



Factsheet:

THE ANTI-BULLYING BILL OF RIGHTS

The bipartisan Anti-Bullying Bill of Rights would provide sweeping reform of New Jersey's current anti-bullying law, enacted in 2002. Because the 2002 law was one of the first such laws in the country, other states' laws have since surpassed our law. Today, New Jersey's rate of bullying, according to a U.S. government report, is actually higher than the national average.

The Anti-Bullying Bill of Rights is the product of a year of research and discussions with top anti-bullying experts, who report that New Jersey has one of the weaker anti-bullying laws in the country. The Anti-Bullying Bill of Rights would give New Jersey the strongest, toughest anti-bullying law in the country – by far.

Given the painstaking year of work that went into the Anti-Bullying Bill of Rights, the bill is not just a response to the tragic death of Tyler Clementi, though New Jersey must respond to that – and this bill does. The long work on this bill actually anticipated that something could go wrong in New Jersey given the weakness of the current law.

The organizations that worked on the bill with legislators of both parties include Garden State Equality, the Anti-Defamation League of New Jersey and the New Jersey Coalition for Bullying Awareness and Prevention.

Specifically:

- ▶ The Anti-Bullying Bill of Rights contains zero unfunded mandates. It smartly and efficiently uses existing resources. It creates no new government entities nor involves other new costs to taxpayers.
- ▶ The bill protects all students who are bullied, not just students bullied because they belong to this or that discriminated-against group. New Jersey enumerated the categories of protected students in the 2002 anti-bullying law, which also includes a catchall bullied for “any other characteristic” clause. Similarly, the Anti-Bullying Bill of Rights protects all students bullied for whatever reason.
- ▶ The bill's provisions apply to bullying at school, near school and on school buses and to cyberbullying.
- ▶ The bill sets deadlines for incidents of bullying to be reported, investigated and resolved. Teachers and other school personnel will have to report incidents of bullying to principals on the same day as the incidents. Principals will have to inform parents on the same day as the incidents. An investigation will have to begin within one school day of an incident and be resolved within 10 school days of an incident.
- ▶ The bill provides for anti-bullying training of school personnel without creating a new government entity and without any other costs to taxpayers, by involving a cross-section of top experts from academia and the not-for-profit sector.

- ▶ The bill creates an anti-bullying specialist within each school, who would be the school guidance counselor or equivalent staff member, thus maximizing existing resources and stressing fiscal responsibility. The anti-bullying specialist shall head a school safety team, to include the principal, a teacher and a parent, to help the school maintain a climate free of bullying. Here again, the bill maximizes existing resources and stresses fiscal responsibility.
- ▶ The bill provides that the name and contact information of the anti-bullying specialist be posted on the home page of every school's website.
- ▶ The bill provides for the grading of each school on its safety, and provides that each school must put that grade on the home page of its website.
- ▶ The bill incorporates instruction to counter bullying appropriate to each grade, and creates an annual school-wide Week of Respect during which school will provide anti-bullying programming.
- ▶ The bill strengthens suicide prevention training for teachers, already required under a 2003 New Jersey law, to include information on the relationship between bullying and suicide, and information on reducing the occurrence of suicide among students most at risk.
- ▶ The bill provides that public universities in the state must prohibit bullying and create anti-bullying rules and procedures for handling bullying, and distribute the rules and procedures to every university student within seven days of the start of the fall semester.
- ▶ The bill updates the outmoded definition of bullying in New Jersey's current law, one of the narrowest and weakest definitions of any anti-bullying law in the country. The current law, enacted in 2002, mandates protection for bullied students only when they face harm or the threat of harm to themselves or their property or where there is a substantial disruption in school. This new bill, like subsequent, stronger anti-bullying laws across the country, will also protect students where bullying has created a hostile environment for them at school or infringes on their rights at school.

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Since Garden State Equality's founding in 2004, New Jersey has enacted 211 LGBT civil rights laws at the state, county and local levels – a national record. Garden State Equality is the only statewide civil rights organization in U.S. history to be the subject of an Academy Award®-winning film.