

VIOLENCE, VANDALISM AND SUBSTANCE ABUSE
IN NEW JERSEY PUBLIC SCHOOLS

2003-2004

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

NEW JERSEY DEPARTMENT OF EDUCATION

April 2005

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

July 1, 2003 to June 30, 2004

Based on the Electronic Violence
and Vandalism Reporting System (EVVRS)

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EXECUTIVE SUMMARY

The Commissioner of Education's *Report on Violence, Vandalism and Substance Abuse in New Jersey Public Schools* is submitted annually to the education committees of the Senate and Assembly of the New Jersey State Legislature. It provides the Legislature with data in four broad categories of incidents: violence, vandalism, weapons, and substance abuse. It also summarizes initiatives implemented by the New Jersey Department of Education (NJDOE) to assist schools in addressing problems of school violence, safety and climate, student conduct and the use of illegal substances.

Prior to the 1999-2000 school year, districts submitted summaries of their violence and vandalism data to the county offices of education. In March of 2000, they reported incidents directly to NJDOE over the Internet on the Electronic Violence and Vandalism Reporting System (EVVRS). This year's report is the fifth to provide data from the EVVRS. Despite the introduction of additional types of incidents to report, the total number of incidents reported by school districts in 2003-2004 was 20,207, down 1,979 (or 9 percent) from 22,186 in 2002-2003. This change, as well as other year-to-year comparisons contained in this report, must be interpreted with caution. Some incident definitions changed in 2003-04¹ and three new types of violent incidents were added to the EVVRS. Additionally, two districts experienced major declines totaling 1,252 fewer incidents reported or 63 percent of the total decrease of 1,979 in the number of incidents reported.²

Consistent with previous years' data, more than two-thirds of all schools (69 percent) reported five or fewer total incidents in 2003-2004 with one school in three (34 percent) reporting no incidents at all. The distribution of the location of incidents also mirrored that of prior years with three incidents in ten (30 percent) taking place in the classroom and another 21 percent in the school corridor. The police were notified in 38 percent of incidents reported, up six percent in the two years from 2001-02.

¹ See "Changes to the Reporting System," Part D of the Introduction section of this report.

² Camden City Public Schools reported 849 fewer incidents and Trenton City School District reported 403 fewer incidents in 2003-04 than they did in 2002-03 following a local review of criteria used to classify incidents as serious enough to report to the state through the EVVRS.

Overall, there was a significant decline in the number of incidents of violence and vandalism, a small increase in the number of weapons incidents and a modest decrease in the number of substance abuse incidents.

- For the second year in a row incidents in the violence category declined by 11 percent, driven primarily by reductions in the number of simple assaults (24 percent), fights (12 percent), sex offenses (45 percent) and threats³ (20 percent);
- The number of incidents reported under vandalism decreased by nine percent, due primarily to declines in incidents involving damage to property (10 percent) and theft (7 percent);
- The number of incidents involving weapons increased by 3 percent, accounted for principally by increases in incidents involving knives; and
- The number of incidents reported under the substance abuse category decreased 4 percent, driven primarily by an 8 percent decline in use of substances.

In 2003-2004, out-of-school suspension was again the disciplinary action taken most frequently in response to reported incidents -- in 90 percent of the cases where a disciplinary action was taken. The percentage of students committing offenses by student type remained fundamentally unchanged from the prior year. Regular education students constituted 73 percent of offenders and students with disabilities 27 percent. The number of school personnel reported as victims of any type of incident declined by 9 percent.

The NJDOE has aggressively pursued a variety of strategies to address the problems of student disruption and violence since the inception of the *Safe Schools Initiative*. The NJDOE's most recent efforts to strengthen its approach to reducing school violence and improving school safety cover a broad array of policies, programs and other strategic initiatives, including the following:

³ The total for a new category in 2003-04, "Terroristic Threat," was added to the total number of "Threats" reported to make the data comparable to that of 2002-03.

- Formation and continued coordination of a School Sector Advisory Committee and other working and planning groups of the Attorney General's Domestic Security Preparedness Task Force to address the unique needs of schools for responding to potential attacks and threats. As a result of advisory committee planning, the department developed and disseminated to all chief school administrators a confidential publication titled *School Safety Manual: Best Practices Guidelines*. Plans are under way to conduct on-site security audits in every school building in New Jersey.
- Development and dissemination of guidance documents, including: *Resource Manual for Intervention and Referral Services* (developed in support of *N.J.A.C. 6A:16-7*); *Guidelines for Public Schools and Approved Charter Schools to File Violence and Vandalism Hearing Transcripts in Accordance with N.J.S.A. 18A:17-46 and Guidelines for Public Schools and Approved Charter Schools to Observe School "Violence Awareness Week" in accordance with N.J.S.A. 18A:36-5.1*; and *Model Policy Prohibiting Harassment, Intimidation and Bullying on School Property, at School-sponsored Functions and on School Busses* (developed in support of *N.J.S.A. 18A:37-13 et seq.*). Plans are under way to revise the videotape program series titled *Intervention and Referral Services for General Education Pupils: A Four-Part Videotape Program Series and Videotape Companion Guide* for dissemination in the 2005-2006 school year;
- The proposal of regulations on student conduct for inclusion in the chapter of administrative code, *N.J.A.C. 6A:16*, Programs to Support Student Development; the comprehensive review of *N.J.A.C. 6A:16* for readoption in 2006; the adoption of new regulations that impose a penalty on a school employee who knowingly falsifies a report of an incident of violence and vandalism, in accordance with the authorizing statute [*N.J.S.A. 18A:17-46(1)*]; and the adoption of regulations in 2001 addressing school safety, violence and health services in *N.J.A.C. 6A:16*;
- The development and implementation of an Unsafe School Choice Option Policy, in accordance with the provisions of the federal *No Child Left Behind Act of 2001*;

