey Research at Rutgers, The State University of New Jersey. The NJSCS materials include an administration guide, student, staff and parent survey questionnaires and survey and data entry display tools.

Reporting

- In December 2012, the redesigned Electronic Violence and Vandalism Reporting System which can be accessed from the [EVVRS Welcome Page](#) was opened for the 2012-13 school year. Districts were notified and provided guidance in November 2012 on changes made to the EVVRS and HIB-ITP data collection systems to further increase accuracy in reporting and to facilitate state and federal reporting requirements.
- Sent the report on violence and vandalism, including HIB, for 2011-2012, to the Education Committees of the Legislature in October 2012;

- Notified districts of the process for confirming Report Period 1 data and verifying Report Period 2 data on the EVVRS for the 2012-13 school year and for certifying their data reported on the HIB-ITP for Report Periods 1 and 2.
2. Current and future NJDOE activities to provide support to students, parents and schools with resources, information and training include:
- Converting the current paper version of the *New Jersey School Climate Survey* to an electronic survey for data entry and school reports to facilitate use by school staff;
 - Continuing to provide training programs and technical support for the implementation of the ABR, including delivery of the course titled *Best Practices for the Practical Implementation of the Anti-Bullying Bill of Rights Act*;
 - Awarding the \$1 million appropriation for the Bullying Prevention Fund in grants to school districts in 2013-14, to support implementation of the ABR;
 - Issuing the grades assessing each public school and school district's efforts to implement the *Anti-Bullying Bill of Rights Act* for the time period of January 5, 2011 to June 30, 2013, consistent with the Commissioner's "Program and Guidance for Determining Grades under the *Anti-Bullying Bill of Rights Act*";
 - Supporting the school climate improvement and other functions of the School Safety Teams that were established under the ABR;
 - Assisting the school climate specialists at each Regional Achievement Center in providing support to the school climate improvement efforts of the Priority and Focus Schools;
 - Assisting schools with high prevalence of HIV/STD/pregnancy and to assess and support school climate improvement efforts as part of a cooperative agreement with the Centers for Disease Control and Prevention;
 - Updating the *Resource Manual for Intervention and Referral Services* and providing technical support to schools on the Intervention and Referral Services (I&RS) regulations (*N.J.A.C. 6A:16-8*) and best practices for implementing I&RS; and

- Conducting site visits for districts showing evidence of apparent EVVRS and HIB-ITP reporting anomalies to verify that districts are accurately reporting incidents and provide technical assistance.
3. In order to address the needs of students, parents and schools, the NJDOE will continue Interagency collaboration to provide more efficient access to services and supports, such as:
- Actively participating on the Governor’s Council for Alcoholism and Drug Abuse, Governor’s Youth Suicide Prevention Advisory Council, Governor’s Advisory Council on Domestic Violence, Governor’s Advisory Council on Sexual Violence and New Jersey Task Force on Child Abuse and Neglect and its Prevention Subcommittee;
 - Chairing or co-chairing Commissioner of Education’s and Attorney General’s Education and Law Enforcement Workgroup; and
 - Convening advisory and focus groups on topics of concern including, as appropriate, the NJDOE’s Safe and Supportive Schools Advisory Committee, and groups of representatives from the departments of State, Health and Senior Services, Children and Families, Environmental Protection, Human Services, Law and Public Safety and Corrections; the Juvenile Justice Commission; Administrative Office of the Courts; state advisory boards and commissions; institutions of higher learning; and other organizations, associations and agencies.

Appendix A

Public School Safety Law

18A:17-46. Reporting of certain acts by school employee; report; public hearing.

Any school employee observing or having direct knowledge from a participant or victim of an act of violence shall, in accordance with standards established by the commissioner, file a report describing the incident to the school principal in a manner prescribed by the commissioner, and copy of same shall be forwarded to the district superintendent.

