

STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION

**Commissioner's Annual Report to the Education
Committees of the Senate and General Assembly on**

**Student Safety and Discipline in
New Jersey Public Schools**

July 1, 2018 to June 30, 2019

New Jersey Department of Education

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Executive Summary

Annually, the Department of Education (Department) collects data from school districts across the state on disciplinary infractions and their consequences. These data are analyzed in a state-level report developed by the Department for the Governor and the Legislature to fulfill the requirements of the *Public School Safety Law N.J.S.A. 18A:17-46 through 48*. This report includes statewide data on incidents of school violence, harassment, intimidation and bullying and school suspensions as well as related professional development for educators. School districts can use both statewide data and their local data to evaluate the efficacy of efforts to maintain a positive school climate, foster social emotional learning, and provide interventions for students who exhibit patterns of violating school conduct policies.

Beginning with the 2017-18 school year, the Department migrated to a new reporting system, the Student Safety Data System (SSDS), which includes improved definitions, new reporting fields, and updated guidance for reporting incidents. Data from both the 2018-19 and 2017-18 school years should be considered baseline years since school districts continued to align local systems with the SSDS to reflect new data elements and improve data accuracy.

Among reported incidents in 2018-19:

- School personnel reported incidents to the police on 7,799 occasions, 3,629 of which were mandatory referrals, leading to 1,411 student school-related arrests.
- Most HIB incidents occurred on school grounds, with 51 percent in middle schools. For 57 percent of confirmed HIB incidents, the nature of the bullying did not fit into one of the protected categories listed.
- Schools reported 19,571 HIB trainings and 28,414 HIB programs in 2018-19.
- Asian and black students were more likely than students of other races to be targets of HIB due to their race, while students with disabilities were more likely to be targeted for their disabilities and females were more likely to be targeted for their gender or gender identity and expression.
- Over 55,000 students were suspended from school during the school year on at least one occasion, about 4 percent of the total New Jersey student population.

- 1,154 students were removed from school and sent to another school or other education program, and 19 students were expelled from school and no longer received educational services.
- Males were more likely to be suspended than females, black students more likely than students of other races, and high school students more likely than students in other grade levels.

The *Student Safety and Discipline Report* also reflects the Department's initiatives to assist schools with implementing Social Emotional Learning competencies, positive approaches to discipline and improving school climate and culture. These research-based approaches are intended to create a positive school climate where strategies, direct instruction and interventions result in reduced incidents of HIB and school violence.

Introduction

This report presents information provided by New Jersey public schools on disciplinary infractions and their consequences for the 2018-19 school year to the Student Safety Data System (SSDS). The information is presented annually by the New Jersey Department of Education to the Governor and Legislature to fulfill the requirements of the *Public School Safety Law N.J.S.A. 18A:17-46 through 48*. Districts are encouraged to review their incidents in comparison to state-level results and consider whether proactive steps are needed to improve school climate and student safety.

The SSDS was available for the first time in the 2017-18 school year. The system replaced both the Electronic Violence and Vandalism Reporting System (EVVRS) and the Harassment, Intimidation, and Bullying – Investigations, Trainings, and Programs (HIB-ITP) system. The Department anticipated that districts would improve data reporting with the new system but expected fluctuations in reporting as schools and districts adjusted to the new system, which includes updates to definitions and reporting guidance from previous years' reports. Guidance and training documents regarding what is reported to the SSDS are available on the [SSDS homepage](#). Data from the 2017-18 and 2018-19 reports should be considered baseline years and should not be compared to prior-year data. Additionally, best practice dictates that data include at least three years of information before trends are analyzed. As this is the second year of reporting data through the SSDS, it is not best practice to draw conclusions about possible trends.

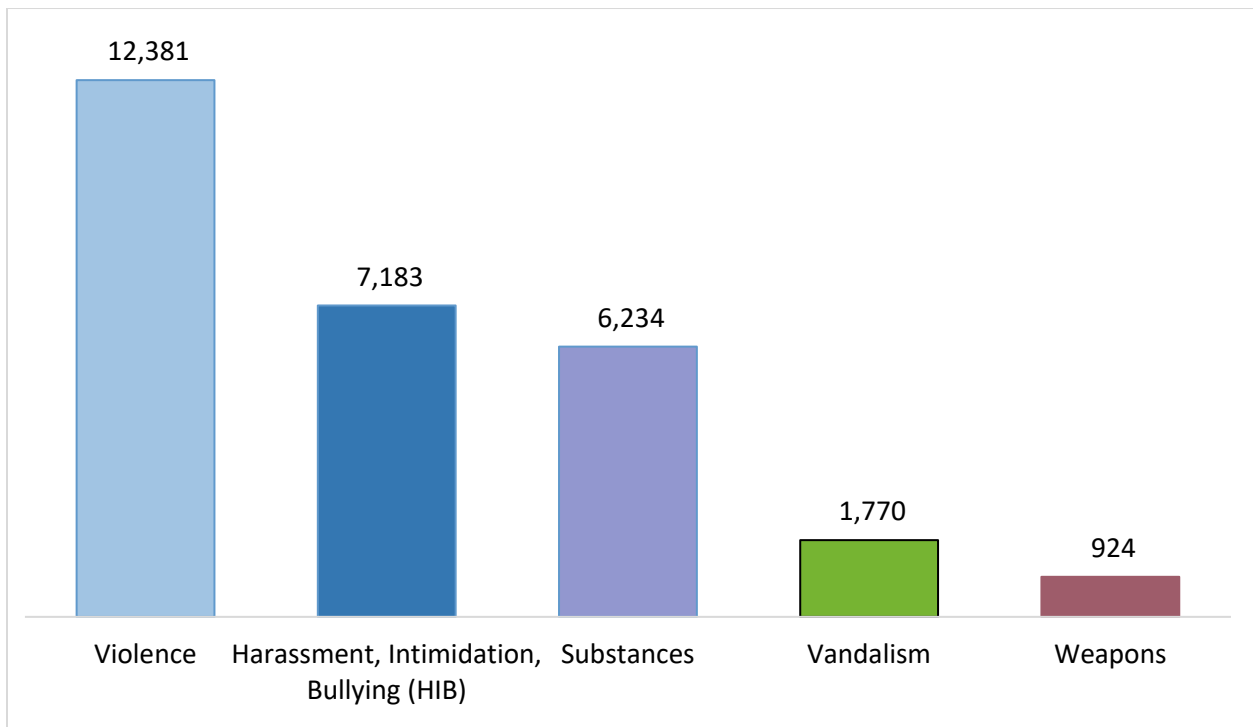
The SSDS collects incidents of violence, vandalism, weapons, substance use, and harassment, intimidation and bullying (HIB), as well as HIB trainings and programs. In addition, the system collects details on all allegations of HIB, along with all student suspensions and other removals from school, as well as reports to the police and arrests.

Key Findings

SSDS Incidents

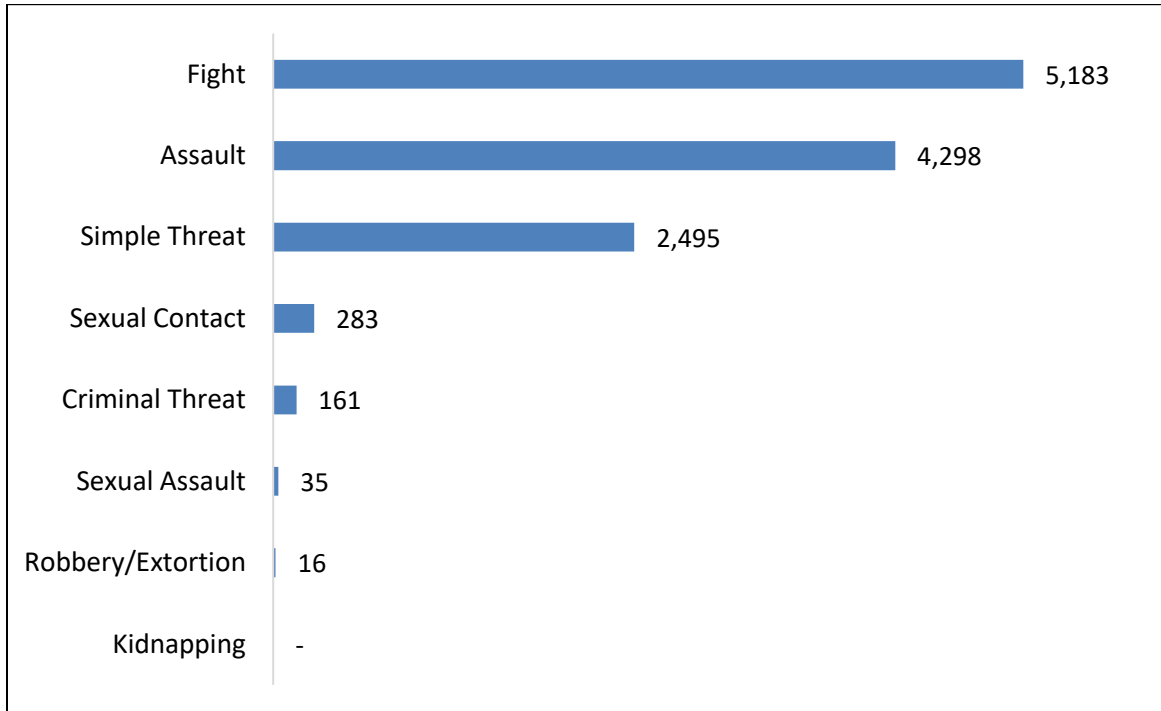
School districts in New Jersey reported 28,121 incidents of violence, vandalism, weapons, substance use, and harassment, intimidation and bullying in the 2018-19 school year. This is a unique count of incidents. As in the chart below, as well as other charts in this report, a single incident may consist of more than one incident type (e.g., an incident may involve both a threat and violence). Violence and weapons offenses were found in both high schools and middle schools, substance offenses and other incidents leading to removal primarily occur in high schools, and HIB incidents were more likely to occur in middle school than in high school or elementary school.

Figure 1. Incidents by Category



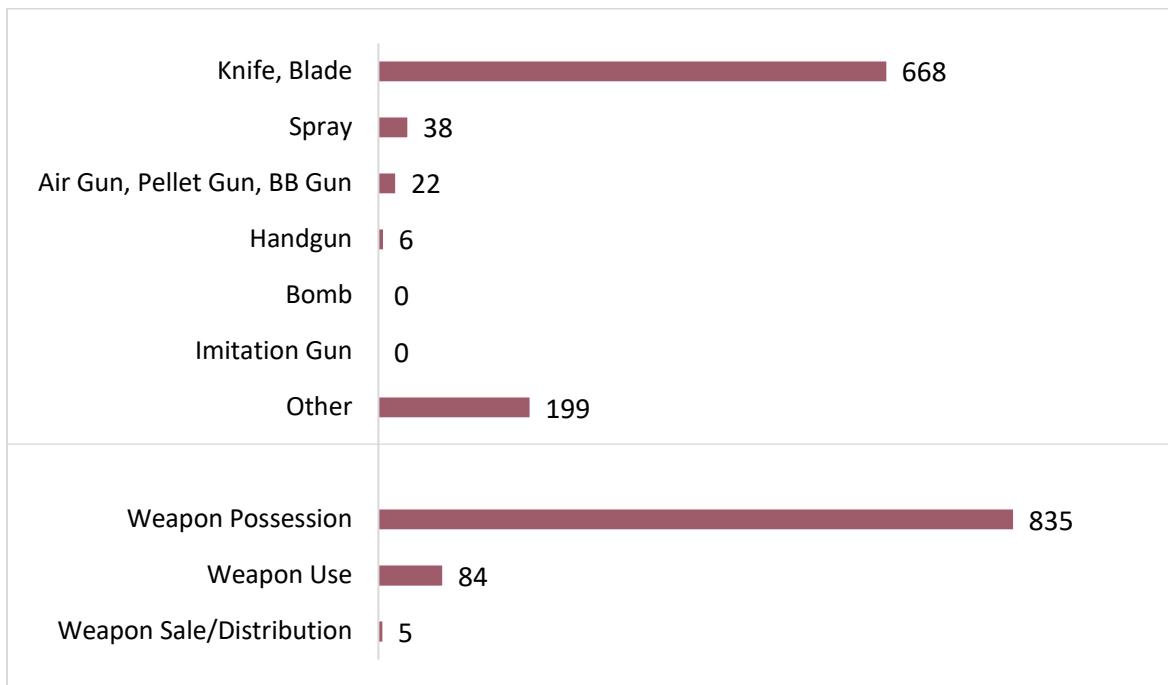
Note: This table shows the number of incidents reported by type. A single incident may consist of more than one incident type.