- Hosting a statewide conference for developers of violence and substance abuse prevention and intervention programs designated as *exemplary* by the United States Department of Education to showcase their programs to New Jersey educators. The presentations and conference proceedings were videotaped and copies disseminated to all New Jersey school districts. Plans are under way to host a statewide conference in the spring of 2005 for developers of violence and substance abuse prevention and intervention programs designated as *promising* by the United States Department of Education to showcase their programs to New Jersey educators;
- Implementation of the Positive Student Discipline Reform Demonstration Project; the Intervention and Referral Services Initiative; the Student Support Services Planning and Development Project; the Community Services for Suspended and Expelled Youth Project; the Disaffected Youth Grant Program; and the Character Education Initiative, including establishment of the New Jersey Center for Character Education at Rutgers University;
- Supplementing the capacity for local school response to behavioral, social-emotional and health problems by making available to all school districts federal funding, under the federal *Safe and Drug-Free Schools and Communities Act* (SDFSCA) program, that is specifically intended for local school violence and substance abuse prevention activities;
- Collaborative initiatives, including: the Attorney General's Domestic Security Preparedness Task Force Infrastructure Advisory Committee-School Sector; the Youth Gang Prevention and Intervention Project; the Peer Transitions Program in cooperation with the Department of Health and Senior Services; co-sponsorship of the *Stop the Pain: New Jersey Cares About Bullying Conference* with the Department of Law and Public Safety; the Truancy Working Group composed of representatives from the Legislature, the Administrative Office of the Courts and the Department of Human Services; and collaboration with the Department of Human Services, the Department of State, Attorney General's Education Law Enforcement

Working Group, the Violence Institute of the University of Medicine and Dentistry of New Jersey (UMDNJ), the New Jersey School Boards Association, the New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, the New Jersey Education Association, the New Jersey Pupil Services Administrators Association, the New Jersey Counselors Association, the Association of Student Assistance Professionals of New Jersey, the New Jersey Association of Mental Health Agencies, the New Jersey Association of School Psychologists and other organizations, associations and agencies.

The NJDOE is committed to providing ongoing support for school district efforts to improve their comprehensive school safety programs and further reduce the levels of violence, vandalism and substance abuse in New Jersey schools. Continued training opportunities for both school administrative and support personnel, refinement of the Internet-based reporting system and analysis of these data will assist local districts and the NJDOE to accurately track progress in making schools safe for all students and staff.

INTRODUCTION

A. Legislative Charge

In 1982, *N.J.S.A. 18:53* (see Appendix A), was signed into law. The “Public School Safety Law” was a response to a problem long recognized by the state Legislature, violence and vandalism in the schools. The law stipulated that:

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 and vandalism in the public schools and making recommendations to alleviate the problem. (*N.J.S.A. 18:53*).

The law has a significant local component: It requires that school staff who witness or have knowledge of an incident of violence file a report of the incident with the school principal and, as amended in 2002, that the superintendent of schools hold a public hearing in the third week of October summarizing the data submitted to the department and submit a transcript of the proceedings to the department.

B. Purpose of the Report

The Commissioner’s report provides the Legislature with data in four broad categories of incidents: violence, vandalism, weapons and substance abuse. Analysis of trends yields indications of progress and of concern and provides guidance to the department as it endeavors to focus its resources appropriately. In this report, the department also notifies the Legislature and the public of the actions taken by the Commissioner, State Board of Education and the Department of Education (DOE) to address the problems indicated in the data. Since 1994 when the State Board of Education adopted a resolution supporting implementation of the Department of Education’s Safe Schools Initiative, the department has embarked on various actions designed to address the problem of school violence and disruption documented in the incident reporting system. The department’s recent actions under the Safe Schools Initiative are described in the Programmatic Response section of this report.

C. Federal and State Context

Provided below are summary descriptions of federal and state statutes and regulations that support the need for accurate and complete data collection under the Electronic Violence and Vandalism Reporting System (EVVRS). The intent of these requirements is to support the provision of safety and security for students and to prevent unnecessary or extended interruptions to student learning.

The data gathered under the EVVRS are an excellent source of information for helping schools to conduct comprehensive needs assessments, including the identification of patterns of incidents (e.g., types, locations, times, individuals or groups involved) consistent with the statutory and regulatory information provided below. The identification of priority needs based upon objective information is the cornerstone of effective planning for appropriate educational responses to school safety needs.

1. Gun-Free Schools Act

Under the Gun-Free Schools Act, districts must report annually the number of firearms incidents that occurred by type of firearm [rifle, handgun, other (e.g., bomb)] within type of school (i.e., elementary, middle, high school). In completing information on each incident as it is entered, each school fulfills its reporting obligation and need not summarize the data separately at the end of the year.

2. Unsafe School Choice Option Policy

The Unsafe School Choice Option provision (*Title IX, Part E, Subpart 2, SEC. 9532*) under the federal *No Child Left Behind Act (NCLB) of 2001* sets forth the following:

Each state receiving funds under this Act shall establish and implement a statewide policy requiring that a student attending a *persistently dangerous public elementary school or secondary school*, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a *victim of a violent criminal offense, as determined by State law*, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school. (*italics added*)

The NJDOE's Unsafe School Choice Option (USCO) Policy was adopted by resolution by the State Board of Education in June 2003. The USCO statute and the NJDOE's USCO policy contain two provisions that apply to local educational agencies (LEAs) receiving funds under *NCLB*: 1) persistently dangerous schools; and 2) victims of violent criminal offenses. Effective the beginning of each school year, LEAs receiving NCLB funds must be prepared to complete the transfer of students who choose to exercise the option offered under Provision I and Provision II of the USCO policy, as appropriate. Compliance with the policy is a condition of receiving funds under any and all titles under *NCLB*. Chief school administrators annually are required to certify compliance with the NJDOE's USCO policy in their applications for *NCLB* funds.

The maintenance of accurate and complete records of incidents of violence, vandalism and substance abuse is particularly important since the EVVRS is the data source used by the NJDOE to determine persistently dangerous schools under the USCO Policy. Additionally, schools are required to report information on victims of violent criminal offenses, pursuant to the USCO Policy.

The required policy for these school safety requirements may be found at <http://www.nj.gov/njded/grants/nclb/policy/unsafe.htm>. A question and answer document can be found at: <http://homerom.state.nj.us/evvrs/uscopolicyqanda.doc>. A fact sheet describing the process for determining the policy and summarizing key issues is located at: http://www.nj.gov/njded/grants/nclb/policy/unsafe_facts.htm

3. Violence Awareness Week

In January 2002, a state law (*N.J.S.A. 18A:36-5.1*) was passed designating the third week of October each year as "School Violence Awareness Week." During this week, school districts are required to organize activities, such as age-appropriate forums for student discussions on conflict resolution, as well as issues of student diversity and tolerance. Also, districts are required to invite law enforcement personnel who must be invited to join members of the teaching staff in the discussions. Finally, programs must be provided for school board employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence.