The principal shall notify the district superintendent of schools of the action taken regarding the incident. Two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing, the superintendent of schools shall report to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying which occurred during the previous reporting period. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The commissioner shall promulgate guidelines for a program to grade schools for the purposes of this section.

The grade received by a school and the district shall be posted on the homepage of the school's Web site. The grade for the district and each school of the district shall be posted on the homepage of the district's Web site. A link to the report shall be available on the district's Web site. The information shall be posted on the Web sites within 10 days of the receipt of a grade by the school and district.

Verification of the reports on violence, vandalism, and harassment, intimidation, or bullying shall be part of the State's monitoring of the school district, and the State Board of Education shall adopt regulations that impose a penalty on a school employee who knowingly falsifies the report. A board of education shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to this section. The majority representative of the school employees shall have access monthly to the number and disposition of

all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

L.1982, c.163, s.1; amended 2001, c.299; 2007, c.42, s.1; 2010, c.122, s.7.

18A:17-47. Discharge of, or discrimination against, school employee who files report.

It shall be unlawful for any board of education to discharge or in any manner discriminate against a school employee as to his employment because the employee had filed a report pursuant to section 1 of this act. Any employee discriminated against shall be restored to his employment and shall be compensated by the board of education for any loss of wages arising out of the discrimination; provided, however, if the employee shall cease to be qualified to perform the duties of his employment he shall not be entitled to restoration and compensation.

L.1982, c. 163, s. 2, eff. Oct. 28, 1982.

18A:17-48 Annual report to Legislature.

3. The Commissioner of Education shall each year submit a report to the Education Committees of the Senate and General Assembly detailing the extent of violence, vandalism, and harassment, intimidation, or bullying in the public schools and making recommendations to alleviate the problem. The report shall be made available annually to the public no later than October 1, and shall be posted on the department's Web site.

L.1982, c.163, s.3; amended 2010, c.122, s.8.

Appendix B

Data Collection Forms

[\(Click Here to Display VV-SA Form\)](#)

[\(Click Here to Display HIB-ITP Form\)](#)

[\(Click Here to Display Essential Dimensions and Considerations for
Safe and Supportive School Conditions\)](#)

Appendix C

Figures

- [Figure 1.](#) **Total Incidents for Major Reporting Categories**
- [Figure 2.](#) **Incidents by Location**
- [Figure 3.](#) **Frequency of Incidents Occurring in the Classroom**
- [Figure 4.](#) **HIB Incidents by Location**
- [Figure 5.](#) **Number of Suspensions by Duration**
- [Figure 6.](#) **Programs/Services Provided for All Disciplinary Action Taken**
- [Figure 7.](#) **Count of HIB Incidents by Nature**
- [Figure 8.](#) **Distribution of HIB Student Offenders by Grade Level**
- [Figure 9.](#) **Count of Schools by Range of HIBT Incidents**
- [Figure 10a.](#) **Disciplinary Action and Support Services for HIB Offenders**
- [Figure 10b.](#) **Remedial Actions Taken for HIB Student Victims**
- [Figure 11.](#) **Harassment, Intimidation, and Bullying – Investigations, Trainings and Programs (HIB-ITP)**

Appendix D

District Totals by County:

These are self-reported totals verified by the district and there may be some limitations in how the data can be viewed and interpreted. Every effort is made by the NJDOE to ensure accuracy and consistency in reporting. See “[Department Support](#)” in the Programmatic Response section of this report.

[\(Click Here to Display Data\)](#)

Violence, Vandalism, Weapons, Substance, HIB columns:

- The types of offenses included in each column are as follows:
 - Violence:** Assaults, Fight, Robbery, Extortion, Sex Offense, Criminal Threat, Threat
 - Harassment Intimidation, or Bullying (HIB)** - Based on the nature of HIB incidents including the protected category, effect and mode
 - Vandalism:** Arson, Bomb Threat or Fake Bomb, Burglary, Damage to Property, Fire Alarm Offense, Fireworks Offense, Theft, Trespassing
 - Weapons:** Firearm - Possession of, assault with, or sale/distribution of a handgun or rifle; Bomb Offense - Exploded/did not explode; Other Weapon - Possession of, assault with, or sale/distribution of weapon other than a firearm (e.g. knife, club, spray, air gun)
 - Substance Abuse** – Use, Possession, Sale or Distribution
- More than one type of offense may be reported for a single incident; therefore, the numbers within the major reporting category columns are duplicated counts. If the types of offenses are in different major reporting categories, the incident is counted in each major reporting category. For example, if an assault and a firearm offense were reported in the same incident, they are counted in both the violence and weapons major categories. If the types of offenses are in the same major reporting category, the incident is only counted once. For example, if a fight and a robbery occurred during the same incident, they are counted as one incident of violence.

Total Column: The numbers in the Total column are an unduplicated count of the number of incidents reported by the district regardless of the number of offense types selected within each incident; therefore, the sum may not equal the total of the five categories.

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Appendix F

Glossary of Terms

Charter School - A Charter School is a public school that operates independently of a local school district's board of education under a charter granted by the Commissioner. Once a charter is approved and established, the school is managed by a board of trustees with status as a public agent authorized by the State Board of Education to supervise and control the school. A Charter School is a corporate entity with all the powers needed to carry out its charter program.

Contracted Service Providers - Individuals employed by the school district on a contract basis who are not permanent district employees.

Electronic Violence and Vandalism (EVVRS) Incident Definitions – 2012-13

The EVVRS reporting year is September 1 through June 30 – Report Period 1 (between September 1 and December 31) and Report Period 2 (between January 1 and June 30). According to 18A:17-46, incidents that occur over the summer between July 1 and August 31 should not be reported over the EVVRS. However, your agency should maintain its own records of incidents and actions taken that occur over the summer and incidents of harassment, intimidation or bullying (HIB) must still be investigated and reported to your board of education/governing authority if the investigation determines that all of the applicable criteria were met. The EVVRS remains open until the last school day prior to July 16 each year for data modification and verification of data entered for the prior reporting year. Only incidents matching the definitions below should be reported on EVVRS unless otherwise specified. Only incidents that occur on school grounds³ while school is in session (including arrival and dismissal) and at school-sponsored functions (e.g., events, clubs) are reported unless otherwise specified in the definitions. However, there is one exception to this rule related to incidents of harassment, intimidation and bullying (HIB). The *Anti-Bullying Bill of Rights Act (P.L. 2010, c.122)* requires agencies to report incidents of HIB that occur off school grounds as well. This includes electronic communication transmitted by means of, but not limited to, a telephone, cellular phone, computer, or pager.

³ **School Grounds** - means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in *N.J.A.C. 6A:26-1.2*, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

Incident Header Information

- 1) **Bias-Related**: Bias-related means that an incident is reasonably perceived as motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, a mental, physical, or sensory disability, or any other distinguishing characteristic. To determine whether bias played a role, consider:
 - an admission by the perpetrator of bias motivation
 - obvious signs of bias – such as the utterance of racial epithets or use of hate graffiti
 - the victim expressing that bias motives were involved
 - a history of bias incidents among the involved students or groups of students

A bias incident is not a separate EVVRS-defined incident. Rather, bias is an element that can play a role in any EVVRS-defined incident with the exception of HIB since the definition of HIB includes the bias component. In addition, the EVVRS considers bias in terms of the incident as a whole, not simply with regard to the offender's actions.

- 2) **Gang-Related**: Confirmation from a law enforcement official, the victim, or the offender that the incident was gang related.