Figure 2. Incidents of Violence



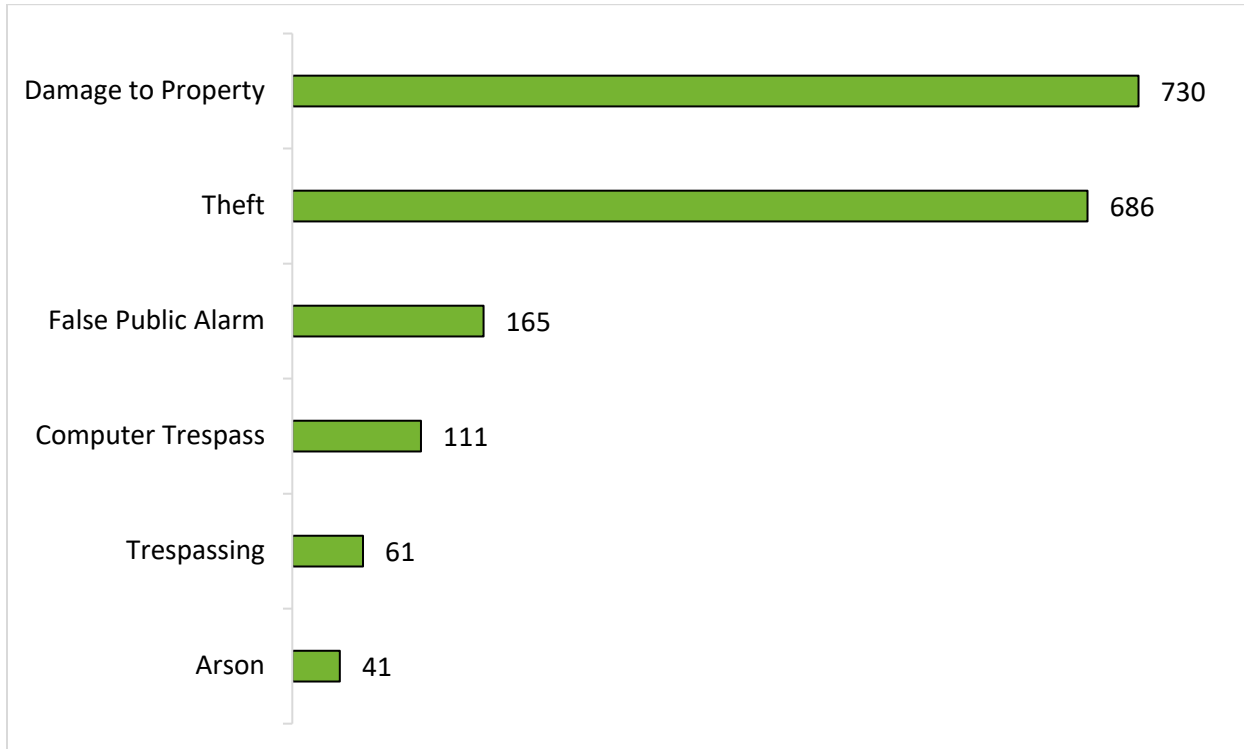
Note: This table shows the number of incidents reported by violence type. A single incident may consist of more than one violence type.

Figure 3. Incidents of Weapons



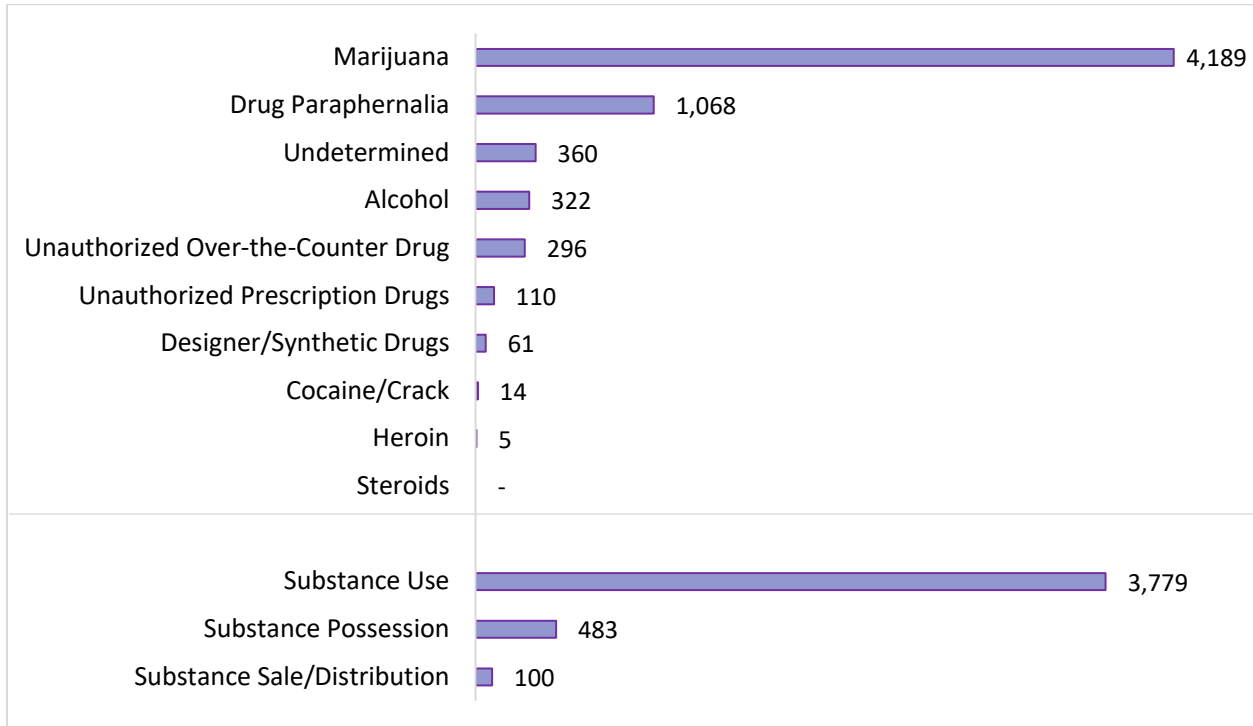
Note: This table shows the number of incidents reported by weapon type and mode. A single incident may consist of more than one weapon type and mode.

Figure 4. Incidents of Vandalism



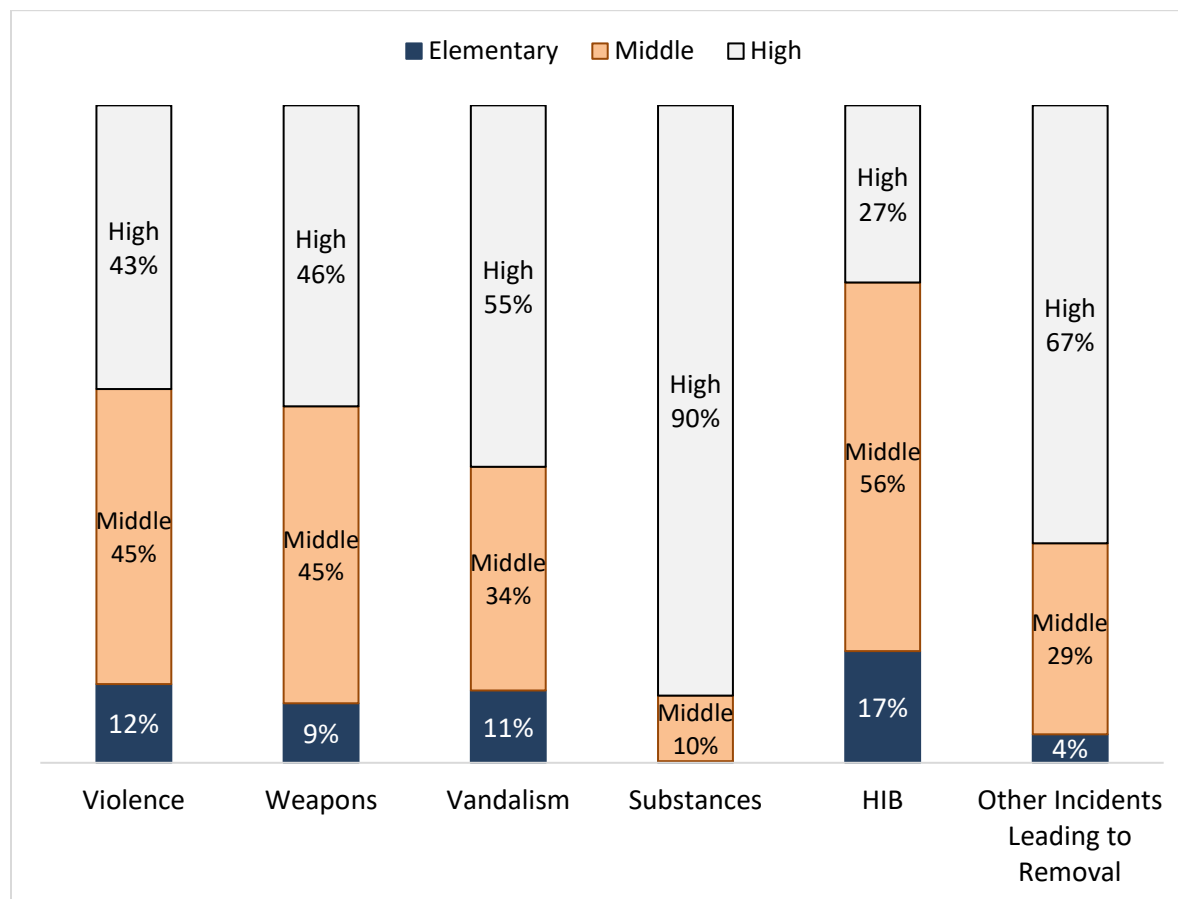
Note: This table shows the number of incidents reported by vandalism type. A single incident may consist of more than one vandalism type.

Figure 5. Incidents of Substances



Note: This table shows the number of incidents reported by substance type and mode. A single incident may consist of more than one substance type and mode.