4. Public Hearings on Violence and Vandalism

In January 2002, a state law (*N.J.S.A. 18A:17-46 et seq.*) was passed requiring each chief school administrator to conduct a public hearing on all acts of violence and vandalism which occurred in the previous school year. The proceedings of the public hearing must be transcribed and kept on file by the local board of education, which must make the transcript available to the public.

Verification of the annual report must be part of the NJDOE's monitoring of the school district. The local board of education is required to provide ongoing staff training in fulfilling the reporting requirements pursuant to *N.J.S.A. 18A:17-46*. Additionally, the majority representative of the school employees must have access monthly to the number and disposition of all reported acts of school violence and vandalism.

5. Penalties for Falsification of EVVRS Records

In compliance with *N.J.S.A. 18A:17-46 et seq.*, the NJDOE has adopted new regulations [*N.J.A.C. 6A:16-5.3(f)*] that require district boards of education to impose a penalty on school employees who knowingly falsify a report of an incident of violence and vandalism.

6. Harassment, Intimidation and Bullying

Legislation (*N.J.S.A. 18A:37-13 et seq.*) enacted in September 2002 required each school district to adopt a policy prohibiting harassment, intimidation and bullying on school property, at school-sponsored functions and on school buses by September 2003. To assist school districts in developing these policies, the legislation required the NJDOE to develop and issue a model policy applicable to grades kindergarten through twelve. The NJDOE's model policy titled *Model Policy Prohibiting Harassment, Intimidation and Bullying on School Property, at School-sponsored Functions and on School Busses* can be found at <http://www.state.nj.us/njded/parents/bully.htm>. Schools must report on the EVVRS all incidents of harassment, intimidation and bullying that apply to the definition of harassment, intimidation and bullying under the statute.

Each school district is granted local control over the contents of the policy and ancillary procedures, but, at a minimum, the ten components set forth in the authorizing

statute must be addressed in a school district's policy prohibiting harassment, intimidation and bullying. In part, the provisions of the statute require school district's to stipulate *both* the *consequences* and the *remedial actions* for persons violating the policy; persons who engage in reprisal or retaliation against someone who reports a violation of the policy; and persons who falsely report allegations of harassment, intimidation and bullying as a means of retaliation or as a means of harassment, intimidation or bullying.

The NJDOE recognizes that decisions about consequences and actions to be taken in response to violations of policies prohibiting harassment, intimidation and bullying should take into consideration the unique circumstances of the acts and the persons involved, as well as the unique conditions and characteristics in each school district. The NJDOE also recognizes that these decisions must comport with existing school district policies, including those that address the provisions of *N.J.A.C. 6A:16, Programs To Support Student Development*, in general, and *N.J.A.C. 6A:16-5.1, Code of Student Conduct*, in particular, as well as the provisions of the district's *Memorandum of Agreement Between Education and Law Enforcement Officials*, pursuant to *N.J.A.C. 6A:16-6, Law Enforcement Operations For Substances, Weapons, and Safety*.

7. Administrative Code

The State Board of Education approved a new Chapter of administrative code entitled *Programs to Support Student Development (N.J.A.C. 6A:16)* in April 2001. The chapter includes new subchapters that address school safety issues, including:

- Codes of student conduct;
- Emergency and crisis management plans;
- Incident reporting;
- Access to juvenile information;
- Firearms, weapons and assault offenses; and
- Law enforcement operations for substances, weapons and safety.

The regulations also contain subchapters on comprehensive substance abuse programs, substance abuse intervention, reporting allegations of child abuse and

neglect, intervention and referral services, alternative education, home or out-of-school instruction for general education students and school health services.

D. Changes to the Reporting System

1. Background

Districts have reported incidents over the Internet for five years⁴. The Electronic Violence and Vandalism Reporting System, <http://homeroom.state.nj.us> (EVVRS), deployed in March 2000, requires districts to report electronically information about individual incidents – including offender and victim information. An EVVRS User Manual, accessible on the EVVRS homepage, contains general guidance for reporting and incident definitions, e.g., what constitutes a simple assault, aggravated assault, a fight. The data entered and verified by districts on the EVVRS form the basis of the Findings section of this report to the state legislature and of the report to the federal education department on the Unsafe School Choice Option policy.

2. Changes to Meet Requirements of the Unsafe School Choice Option Policy

Changes were made to incident definitions in the EVVRS for the 2003-04 school year. As noted above, the State Board of Education adopted the [Unsafe School Choice Option Policy \(USCO\)](#) in June, 2003 and reissued the policy a year later. Provision I defines criteria for identifying “persistently dangerous schools” and Provision II describes conditions leading to the determination that a student has been the victim of a violent criminal offense. Provision II, in particular, influenced changes in the incident definitions through its requirement that the offenses counted under this provision were those enumerated in the state criminal code. NJDOE staff reviewed definitions to determine their match with the definitions of “violent criminal offenses” in the state criminal code. The following EVVRS definitions were revised in varying degrees to bring them into alignment with those in the code: Violence (Fight, Gang Fight, Sex Offense, and Threat); Vandalism (Arson); and Weapons (Possession of a Firearm, Assault with a Weapon, and Possession of a Weapon). In order to include all types of “violent criminal offense” in the EVVRS, three new types of violence incidents were added: Terroristic

⁴ For a description of changes to the reporting system pre-dating the Internet-based system, see this report for the school year 2000-2001, available at <http://www.state.nj.us/njded/atoz.htm#V>

Threat, Kidnapping and Harassment/intimidation/bullying. Appendix B lists incident definitions, displaying both versions (2002-03 and 2003-04).

3. Efforts to Reduce Variability in the Application of Standards for Reporting

The department recognizes that individuals interpret and apply the definitions in the EVVRS User Manual differently. For example, one student calls a second student a name; the second student pushes in return and the two begin to tussle. They stop when a security guard intervenes. One district might consider it a scuffle and not report it on the EVVRS, while another may consider it a fight sufficiently serious to report. The department recognizes that this kind of difference in perspective introduces “error” into the system, i.e., a departure from the true number that would be reported if everyone interpreted and applied the definitions in the same way. Therefore, there may be variability in reporting across districts. Additionally, a shift in responsibility for reporting within a school or district can produce changes in violence and vandalism figures reported year to year and, thus, represents another potential source of inaccuracy.