Violence

- 1) **Assault**: A person attempts to cause – or purposely, knowingly, or recklessly causes – bodily injury to another.
- 2) **Criminal Threat**: Expressing – either physically or verbally – the intent to commit one of the following violent criminal offenses: homicide, aggravated assault, sexual assault, kidnapping, or arson. The threat must be made for the purpose of placing another in imminent fear of one of these violent acts, under circumstances that would reasonably cause the victim(s) to believe the immediacy of the threat and the likelihood that it will be carried out.
- 3) **Extortion**: Attempting to obtain or obtaining money or any material thing (regardless of value) from another by means of a stated or implied threat of future violence, or threats to make false charges against someone or to blackmail someone.
- 4) **Fight**: Mutual engagement in a physical confrontation that may result in bodily injury to either party. Does not include a verbal confrontation or a minor confrontation, such as a shoving match. Each participant must be classified as an offender. One needs to consider age and developmentally appropriate behavior before using this category.

- 5) Threat: Attempting by physical menace (e.g., verbal threats) to put another in fear of future serious bodily injury. (Do not include bomb threats in this category.) One needs to consider age and developmentally appropriate behavior before using this category.
- 6) Kidnapping: Pursuant to *N.J.S.A. 2C:13-1*, unlawful removal of a student from school grounds or a substantial distance from where he or she is found in or on school grounds; or confinement of the victim for the purpose of holding the victim for ransom or reward as a shield or hostage; or confinement for a substantial period of time to facilitate commission of a crime or flight thereafter; or to inflict bodily injury on or terrorize the victim.
- 7) Robbery: Obtaining money or any material thing (regardless of value) from another by means of violence or the threat of immediate violence.
- 8) Sex Offense: Subjecting another to sexual contact or exposure. For the incident to be considered a sex offense, at least one of the following criteria must apply to the offender. The offender must:
 - intentionally touch, either directly or through clothing, the victim's intimate body parts⁴, for the purpose of degrading or humiliating the victim;
 - sexually arouse or sexually gratify himself or herself in view of the victim whom the offender knows to be present;
 - force or coerce the victim to participate in any contact or exposure; or
 - commit any act of sexual assault defined under *N.J.S.A. 2C:14-2*, which includes provisions related to the age of the victim and the offender.

One needs to consider age and developmentally appropriate behavior before using this category when there is no victim.

NOTE: Incidents of sexual harassment are reported as Harassment, Intimidation or Bullying if the investigation determines that all of the applicable criteria were met.

⁴ Intimate body parts are defined by statute (*N.J.S.A. 2C:14-1e*) to include "sexual organs, genital area, anal area, inner thigh, groin, buttock or breast of a person."

Harassment, Intimidation, or Bullying (HIB)

HIB means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L. 2010, c.122 (C. 18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

- a reasonable person should know, under the circumstances, will have the 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;
- has the effect of insulting or demeaning any student or group of students; or
- creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

Vandalism – (Incidents of vandalism that occur anytime, between September 1 and June 30, should be reported in the EVVRS.)

- 1) **Arson**: Starting a fire or causing an explosion in or on the grounds of a school, thereby purposely or knowingly placing the victim or group of specified victims in danger of death or bodily injury; or with the purpose of destroying or damaging the victim's or group of specified victims' property that – as defined under Incident Location – is in the school, on school grounds, or in another school building or structure. Arson does NOT include the act of lighting a match.
- 2) **Bomb Threat**: A communication received via telephone, e-mail or other means stating that a bomb (an explosive device greater in size than a firecracker) will detonate on school grounds.
- 3) **Burglary**: An individual entering, or surreptitiously remaining in, a school district facility or on school property, or someone else's property (e.g., an automobile) that is on school property for the purpose of committing an offense therein. For an incident to constitute burglary, the individual must not be entitled to enter or remain in the facility. If the person does have this right, and property is stolen, the incident is reported as theft.
- 4) **Damage to Property**: Purposely, knowingly, or recklessly destroying or defacing school, contracted, or personal property, thereby causing an economic loss due to repair or replacement. Serious incidental damage to property that occurs during an act of violence should be reported.
- 5) **Fake Bomb**: An object that has the appearance of an explosive device that upon inspection is determined to be harmless.