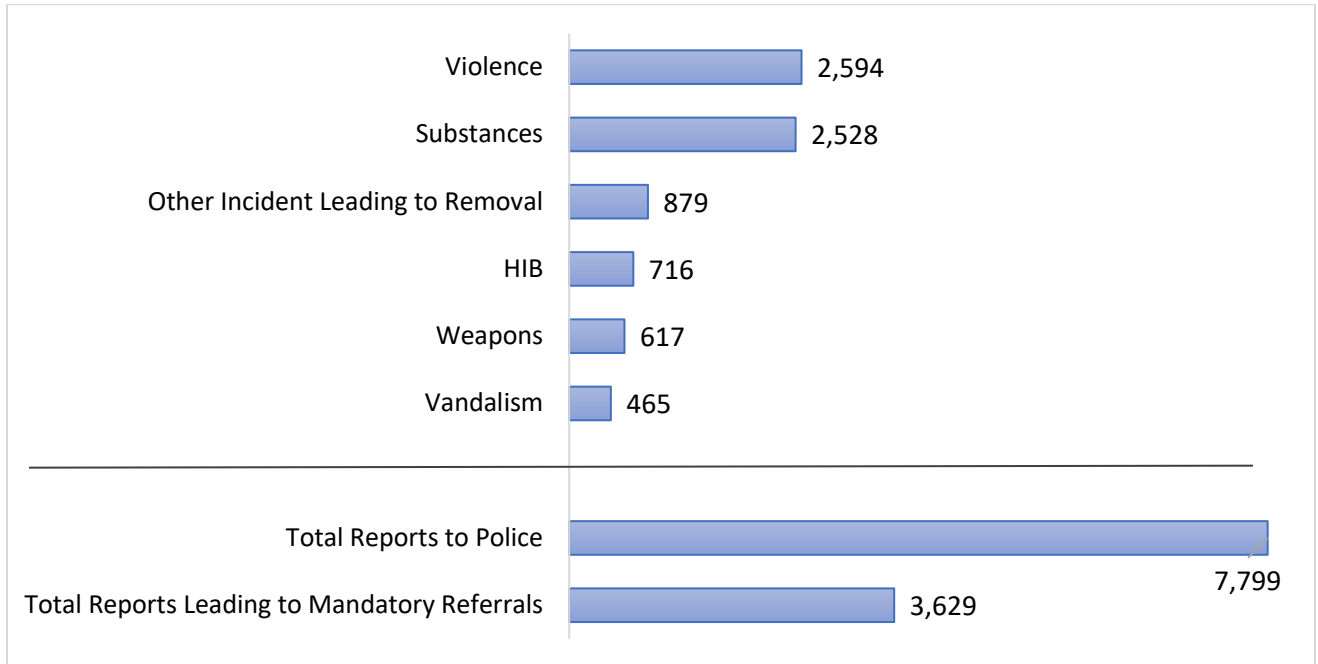
Figure 6. Incident Types by School Type



School Police Reports

During the 2018-19 school year, school personnel reported incidents to the police on 7,799 occasions. In 879 instances, reports involved student infractions that did not fit into a category of violence, weapons, vandalism, substance, or HIB. Of all reports to police, 3,629 were mandatory referrals, or school-related incidents required to be reported to law enforcement per New Jersey statute or regulation. This includes incidents involving firearms or knives, assaults with weapons, assaults on staff members, criminal threats, sexual assault, controlled dangerous substance possession, and bias-related incidents. In addition, 1,411 student arrests occurred at school. Male offenders were more likely to be arrested than females for incidents reported to SSDS, high school students more likely than students in other grade levels, and students with disabilities more likely than students without disabilities.

Figure 7. School-Related Reports to Police



Note: More than one offender may be arrested per incident, and one student may be arrested more than one time per school year.

HIB Investigations and Confirmed Incidents

There were 16,952 HIB investigations during the 2018-19 school year. Eighty percent of HIB incidents occurred on school grounds. Though suspensions are common, schools often report other disciplinary actions for HIB offenders rather than removing the student from school. Student counseling for both offenders and victims is the most common remedial action.