To reduce errors and promote consistency in reporting, the department created “scenarios” for those types of incidents that, due to their particular circumstances, invite discrete differences in interpretation. The scenarios describe incidents within the context in which they occur and provide factors to consider in selecting the correct incident category. The revised incident definitions and the scenarios were distributed to all chief school administrators, included in the revised EVVRS User Manual, posted separately on the EVVRS homepage, and discussed during the EVVRS training sessions. During its annual EVVRS training for district administrators and EVVRS account users conducted in the spring of 2004 and winter of 2004-05, the department stressed the importance of districts referring to these two documents when deciding whether an incident is the type to be reported on the EVVRS and, if so, how to classify it. The importance of including offender and victim information – particularly the information on USCO Provision II – received special attention in the EVVRS training and in notices e-mailed to all EVRS account users during the 2003-04 school year.

FINDINGS

A. Unduplicated Counts

This report provides unduplicated counts of incidents for the total number of incidents and the total by major reporting category. The total for the four incident categories will not necessarily add up to the grand total of all incidents. Beginning with the introduction of the EVVRS in 1999-2000, if a single incident included a threat and a simple assault, for example, each type is recorded and counted. In deriving a total for the number of incidents of violence, however, the incident that included both a threat and a simple assault would be counted once. Similarly, in calculating an unduplicated total of the number of incidents, an incident that included a fight and damage to property would count as one incident, as well as one incident of violence and one incident of vandalism. Thus, totals, as indicated, are unduplicated counts of the number of incidents within a category. A bias incident that included violence and vandalism would be counted as one bias incident in addition to being counted in the two major reporting categories.

B. Results by School Type

The following analysis examines differences in the number of incidents by the type (i.e., grade range) of the school. For the purposes of this analysis, an elementary school is defined as any school that ends at grade 6 or below; a middle school is any school that terminates in the 7 through 9 grade range, and a high school is defined as any school that terminates at grade 10 or above. Charter schools are included and are categorized in the same manner. Schools in special services school districts with only students with disabilities had no data on grade range available, so their data along with those of adult evening high schools, are included under "Other" in the chart below.

Figure 1 below shows the modest increase in the number of incidents occurring in elementary schools and the decrease in middle and high schools over the past two school years. In 2003-04, more than half the incidents (53 percent) took place in high schools (an increase of four percent), one third (33 percent) occurred in middle schools,

12 percent in elementary schools and 3 percent in special services schools and adult evening high schools.

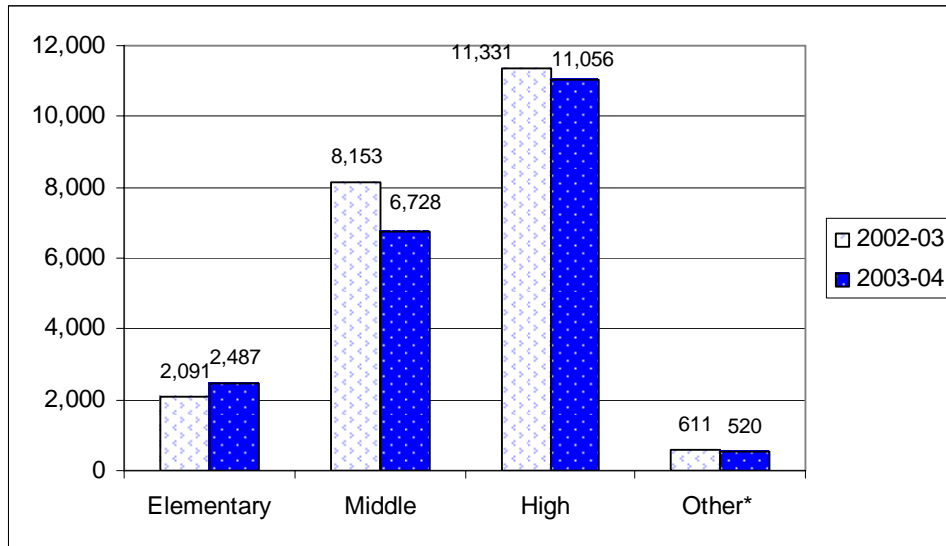


Figure 1: Incidents by School Type

The distribution of incidents across schools has remained stable. Again in 2003-04, one school in three (34 percent) reported no incidents. When one includes this group with no incidents, nearly seven schools in ten (69 percent) reported five or fewer incidents. Six to ten incidents occurred in ten percent of schools, 11-24 in 12 percent and 25 or more in 10 percent (down from 12 percent in 2002-03) of all schools.

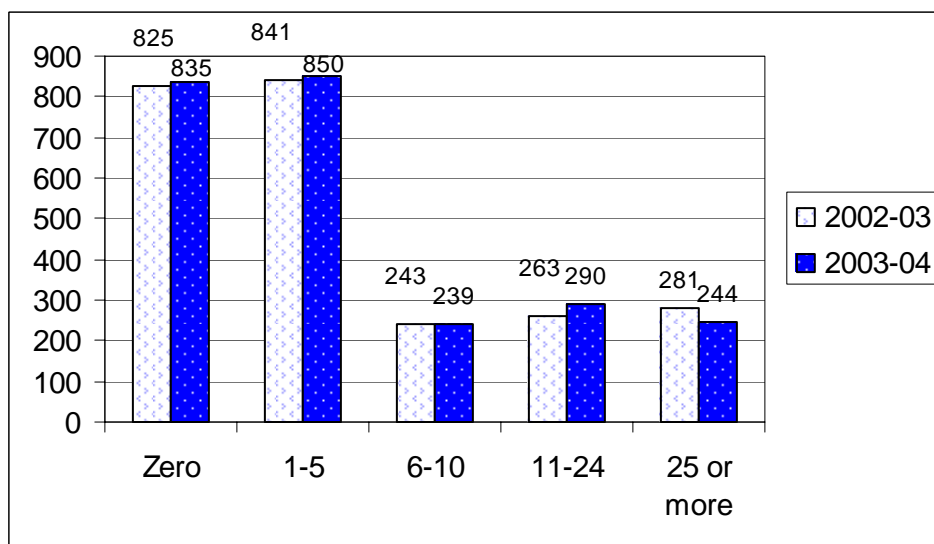


Figure 2: Number of Schools by Range of Incidents

C. Header Information

Header information is the data that a district records for every incident and includes:

- the date and time of the incident;
- the location of the incident (optional field);
- whether police were notified and if a complaint was filed; and
- whether bias was involved.