- 6) Fire Alarm: Knowingly setting off a fire alarm when no fire exists.
- 7) Fireworks Offense: The possession, sale or distribution, or detonation of a self-fusing explosive device that is no greater in size than two inches and is commercially sold as “fireworks.” Cherry bombs, M80s, and M90s are reported in this category.
- 8) Theft: The taking of the school district’s or a person’s belongings or property without consent. Report only incidents where the value of the article taken is \$10 or more. One needs to consider age and developmentally appropriate behavior before using this category.
- 9) Trespassing: Entry onto school property or into a school building without permission when the individual knows that he/she is not privileged to be on the property.

Substance Offense

- 1) Use Confirmed: Per *N.J.A.C. 6A:16-4.3(a)*, any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs on school property or at a school function shall report the matter as soon as possible to the principal and the certified or non-certified school nurse, school physician, or substance awareness coordinator, according to the requirements of *N.J.S.A. 18A:40A-12*. Per *N.J.A.C. 6A:16-4.3(b)*, any educational staff member or other professional who has reason to believe that a student has used or may be using anabolic steroids shall report the matter as soon as possible to the principal and to the certified or non-certified school nurse, school physician, or substance awareness coordinator, according to the requirements of *N.J.S.A. 18A:40A-12*.
 - Report as “Use Confirmed” when confirmed by medical examination or when medical examination was refused. Enter “refused” in the Incident Description field when a medical examination was refused. A “substance type” should not be selected when the physical exam was refused.
- 2) Possession: A student is found with alcohol, marijuana, and/or any other controlled dangerous substance (not including cigarettes) or anabolic steroids in his or her locker or vehicle, or on his or her person. This category also includes possession of unauthorized prescription drugs, over-the-counter (nonprescription) drugs, drug paraphernalia and authorized prescription drugs – except medicines for asthma, life threatening illnesses, and life threatening allergies as stated in the student’s individualized healthcare plan.
- 3) Sale/Distribution: A student sells, buys, or gives alcohol, other controlled dangerous substances (not including cigarettes), or anabolic steroids to others, or employs others to do the same.
 - A student need not be caught in the act of selling or giving to be accused of distributing. The term “distribution” includes the possession of alcohol or other drugs, including anabolic steroids, in such quantities or under such circumstances that it may be inferred that the student intended to distribute to others. Therefore, possession of a large amount of drugs must be reported as “distribution” rather than “possession.”

Weapons

- 1) Weapons include any instrument readily capable of lethal use or of inflicting bodily injury, but is not limited to: handguns, rifles, knives; clubs or other bludgeons; chains; sling shots; leather bands studded with metal filings; razor blades; stun guns; and any device that projects, releases, or emits tear gas or any other substance (e.g., pepper spray) that is intended to produce temporary discomfort or permanent injury through being vaporized or otherwise dispensed in the air.
 - Components that can be readily assembled into a weapon are reported in this category.
 - Bombs (exploded or unexploded) are considered a type of weapon. A bomb is an explosive device that most commonly is (1) greater in size than typical fireworks; (2) encased in a wax substance, fabric, or metal canister or container; and (3) electrically fused or self-fusing. Examples include Molotov cocktails and similar devices.
 - A toy gun is no longer considered a weapon and its possession would not be reported. An imitation firearm (e.g., an object that looks like a real handgun but cannot be fired or converted to a handgun) would be reported.
- 2) Possession: Having on one's person, in one's locker or vehicle one or more of the types of the following:
 - Handgun
 - Rifle
 - Air Gun, Pellet Gun, BB Gun
 - Imitation Firearm
 - Bomb – Exploded
 - Bomb – Unexploded
 - Knife, Blade, Razor, Scissors, Box Cutter
 - Pin, Sharp Pen/Pencil
 - Chain, Club, Brass Knuckles
 - Spray
- 3) Used in Offense: Using a weapon in the commission of an offense reported in another incident category, such as assault, criminal threat, extortion, damage to property.
- 4) Sale/Distribution: Selling, giving, or having a weapon in one's possession, with the intent to distribute or sell.