Figure 8. HIB Investigations

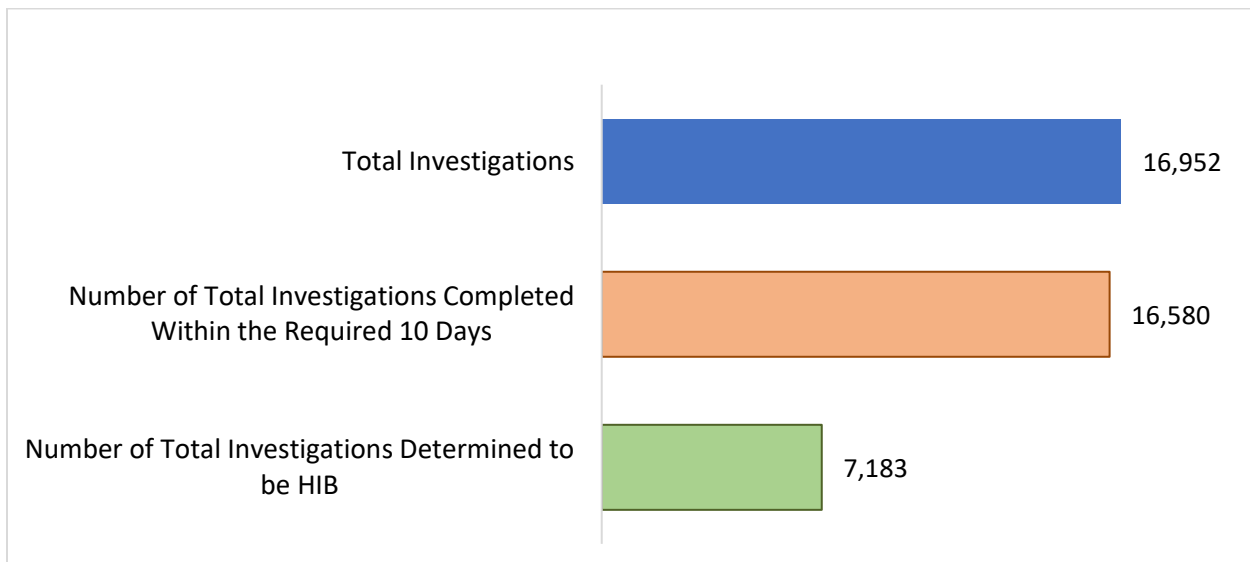


Figure 9. HIB Incident Location

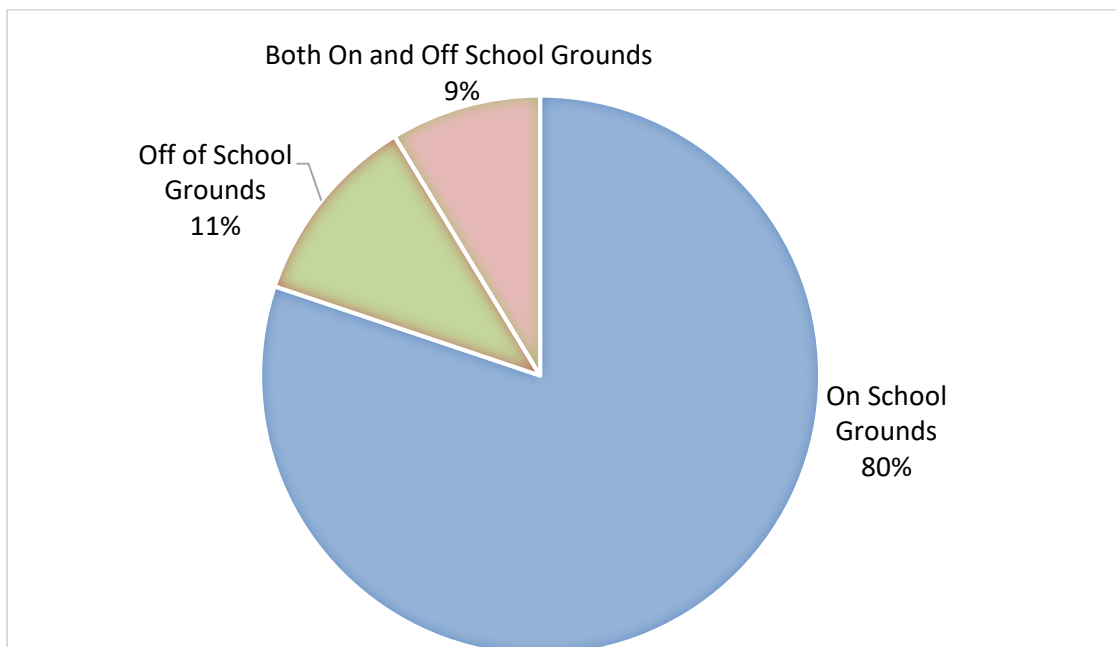


Figure 10. HIB Mode

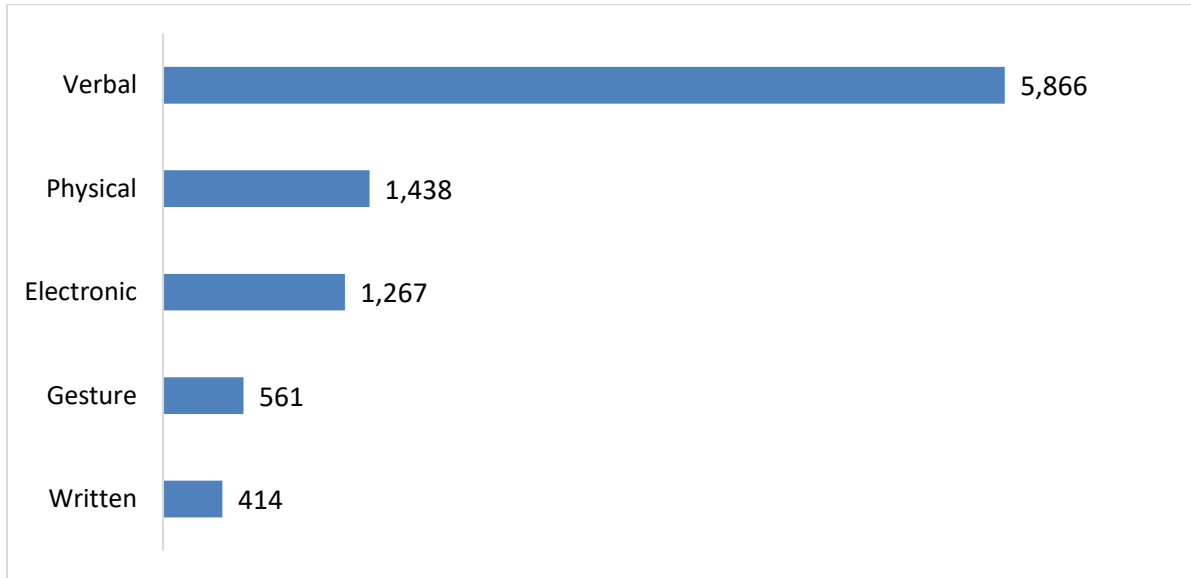


Figure 11. HIB Effect

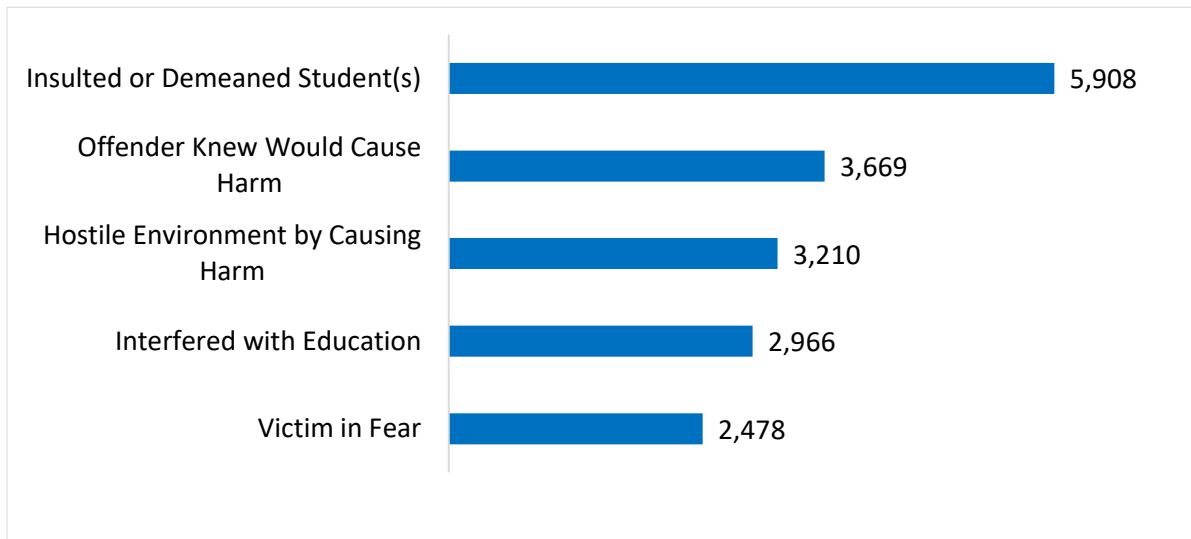
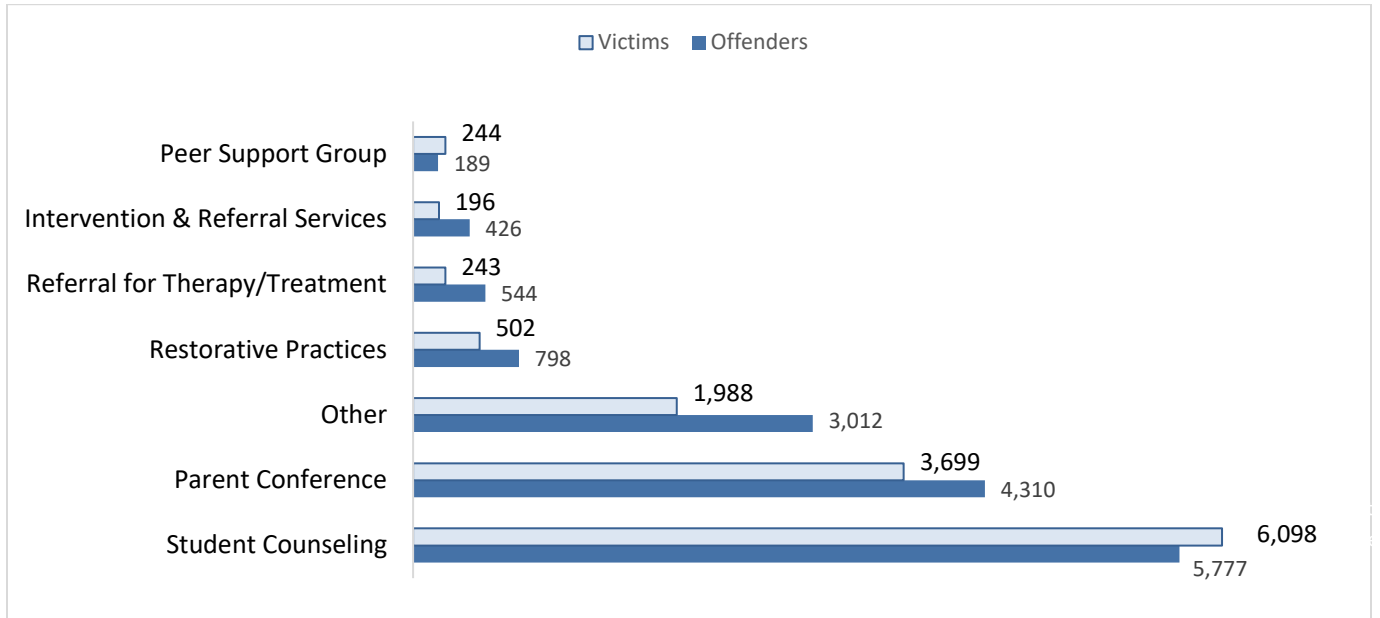


Figure 12. HIB Disciplinary Actions



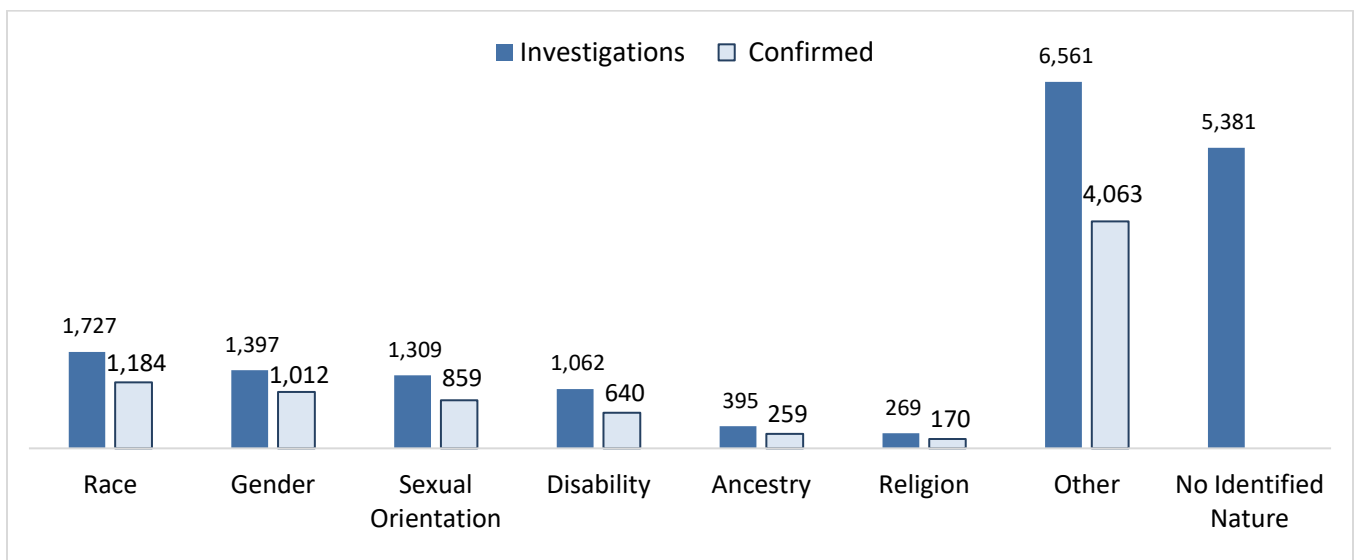
Figure 13. HIB Remedial Actions



Nature of HIB

Forty-two percent of HIB investigations led to confirmed HIB incidents. Cases involving certain protected categories were more likely to be affirmed, including gender (72%), ancestry (66%), sexual orientation (66%) or race (69%). Asian and Black students were more likely than students of other races to be targets of HIB due to their race. Students with disabilities were more likely to be targeted for their disabilities and females were more likely to be targeted for their gender or gender identity and expression.

Figure 14. HIB Investigations and HIB Confirmed by HIB Nature



Pursuant to *N.J.S.A. 18A:37-14*, an HIB incident must be 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 any other distinguishing characteristic (e.g., weight, social status, skin blemishes, etc.)