The date and time data are primarily for local use and were not analyzed. The distribution of data on the location of incidents is nearly identical to that reported for 2002-2003 (see Table 1). Three incidents in ten occurred in the classroom, while overall, three in four (76%) occurred inside the school building.

Table 1: Location of Incidents

Location	2002-2003		2003-2004	
	# Incidents	% of Total	# Incidents	% of Total
Cafeteria	1,769	9%	1,621	9%
Classroom	6,302	31%	5,530	30%
Corridor	4,041	20%	3,749	21%
Other inside school	3,363	17%	3,080	17%
School grounds	2,288	11%	2,034	11%
Bus	772	4%	728	4%
Building exterior	485	2%	408	2%
Other outside	1,203	6%	1,092	6%
Total	20,223	100%	18,242	100%
Missing*	1,836		1,972	

* Districts are not required to provide information on the location of incidents.

Police were notified in a greater proportion of incidents in 2003-04. Notification occurred in 38 percent of all incidents reported by districts, an increase from 35 percent in 2002-03 and 32 percent two years earlier, 2001-2002. Complaints were filed either by the district, parent or student in half the cases about which police were notified.

Table 2: Police Notification

	2002-2003		2003-2004	
	# Incidents Reported	% of Total	# Incidents Reported	% of Total
None	14,280	65%	12448	62%
Notified, no complaint	3,947	18%	3918	19%
Notified, complaint filed	3,893	18%	3767	19%
Total	22,120	101%*	20133	100%
Missing	66		81	

* Total exceeds 100% due to rounding.

Districts reported 167 incidents of bias in the school year, a one-year increase of ten percent from the 152 incidents of bias reported in 2002-2003.

D. Incident Frequency by Major Category

Figure 3 displays the total unduplicated count of incidents by each of the four major reporting categories for the past two years. There were fewer incidents of violence (a decline of 11 percent); this decline is particularly notable in view of the addition of three types of violence (harassment/intimidation/bullying, terroristic threat and kidnapping). There was a nine percent decrease in incidents of vandalism, and a small increase in weapons offenses (three percent), and a four percent decrease in substance offenses.

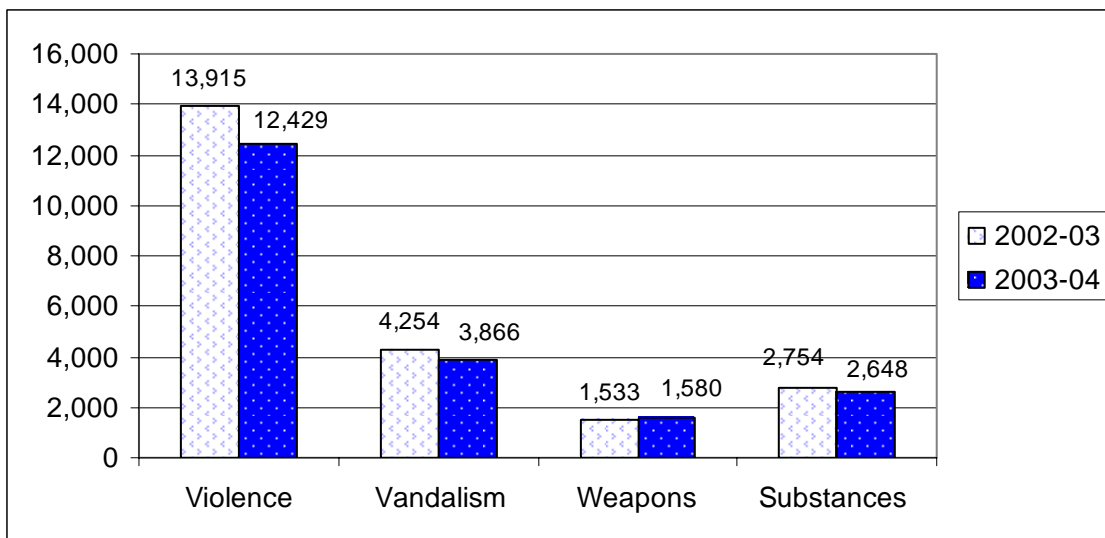


Figure 3: Incidents by Major Category

E. Incident Frequency by Type within Major Category⁵

The overall 11 percent decrease in violence is indicated most markedly in the declines in the following types of violence: simple assaults (24 percent), fights (12 percent), sex offenses (45 percent) and threats (20 percent).⁶ There was one incident of kidnapping (not shown in Table 3). In the vandalism category, the 10 percent decrease in damage to property and seven percent decrease in thefts constitute the most notable changes. The increase in the possession, assault with, or sale/distribution of, weapons other than firearms is reflected in increases in the number of incidents involving air guns, imitation guns and knives (see Appendix D). The change in the total for firearms is reflected in the increase in incidents of possession of a handgun from nine in 2002-03 to 14 in 2003-04.

Overall, there was a four percent decrease in the number of incidents of possession, use or distribution of substances. There were 50 fewer incidents involving marijuana (a decline of three percent), and 27 fewer incidents involving drug paraphernalia (a decline of 24 percent). There were 33 more substance incidents involving cocaine (50 percent increase). The most frequently abused drug was marijuana, involved in 66 percent of all substance abuse incidents (see [Appendix D](#)).

⁵ Any one incident may be of more than one type, e.g., fight and damage to property, and, therefore, may appear in more than one category.

⁶ See footnote 3.

