

TESTIMONY BEFORE THE STATE BOARD OF EDUCATION ON HIB REGULATIONS
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(In support of and referencing Testimony prepared by the Coalition for An Effective ABR)
October 5, 2016
Trenton, NJ

Dear Assistant Commissioner Martz, Acting Commissioner Harrington, and Honorable Members of the State Board of Education

I am here to speak in support of the full Testimony provided to you by the members of the Coalition for an Effective ABR, and to emphasize certain aspects of that Coalition's perspective, as a co-organizer of that process and participant in that work. My other personal basis for testifying is my decades of work with child and adult patients and families as a behavioral scientist in hospital settings, including as Associate Director of the Family Medicine Residency Program at Overlook Medical Center and also as the founder and director of the NJ Coalition for Bullying Awareness and Prevention. I chaired the state's Commission on Bullying in Schools, whose report, *There Isn't a Moment to Lose*, in 2009, and subsequent related activity helped lead to the development of the Anti-Bullying Bill of Rights. So I have a longstanding and vital interest in these issues. But my most relevant experience for commenting on these issues is the 16 years since the Columbine tragedy in which I have taken daily phone calls on our Coalition hotline, from NJ parents whose children have been harmed by peer aggression in schools, and who have received an inadequate response from their schools. It is with an advocate's voice, for those families, I speak today.

The starting point for the development of the testimony today was our view that the recommendations made by the Anti-Bullying Task Force were not strong enough to address the continuing suffering experienced by those vulnerable and hurt children and families. Beyond the technical points we make, we are collectively disappointed by what we view as the thrust of the ABTF's recommendations, in particular, as one key point, the recommendation to give school administrators more discretion as to whether to characterize behavior as bullying, and to lessen requirements for investigating such behavior (referencing the Preliminary Determination process without procedural requirements or "get out of investigation free" as we have characterized it). In our advocate's view, enhancing administrator discretion, especially for those not already enacting the letter and spirit of the law, is not a positive change, but a longstanding part of the problem.

For over a century of public education in NJ, administrators have had discretion and have not adequately observed the social and emotional status of the children in their care, and not adequately prevented and addressed the social and emotional – and sometimes physical - harm – the violence – children have commonly experienced in their institutions. And that is exactly why the ABR was enacted – to express to the education community society's insistence that schools pay more attention to these issues. The law is not perfect – no civil laws are – but it has done a good job in empowering vulnerable children and families, especially those with minority status,

properly and powerfully raising their expectations for what schools should do to protect and support their children. The very point of appointing a Task Force was to identify gaps in the law and strengthen it and its impact. But unfortunately, the way the current task force was constructed, including its leadership, despite the presence on the Task Force of several advocate colleagues (a minority) led to an overemphasis on school administrative perspectives and needs, and not enough emphasis on advocacy voices for youth and families. So, as another key point, I believe you should recognize the need for an ongoing state advisory process (whether a legislatively recognized 'task force' or not) of community-based advocates (which we are) critical to ensuring HIB is adequately addressed, including maximizing the intended impact of the law.

Finally, as another specific point, while we applaud the Task Force emphasis on school climate, more than a change in the name of the Safety Team is needed. School climate should be specified and defined, as we have done. And we need and recommend specifying an expanded and empowered safety team process, coordinating with the affirmative action process when minorities are targeted, and enhancing the role of parents. And it is critical, if a safety/climate team is to function meaningfully, that there be a specific expectation for more activity than meetings twice a year.

In closing, I would emphasize again the importance of the advocacy voice in moving us forward. We are here to help. Let us.

Stuart Green, 10/5/16