Figure 15. HIB Nature of Bullying Incident

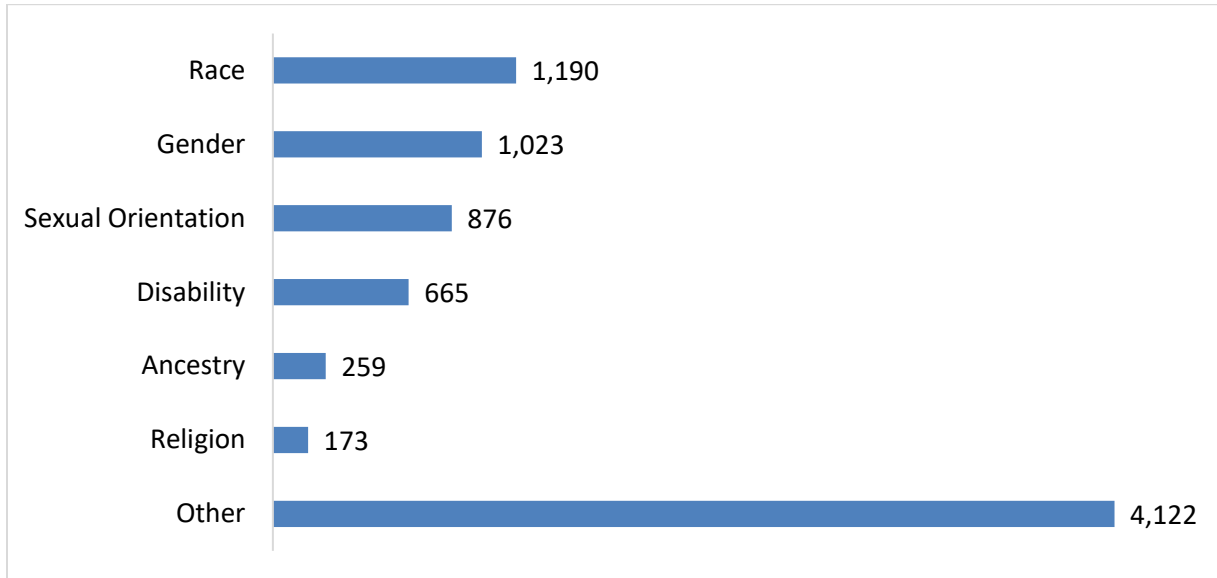
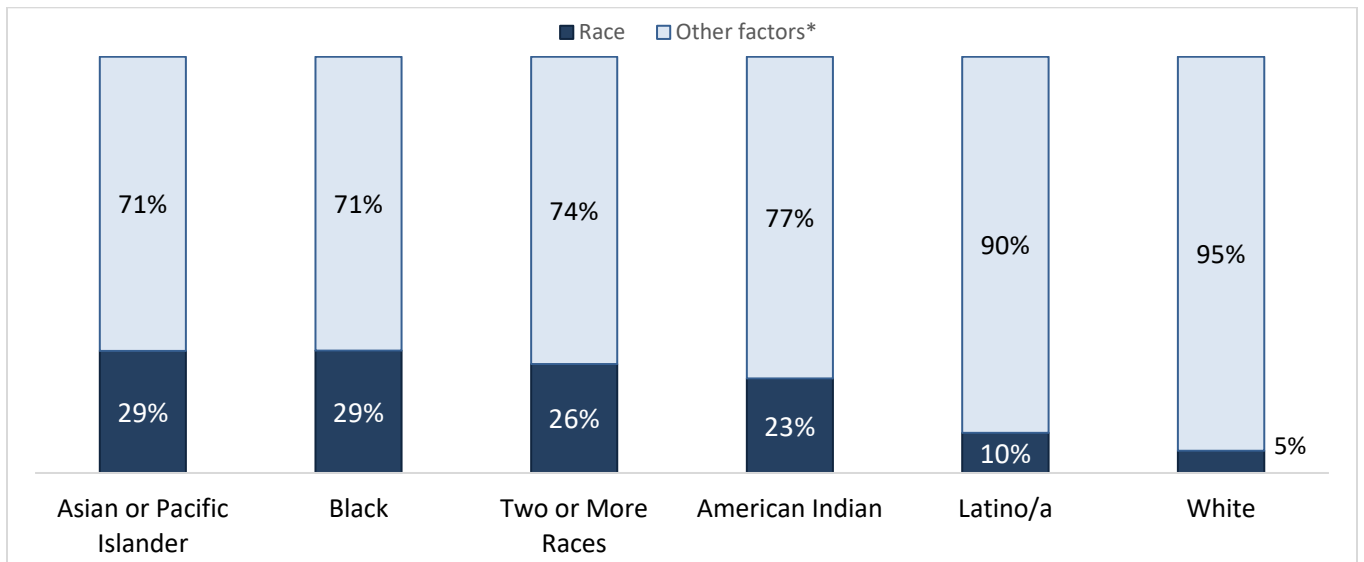
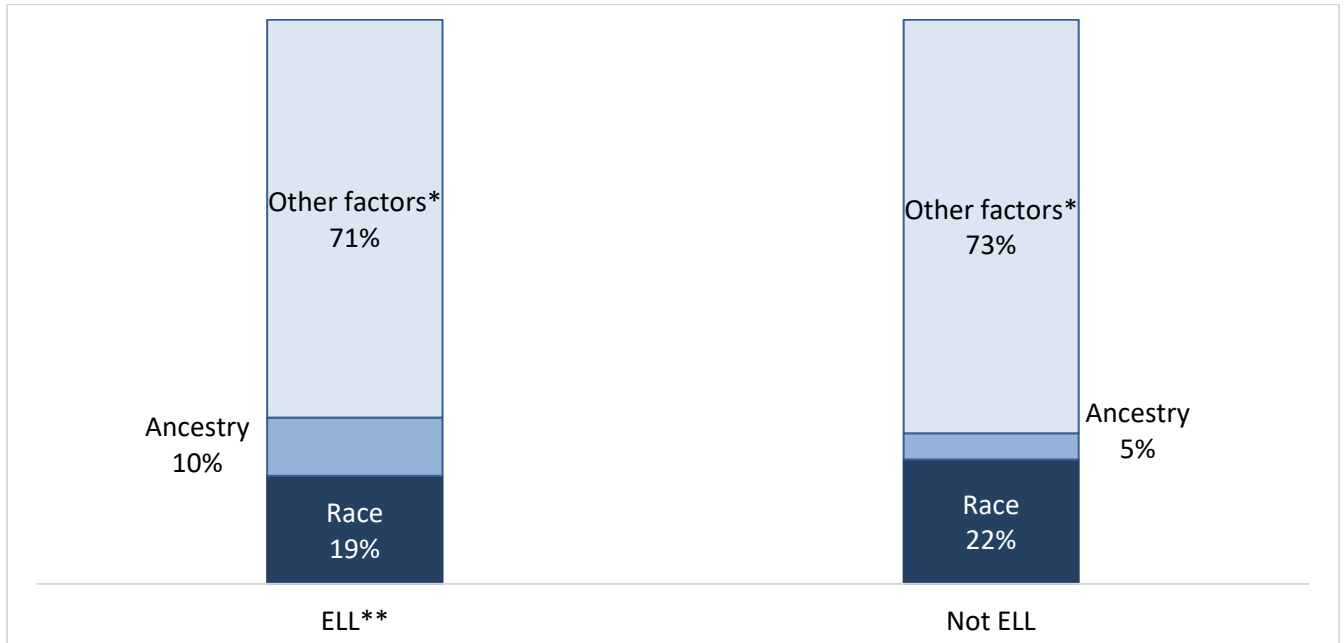


Figure 16. HIB Target by Race of Students and Nature of Bullying



***Other Factors:** e.g., color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or any other distinguishing characteristic (e.g., weight, social status, skin blemishes, etc.)

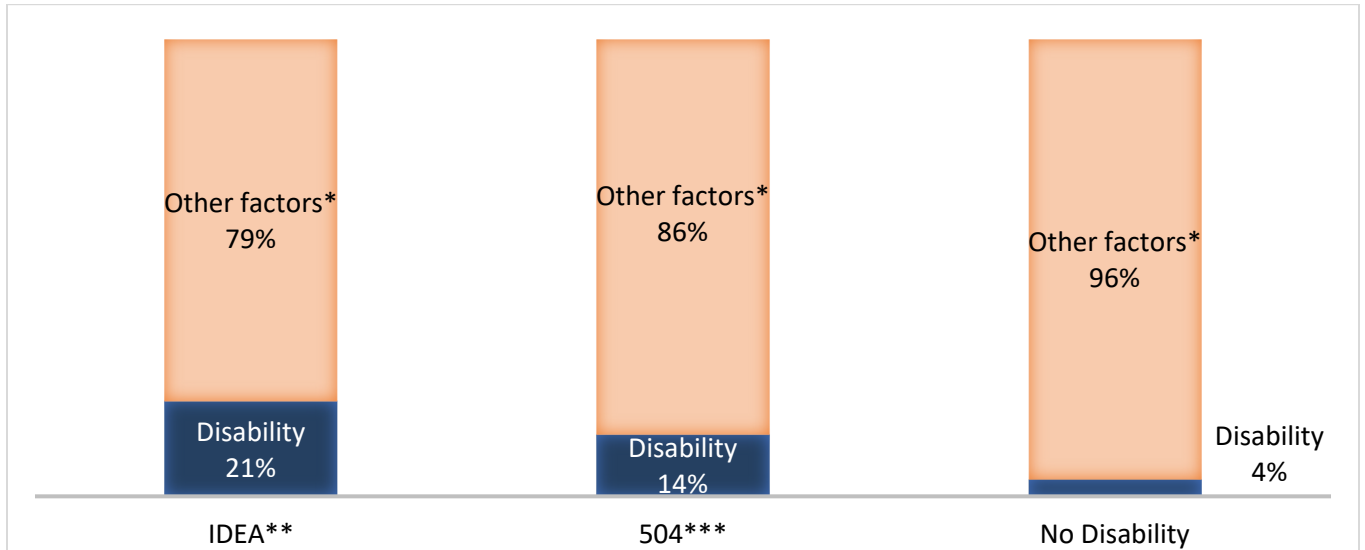
Figure 17. HIB Target by Student ELL Status and Nature of Bullying



***Other Factors:** e.g., color, religion, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or any other distinguishing characteristic (e.g., weight, social status, skin blemishes, etc.)

****English language learners (ELLs):** ELLs are students for whom English is not his/her native or first language.

Figure 18. HIB Target by Student Disability Status and Nature of Bullying

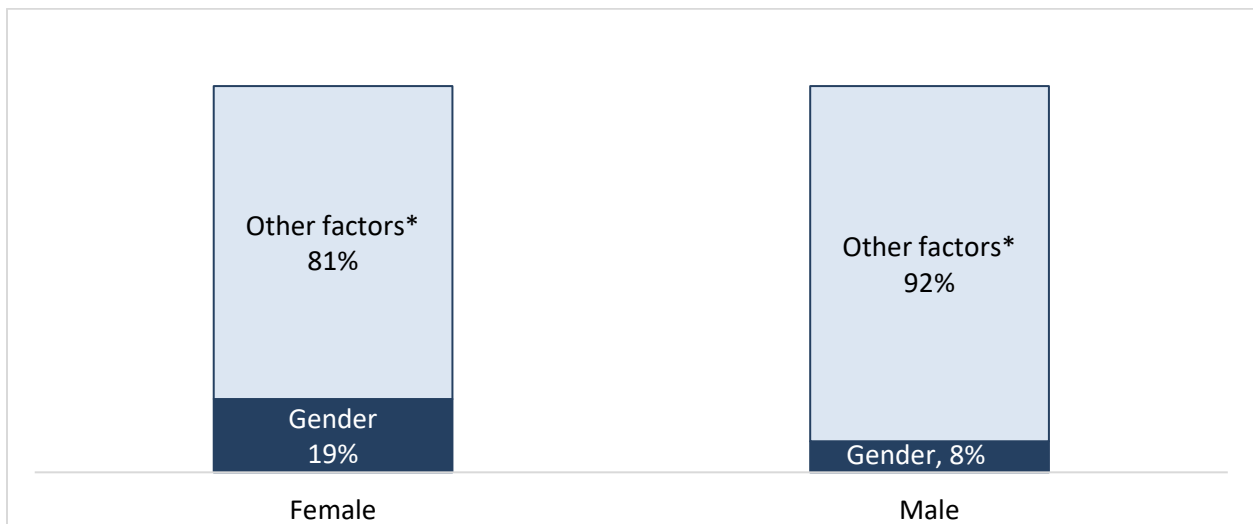


***Other factors:** e.g., race, color, religion, national origin gender, sexual orientation, gender identity and expression or any other distinguishing characteristic (e.g., weight, social status, skin blemishes, etc.)

****IDEA:** The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education to eligible children with disabilities and ensures special education and related services to those children.

*****Section 504:** Section 504 of the Rehabilitation Act of 1973 provides for formal plans that support students with disabilities in school.

Figure 19. HIB Target by Student Gender and Nature of Bullying



***Other Factors:** e.g., race, color, religion, ancestry, national origin, sexual orientation or a mental, physical or sensory disability, or by any other distinguishing characteristic (e.g., weight, social status, skin blemishes, etc.)

HIB Trainings

Schools reported 19,571 HIB trainings in 2018-19. Most districts offered at least one training on the district’s HIB policy with bullying prevention instruction (85%) and most offered at least one training to key school staff members (96%), other school staff (90%), and district staff (89%).