Table 3: Incidents by Type

Incident Type	2002-2003	2003-2004	Change	
	# of Incidents	# of Incidents	N	%
Violence				
Simple Assault	5,070	3,858	-1,212	-24%
Aggravated Assault	358	309	-49	-14%
Fight	5,844	5,163	-681	-12%
Gang Fight	46	81	35	76%
Robbery/Extortion	64	56	-8	-13%
Sex Offense	429	238	-191	-45%
Threat	2,269	1,578	-691	-30%
Terroristic Threat	NA	241		
Harassment/Bullying	NA	1,188		
Vandalism				
Arson	119	130	11	9%
Bomb Threat ¹	134	116	-18	-13%
Burglary	157	167	10	6%
Damage to Property	2,082	1,877	-205	-10%
Fireworks	133	104	-29	-22%
Theft	1,594	1,489	-105	-7%
Trespassing	210	215	5	2%
Weapons				
Firearm ²	10	17	7	70%
Other Weapon	1,525	1,560	35	2%
Bomb Offense	1	3	2	200%
Substances				
Use	1,975	1,822	-153	-8%
Possession	836	852	16	2%
Distribution	116	83	-33	-28%

¹ For 2002-2003, the total of 134 includes six fake bombs; of the total of 116 for 2003-2004, there were two fake bomb incidents reported.

² Firearm incidents include handgun and rifle incidents only. Incidents involving air guns and imitation guns are classified as "Other Weapons," as federal law does not classify them as firearms.

F. Cost of Vandalism

Districts reported an unduplicated total of 1,183 incidents of vandalism in which they incurred cost - a decline of 14 percent from 2002-2003. Property damage (71 percent) and theft (26 percent) accounted for most of the incidents resulting in costs to districts (see Figure 4). As multiple types of vandalism were involved in a few incidents, the totals by type of vandalism in Figure 4 exceed the unduplicated total (1,183 incidents) in 2003-04. The total cost to all districts was \$632,621, a three percent increase from the cost of vandalism in 2002-03.

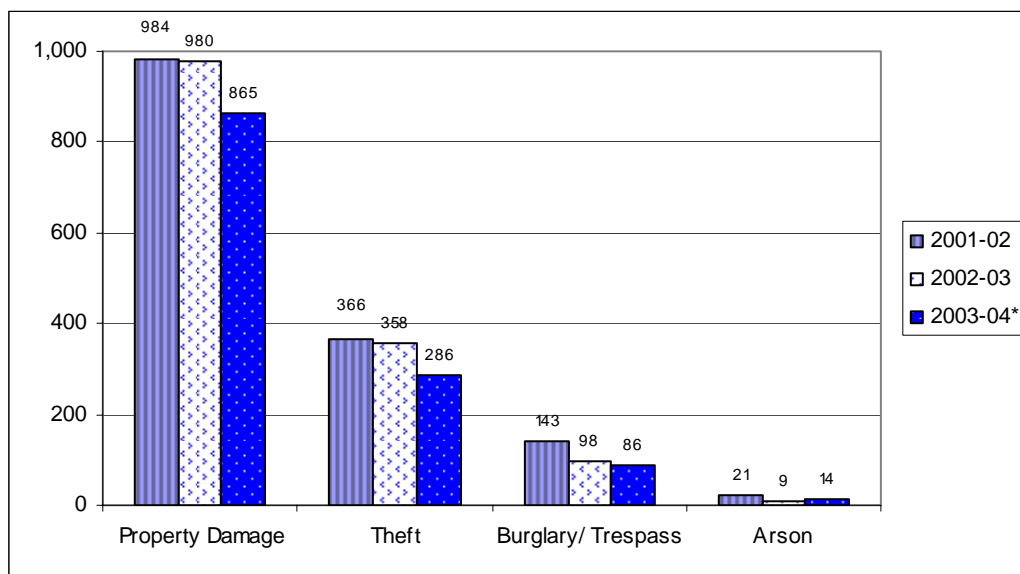


Figure 4: Types of Vandalism Where Districts Incurred Cost

G. Disciplinary Actions Taken

In 90 percent of the cases where a disciplinary action was taken, students who committed an offense received an out-of-school suspension. Removal to an alternative program was used in two percent of the cases. These percentages are consistent with the data from 2002-2003 (see Table 4).

Table 4: Disciplinary Action Taken

Disciplinary Action	2002-2003		2003-2004	
	# of Actions Taken	% of Total	# of Actions Taken	% of Total
Expulsion	66	0%	51	0%
Removal	485	2%	421	2%
In-School Suspension	1,286	6%	962	4%
Out-of-School Suspension	19,448	88%	19,756	90%
Other	882	4%	835	4%
Total	22,167	100%	22,025	100%

Half of the out-of-school suspensions (45 percent) were for less than five days; 21 percent were for 10 days or more (see Figure 5). The most frequently issued single suspension was that of five days – used in 4,810 cases (24 percent) in 2003-04.

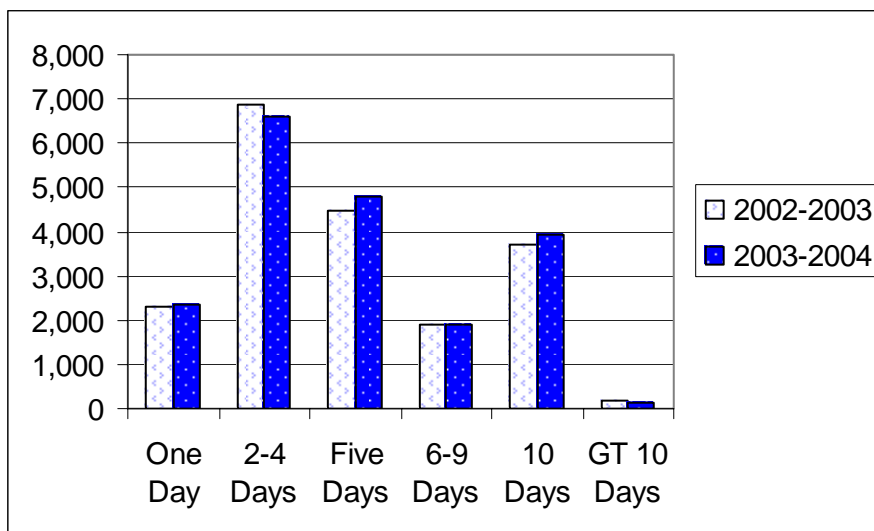


Figure 5: Number of Suspensions by Duration

Figure 6 displays the types of alternative placements selected by districts when students were removed from school for disciplinary reasons. Of the 199 students placed in an out-of-district program in 2003-04, 25 attended a county alternative education program - ten more than in 2002-03.

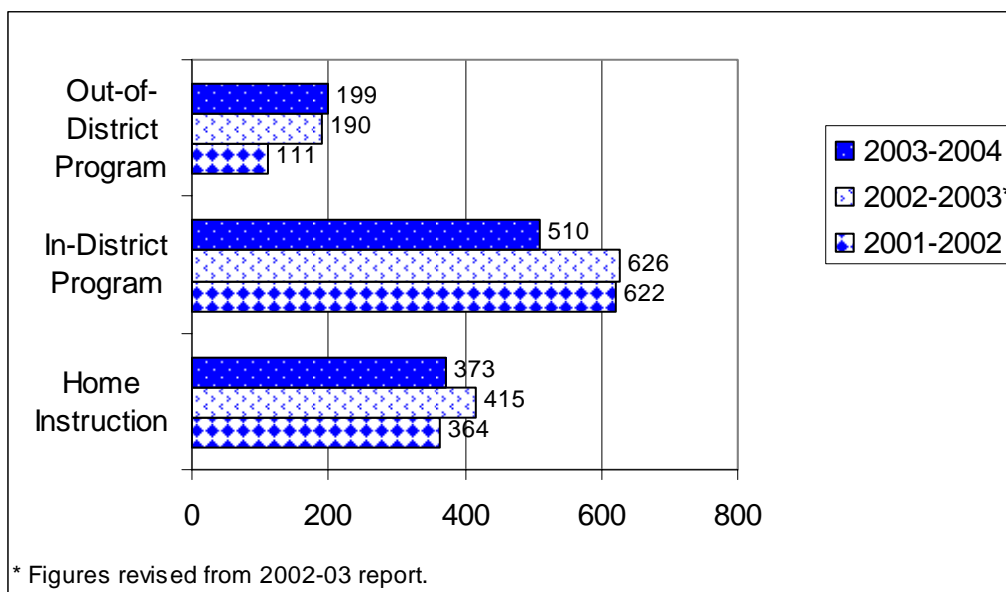


Figure 6: Placement of Students Removed or Suspended

H. Offenders and Victims

In 2003-2004, regular education students constituted 73 percent of the offenders in the cases where the offender was known.⁷ Students with disabilities, who represent 16 percent of the student population, constituted slightly more than one quarter (27 percent) of offenders. The proportions are similar to those of 2002-2003. See Table 5.

Table 5: Offender Type

	2002-2003		2003-2004	
	# of Offenders	% of Total	# of Offenders	% of Total
Regular Education Student	14,575	71%	14,849	73%
Student with Disability	5,649	28%	5,417	27%
Student from Other District, Non-Student	182	1%	154	1%
Total	20,406	100%	20,420	101%*

Note. Omits cases where offender is unknown or missing.

* Total due to rounding.

⁷ In many cases of vandalism, particularly those of theft and damage to property, the offender is unknown to the district. In 1,932 cases (9% of all incidents) in 2003-2004, the offender was reported as unknown.

Regular education students constituted a smaller percentage of victims in 2003-04 (61 percent) than in 2002-03 (64 percent). The data in Table 6 also show a nine percent decline in the number of school staff (includes contracted staff) who were victims of an offense of any kind, the second consecutive year that the number of staff victimized has shown a decline. The percentage of students with a disability who were victims (18 percent) nearly mirrors their percentage (16 percent) in the student population.

Table 6: Victim Type

	2002-2003		2003-2004	
	# of Victims	% of Total	# of Victims	% of Total
Regular Education Student	5,630	64%	4,283	61%
Student with Disability	1,511	17%	1,261	18%
Student from Other District, Non-Student	114	1%	74	1%
School Personnel	1,569	18%	1,364	20%
Total	8,824	100%	6,982	100%

I. Analysis of Data on Harassment, Intimidation and Bullying

The 2003-04 school year was the first year during which districts reported incidents of harassment, intimidation, and bullying on the EVVRS. Those incidents that were to be reported had to meet the criteria specified in the definition (see below), a definition that is based upon criminal statute (*N.J.S.A. 2C:16-1(a)*):

- Any gesture or written, verbal or physical act 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 handicap, or by any other distinguishing characteristic, that takes place on school property, at any school - sponsored function or on a school bus and that:
- a) a reasonable person should know, under the circumstances, will have the effect of harming a student or damaging the student's property; or
 - b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

Thus, in order to be reported on the EVVRS, a bullying incident, for example, would not be reported if the victim failed to possess a distinguishing characteristic; nor would the bullying incident be reported where a) the victim possessed a distinguishing characteristic yet the incident did not cause harm or damage to the student's property; or b) the act did not cause substantial interference or disruption with the orderly operation of the school. Only incidents that meet the criteria are to be reported.

A total of 1,187 incidents of harassment/intimidation/bullying were reported in 2003-04. Some of these incidents occurred in conjunction with other incidents: assault (71), threat (68), sex offense (12), robbery/extortion (9), and damage to property (7). Close to half the incidents (530 or 45 percent) occurred in middle schools, 472 (40 percent) in high schools and 170 (14 percent) in elementary schools. These 1,187 incidents took place in only 97, or four percent of all schools, an average of 12 incidents per school.

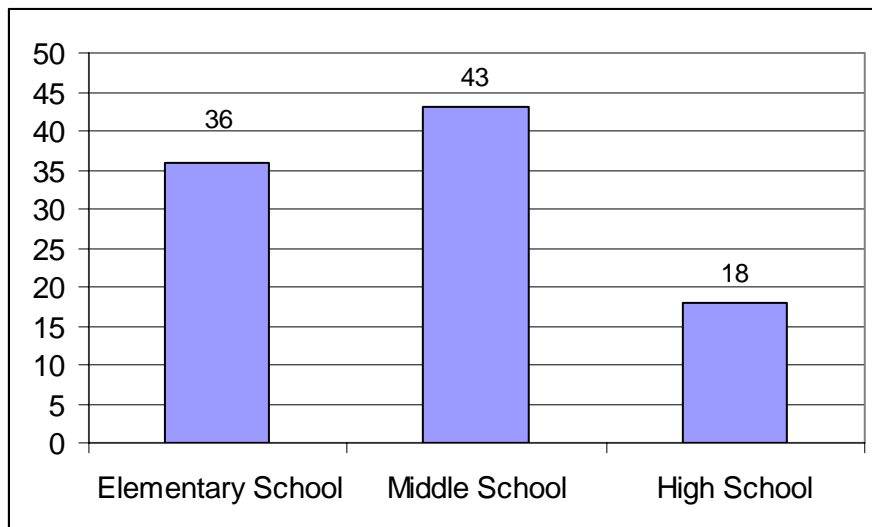


Figure 7: Number of Schools Reporting Incidents of Harassment/Intimidation/Bullying, 2003-04