Figure 20. Districts offering one or more HIB Trainings by Attendee Type

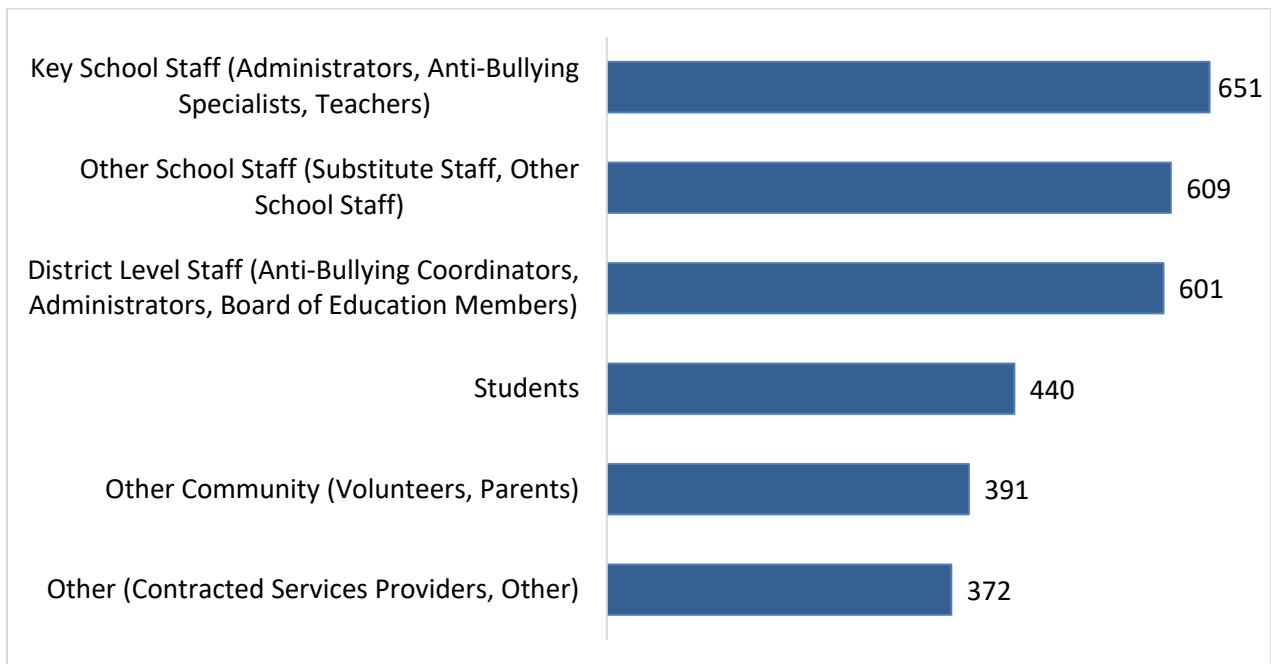
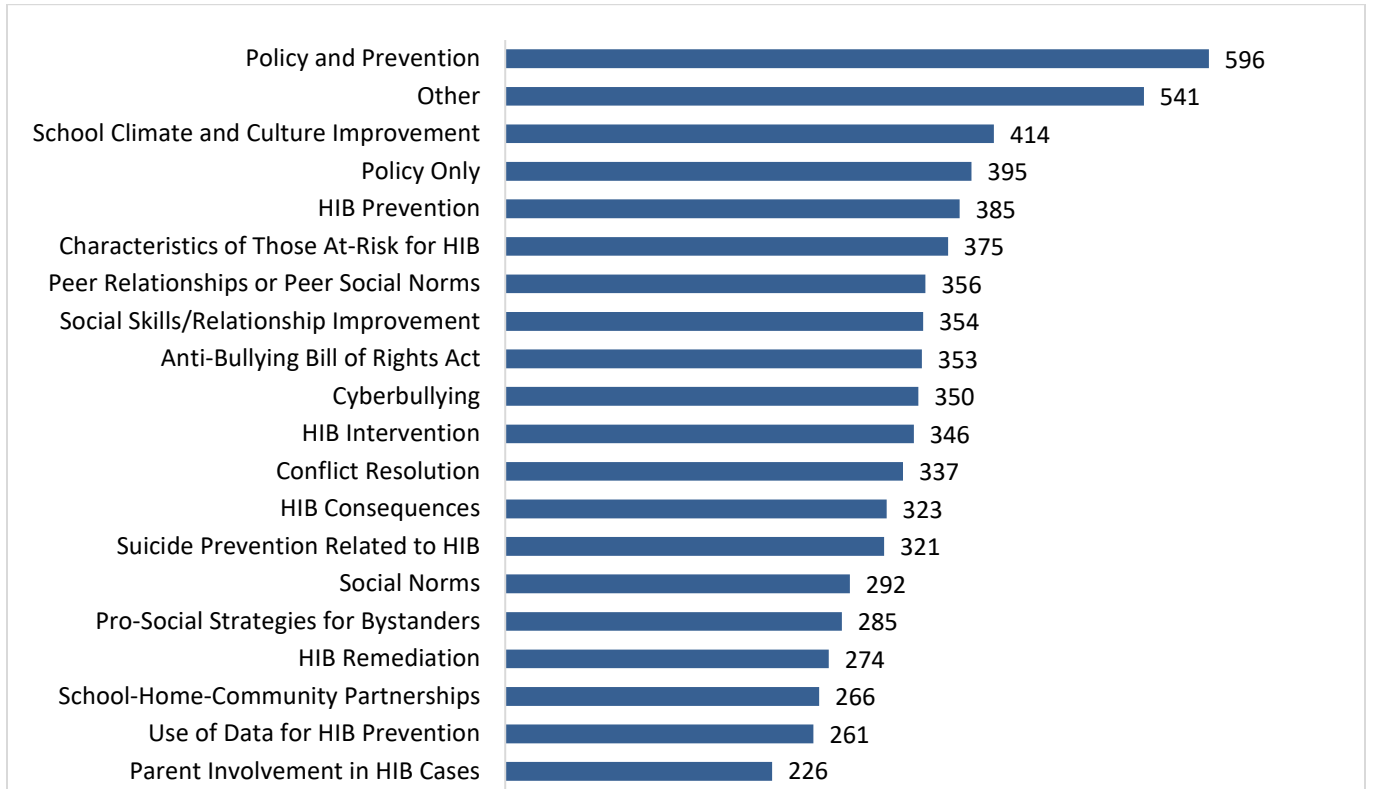


Figure 21. Districts offering one or more HIB Trainings by Training Type



HIB Programs

Schools reported 28,414 HIB programs in 2018-19. Most districts offered programs addressing various schoolwide conditions, especially morale in the school community (84%) and the emotional environment of the school (83%). Districts primarily offered these programs to students (88%) and key school staff (86%).

Figure 22. Number of districts offering one or more HIB Program by Program Goal

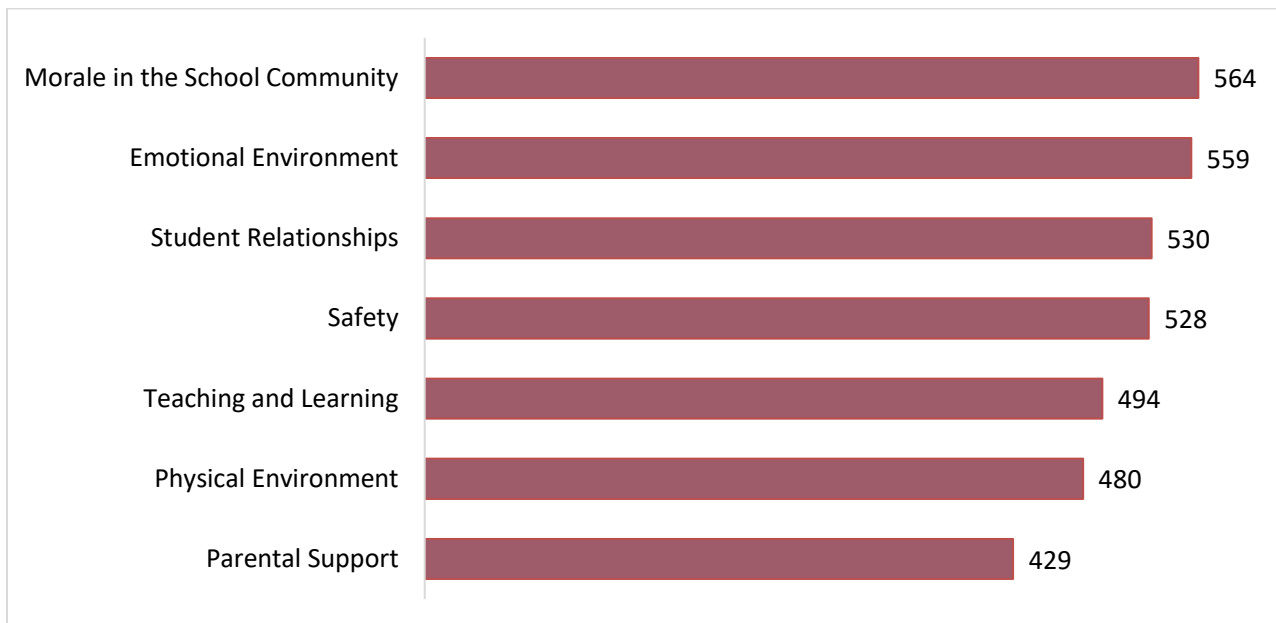
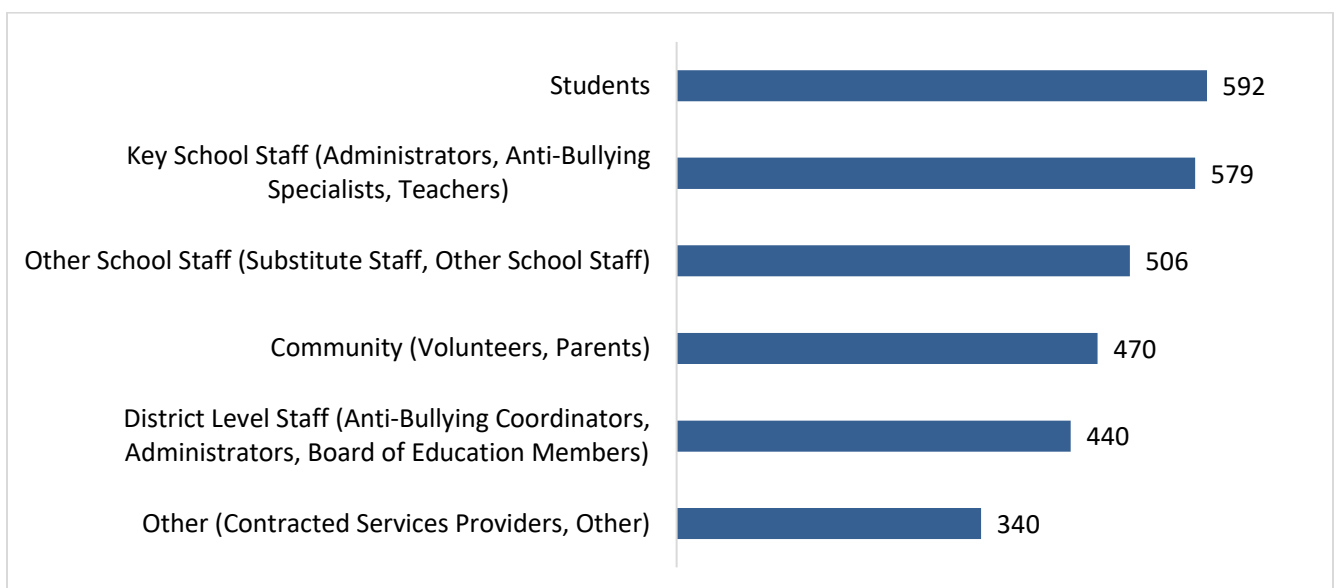


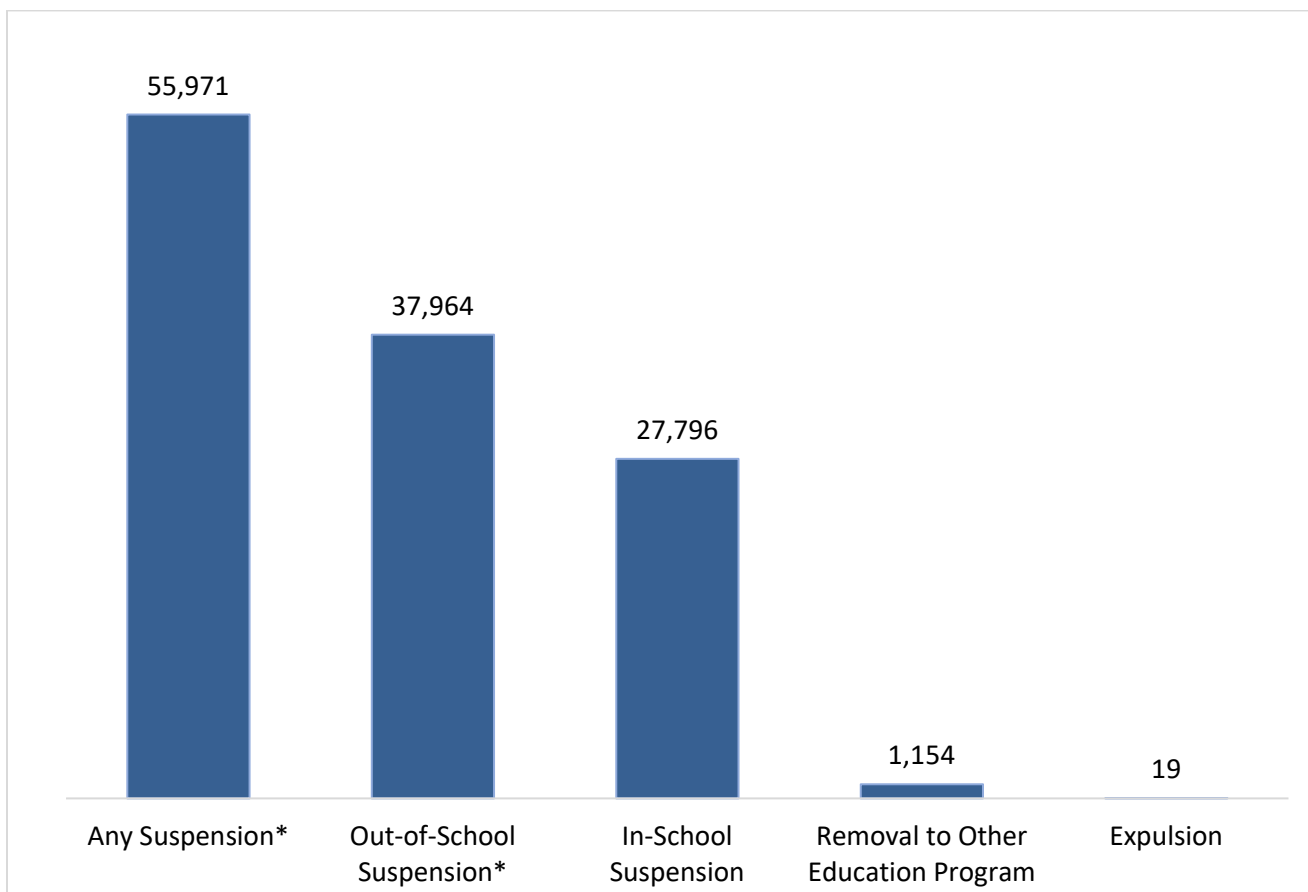
Figure 23. Districts offering one or more HIB Programs by Attendee Type



Disciplinary Actions

During the 2018-19 school year, 55,971 students were suspended from school on at least one occasion. Of the 55,971 students, 37,964 received one or more out-of-school suspension and 27,796 received one or more in-school suspensions. Among suspended students, most were suspended only once and for less than one week of school during the year, but many were suspended multiple times and for multiple days. In addition, 1,154 students were removed from school and sent to another school or other education program, and 19 students were expelled from school and no longer received educational services. Males were more likely to be suspended than females, black students more likely than students of other races, and high school students more likely than students in other grade levels.

Figure 24. Students Removed from School by Type of Removal



***Any Suspension:** These counts include students with disabilities who received unilateral removals or removals by a hearing officer.

Figure 25. Students Suspended by Total Number of Days Suspended during Year

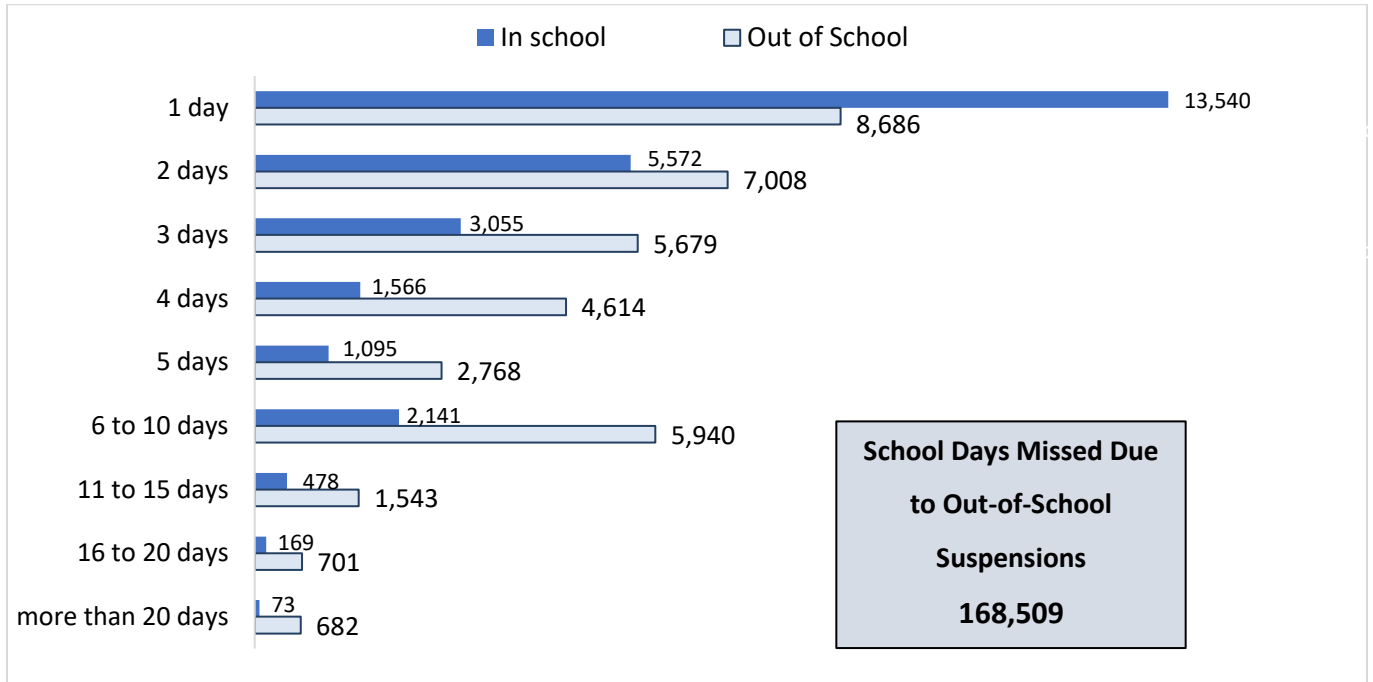
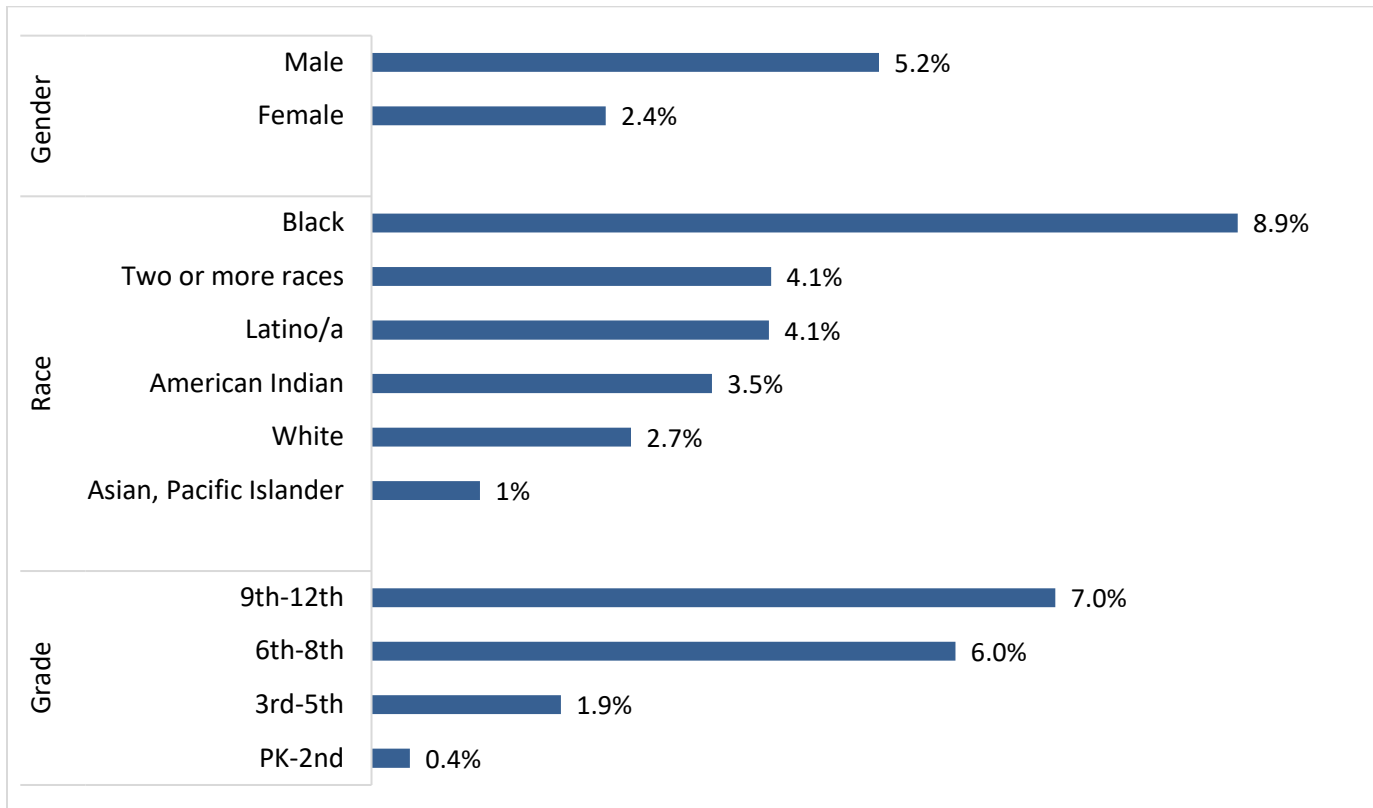


Figure 26. Student Suspension Rate by Offender Type



Initiatives to Improve School Safety

Department's Response

The Department continues to work with districts to identify programs, practices and other resources to improve school climate and social and emotional development for students and educators. In addition, the Department works with districts to ensure accurate reporting. Some examples of this work include the Department's focus on promoting [social emotional learning](#), tools for improving school climate and [positive behavioral supports](#), increased public data reporting using the SSDS, and tiered systems of support.

Data Transparency and Quality

Each year, the Department issues School Performance Reports, required by the *Every Student Succeeds Act (ESSA)*, that provide educators, families and community members with data school and district teams can use to identify areas of strength and areas in need of improvement. New Jersey School Performance Reports contain information on the school's reported violence, vandalism, weapons offenses, substance offenses, and HIB incidents. The 2018-19 School Performance Reports, released in March 2020, were enhanced to include additional data from the Student Safety Data System including in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, incidents of violence, and incidents of bullying and harassment.

New Jersey School Performance Reports provide information as collected through the SSDS that has not been reported prior to 2017-18. These data give educators, families and community members key information for identifying school strengths and needs for school and district improvement planning. Reporting more data is also responsive to issues of current concern, such as race disparities in discipline reporting and reports to law enforcement.

The Department is undertaking additional steps to support school districts with the reporting and use of the data contained within this report. Specifically, the Office of Fiscal and Data Services (OFDS) plans to notify, via written correspondence, all local education agencies

(LEAs) that reported “zero” incidents and “zero” HIB trainings and HIB programs in the SSDS for the 2018-2019 school year and provide technical assistance to district staff regarding practices to improve data accuracy.

Anti-Bullying Bill of Rights Act (ABR) Implementation

To support schools in enhancing implementation of the ABR, Chapter 16 of the New Jersey Administrative Code focuses on programs to support student development and includes the regulations detailing the requirements placed on schools and districts through the ABR. The regulations require both public schools and Approved Private Schools for Students with Disabilities (APSSD) to report incidents or alleged incidents of bullying involving a student. In addition, the regulations offer schools, districts and APSSDs guidance when there are incidents or allegations of bullying that occur involving both school districts and APSSDs. The regulations ensure all students have the opportunity to achieve academic and behavioral success in safe and supportive learning environments.

The Department’s 21 county offices of education oversee and support the district’s implementation of the ABR. The county offices do this through a variety of ways, including convening county-wide meetings of the district Anti-Bullying Coordinators, to encourage dialogue and professional development around ways to improve school climate and address HIB incidents. Further, through the ABR, the county offices are charged with investigating district compliance with the ABR, and depending on the outcome of the investigation, corrective actions may be required, which can improve school climate and culture and reduce incidents of HIB. The county offices regularly communicate with districts and constituents, including victims and offenders of HIB, to assist in the improvement of school climate which can result in the reduction of incidents of HIB through education. Moving forward, the Department will continue to provide school districts with guidance and resources.

Recess Law and Restorative Justice

Beginning in the 2019-2020 school year, public school districts must provide a daily recess period of at least 20 minutes for students in grades kindergarten through five. A student shall not be denied recess for any reason, except as a consequence of a violation of the

district's code of student conduct. If a student is denied recess, the student shall be provided restorative justice activities during the recess period. "Restorative justice activities" are defined as activities designed to improve the socio-emotional and behavioral responses of students through the use of more appropriate, and less punitive, interventions thereby establishing a more supportive and inclusive school culture. When implemented with fidelity, restorative justice activities can support schools and districts in satisfying the requirements of N.J.A.C. 16A:16-7.1 which state that the code of student conduct establishes standards, policies and procedures for positive student development and student behavioral expectations. Resources regarding restorative practices are available in the New Jersey Department of Education's [School Climate Strategy Resource Guide](#).

New Jersey Quality Single Accountability Continuum

The New Jersey Quality Single Accountability Continuum (QSAC) is the Department's monitoring and district self-evaluation system for public school districts. The system shifts the monitoring and evaluation focus from compliance to assistance, capacity-building and improvement. It is a single comprehensive accountability system that consolidates and incorporates the monitoring requirements of applicable state laws and programs and complements federally required improvements. The regulations governing QSAC, N.J.A.C. 6A:30, are reviewed every five years. The most recent re-adoption in the fall of 2017 includes indicators that clarify the requirements for districts related to bullying to be more robust, thus accounting for a greater number of points for a school's overall QSAC score.

The language of the indicator states, "The school district implements a process to ensure the school safety/school climate team in each school, with support from the CSA (Chief School Administrator):

- (1). reviews and takes action to strengthen school climate policies;
- (2). educates the community, including students, teachers, staff, and parents, to prevent HIB;
- (3). provides professional development opportunities that address effective practices of successful school climate programs or approaches; and

(4). completes the HIB self-assessment. The CSA submits to the Department the statement of assurance and the district board of education approval date for the HIB self-assessment for each school in the school district by September 30. (N.J.S.A. 18A:17-46 and 18A:37-14 through 18 and N.J.A.C. 6A:16-7.7).”

Further, NJQSAC requires that school districts have policies and procedures in place to ensure a coordinated system for planning, delivering, measurement and modification of intervention and referral services. The county review also includes a discussion around the implementation, evaluation and effectiveness of the intervention and referral services in each school building that address, learning, behavioral and health needs of all students. By reviewing the policies and procedures with school districts, it provides an opportunity for the county offices to support districts in the area of school climate and culture and addressing individual student needs.

Social and Emotional Learning (SEL)

The Department strongly believes in the importance of social and emotional learning (SEL) in schools and recognizes the research that students who were taught SEL skills were less likely to have conduct problems and engage in substance abuse. The Department continues to provide support for the implementation of SEL in schools and the integration of the NJ SEL Competencies and Sub-Competencies. In order to support the professional development of educators, the Department is collaborating with the Center on Great Teachers and Leaders and the Mid-Atlantic Comprehensive Center to develop online SEL modules specific to NJ that will support both school and district staff in implementing a comprehensive SEL program. There will be a total of six modules, including an introductory module, released Winter 2019, that provides a self-assessment tool that educators can use to evaluate their own SEL competence. The other modules will further support the implementation of the NJ SEL Competencies of self-awareness, self-management, social awareness, responsible decision-making, and relationship skills.

The modules can be used by educators seeking to integrate SEL into their classrooms or during professional learning communities (PLCs). Along with the modules, there will be a facilitator’s guide and resources that support the content being presented. In addition to

professional development, the Department recognized the need for districts to tailor the SEL programming in response to the context of their local community. Schools are embedding schoolwide activities that emphasize the SEL competencies, integrating SEL skills in their instruction, and incorporating SEL in their efforts to build positive school climates.

During the 2018-2019 Fiscal Year, the NJ Department of Education reallocated \$13.5 million in Title I, Part A carryover to Title I funded districts operating approved Title I schoolwide programs. The districts elected to use the funding in the following areas: *Social and Emotional Learning (SEL)*, *STEM Curriculum*, *Early Learning Transitional Programs*, and *Title I Arts Integration*. During that time, 81 districts elected to use some if not all of their reallocated funds towards SEL.

In addition to developing resources and emphasizing SEL to stakeholders, the Department recognizes its role in creating learning opportunities where stakeholders can learn more about SEL and the impact SEL programming can have on students, staff, and their communities. The Department in collaboration with the School Climate Transformation Project (SCTP) hosted the *SEL Forward* conference in May of 2019 with the intention of highlighting promising programs and practices across the state. This event was attended by over 350 audience members including teachers, school and district leaders, and experts in the fields of school climate improvement and SEL. After the event, attendees offered overwhelmingly positive feedback.

School Climate Improvement

The Department has been active in supporting school climate improvement and proactively addressing student behavior by implementing the [New Jersey Positive Behavior Supports in Schools \(NJ PBSIS\)](#) initiative. NJ PBSIS provides comprehensive professional development to support the implementation of tiered interventions for a range of school intervention needs including conduct, behavior and social and emotional wellness.

In summer of 2019, the Department entered a new three-year memorandum of understanding (MOU) with the Graduate School of Applied and Professional Psychology at Rutgers University to continue the School Climate Transformation Project (SCTP). The new MOU

includes activities dedicated to improving the [New Jersey School Climate Survey](#), developing new tools and resources to support schools in their school climate improvement efforts, and highlighting effective school climate improvement efforts underway in select project schools.

In addition, the Department has accepted its fourth cohort into the SCTP. Currently, there are 43 schools participating in the project spanning all regions in the state. During the three years of project participation, schools receive tailored consultative services and training from SCTP staff to effectively apply a six-step school climate change process. Schools participating in the project utilize the New Jersey School Climate Survey to assess the conditions for learning, and in response, develop and implement school climate improvement plans to address specific needs.

New Jersey Tiered System of Supports (NJTSS)

The NJTSS, New Jersey's model of a multi-tiered system of support, is a framework for prevention, intervention and enrichment designed to improve results for all children, maximizing all students' receipt of effective instruction that is based on their skill needs. In addition, it is a mechanism to reduce unnecessary referrals for special education and to enhance the range of opportunities for students with IEPs to be educated with their nondisabled peers. The Department, in a collaborative effort with the Graduate School of Professional Psychology at Rutgers, developed tools for districts to use to implement this tiered approach to prevention, intervention and enrichment in academics as well as behavior.

Screening protocol and expansion of Tier 1 instructional strategies moved schools toward an integrated approach to supporting all students. Intensive, high-quality professional learning conducted by Rutgers University-New Brunswick project leads resulted in increased knowledge and capacity of state-level staff for empowering educators to apply the principles of improvement science and to use data to enhance services to students. Intensive, research-based coaching by project staff enhanced knowledge of district and school personnel in early reading development and essential components of the NJTSS, which aligns with most models of response to intervention (RTI) and MTSS.

School leadership team members increased skills with respect to:

- (a) promoting active involvement of school personnel in implementing an MTSS framework for reading support;
- (b) selecting and administering effective screening tools;
- (c) interpreting reading screening data;
- (d) utilizing student benchmark data to guide refinements and supplements to core instruction; and
- (e) utilizing classroom observations to evaluate curriculum-alignment and consistency in implementation. These team members also worked to formalize practices in their schools for implementing screening and data-based instructional decisions.

A partnership that included the State Parent Advocacy Network (SPAN), project partners on family engagement, and NJDOE staff representing federal programs (Title 1, Title 3, and 21st century Afterschool Programs) and other NJDOE Department staff responsible for engaging families in school activities resulted in development of a tool for school leadership teams to utilize to assess and improve family and school partnerships. These resources are available on the NJDOE [NJTSS website](#).

The Department transitioned to new leadership during this project period. Project activities and goals, however, align with the new agenda of fairness and equity for all students and strengthening teaching, leading and learning in all schools across the state.

Department's Future Objectives

The Department will continue to support the initiatives and programs detailed within this report including revising and updating the New Jersey School Climate Survey, promoting quality social and emotional learning, and the New Jersey Tiered Systems of Support (NJTSS), which provide districts with the necessary tools to address incidents of HIB and safety within schools. Also, in the summer of 2018 the Department launched the School Safety Specialist Academy to provide training to the designated school safety specialist in every school district, as required by state statute. In addition, the state's Fiscal Year 2019 budget increased school-

security funding with an additional \$87.4 million in school security aid, allowing districts the flexibility to support school safety initiatives that fit the needs of their schools. The state budget also earmarked \$75 per student in school security funding for nonpublic schools.

This summer the Department was placed on the Interagency Task Force to Combat Youth Bias (Interagency Task Force) pursuant to executive order 78. Acting Governor Sheila Oliver issued the Executive Order that established the Interagency Task Force to address bias incidents among students and young adults. The Executive Order followed the publication of the [“Bias Incident Report \(2017-18\)”](#) by Attorney General Gurbir S. Grewal that showed increases in bias incidents in New Jersey.

In addition, this year the Department will begin the process for reviewing and revising the New Jersey Student Learning Standards (NJSLS). The process for reviewing and revising the NJSLS relies on research, evidenced-based practices, and feedback gathered through dialogues with diverse groups including teachers, school and district leaders, and other constituents. Through this process the Department is committed to crafting NJSLS that reflect the importance of student social and emotional skills when providing high quality learning environments.