J. Data Summary

The total number of incidents of 20,207 represents a decrease of 1,979 incidents or nine percent from the total of 22,186 reported in 2002-2003. As noted in the Executive Summary, this change must be interpreted with caution as follows:

- some incident definitions changed in 2003-04, e.g., gang fight/assault, sex offense, possession of a weapon ([see Appendix B](#));
- three new types of violent incidents were added to the EVVRS (terroristic threat, kidnapping and harassment/intimidation/bullying); and
- two districts experienced major declines in the number of incidents reported. Camden City Public Schools and Trenton School District reported 849 and 403 fewer incidents respectively. The total of 1,252 fewer incidents reported by these two districts accounts for 63 percent of the decline in the overall statewide total.

Despite these changes and the decline in three of the four incident categories, the data in this Findings section again show certain consistencies. Where incidents occur, the frequency with which police are involved, the number of schools reporting a given number of incidents, the district's disciplinary response and the type of student involved change very little year to year. This consistency suggests that some of the factors that influence the occurrence of violence, vandalism and substance abuse in schools are general and, to an extent, constant.

Although the NJDOE recognizes that there is interdistrict variation in the categorization and reporting of reporting incidents, the department remains optimistic that the recent revision of the incident definitions, the development of the incident scenarios and the expanded training for district personnel will bring greater uniformity to the reporting process. Because of this interdistrict variation, however, it is inappropriate, at this time, to compare data between or among districts. The department uses the data to analyze trends to determine the types of programs needed and to measure progress in its efforts to assist districts in creating safe learning environments for all students. With consistent reporting, districts can use trend data in conjunction with other information on student conduct to gauge the success of their prevention programs and intervention strategies that address identified problems and patterns.

PROGRAMMATIC RESPONSE

New Jersey's schools are basically safe places, despite perceptions cultivated by terrible tragedies that have occurred in our nation's schools, including Littleton, Colorado in 1999, as well as the threat to our homeland security with the events of September 11, 2001. School districts and the state have implemented programmatic responses to foster school safety at all points of the continuum, from prevention through crisis response and recovery. Comprehensive responses include the following: developing clearly defined student behavior policies and codes of student conduct; assessing the immediate surroundings, as well as the social and emotional learning climate of the school community; developing an emergency and crisis management plan with clearly defined plans, procedures and mechanisms for responding to emergencies and crises; implementing research-based prevention and intervention programs; and planning for the effective use of available community resources.

The NJDOE has aggressively pursued a variety of policy and program strategies to address the problem of disruption and violence since the beginning of the *Safe Schools Initiative* in 1994. The following is a summary of the department's most recent efforts to strengthen the assistance offered to school districts to increase school safety and reduce school violence.

A. Policy

1. Administrative Code.

The chapter of administrative code titled *Programs to Support Student Development* (N.J.A.C. 6A:16) adopted by the State Board of Education in April 2001 specifies minimum standards for district boards of education in establishing policies and procedures and in operating programs to support the social, emotional and physical development of students.

The NJDOE proposed to the State Board of Education in October of 2004, regulations on student conduct as a subchapter of the chapter of administrative code titled *Programs to Support Student Development* (N.J.A.C. 6A:16) and proposed

technical amendments to subchapters on school safety, law enforcement operations for substances, weapons and safety and intervention and referral services.

2. Student Discipline

A working group was established within the NJDOE to review student discipline in response to issues that were raised during the public comments on *N.J.A.C. 6A:16, Programs to Support Student Development*. A major activity of the working group was the administration of nine policy forums in the fall of 2001 that were designed to engage representatives from statewide education associations and constituency groups in identifying a broad range of student discipline concerns and possible remedies for department consideration. The following recommendations have been or are in the process of being implemented:

- Development of a regulatory framework for student discipline.

In response to this recommendation, a student discipline code discussion paper was approved by the State Board of Education for dissemination and comment. In October 2004, regulations on student conduct were proposed to the State Board of Education as a subchapter of the chapter of administrative code titled *Programs to Support Student Development (N.J.A.C. 6A:16)*. The proposed regulations are scheduled for adoption in August 2005.

- Convening an advisory panel to explore consistent uses of programs and policies regarding alternative education for general education students who are suspended or expelled from school.

As a result of this recommendation, the NJDOE convened the advisory panel, and the findings of the panel are under consideration by the department's internal working group on student discipline.

- The NJDOE is considering implementation of the remaining recommendations below from the student discipline policy forums, which would be implemented subsequent to the adoption of proposed *N.J.A.C.6A:16-7, Student Conduct*:

- Development or revision of guidance documents and publications.
- Provision of training and technical assistance.
- Increased ongoing interagency and intra-agency collaboration.

3. Unsafe School Choice Option Policy

As a condition for receiving funds under the federal *No Child Left Behind Act* (NCLB), the NJDOE was required to establish and implement a statewide policy requiring that students attending persistently dangerous schools or who become victims of violent criminal offenses while in or on the school grounds that they attend be allowed to transfer to a safe public school within the local educational agency. The NJDOE's policy was adopted by resolution by the State Board of Education in June 2003. All local educational agencies receiving NCLB funds must comply with the provisions of the policy, as appropriate.

In November 2004 and February 2005, the Unsafe School Choice Option Policy Advisory Panel was reconvened to review the existing policy and consider modifications.

4. Harassment, Intimidation and Bullying

To assist school districts in developing the required harassment, intimidation and bullying policies, the authorizing statute (*N.J.S.A. 18A:37-13 et seq.*) required the New Jersey Department of Education (NJDOE) to develop and issue a model policy applicable to grades kindergarten through twelve. The NJDOE's model policy was developed and disseminated in December 2002 and can be found at the following Web Site: <http://www.state.nj.us/njded/parents/bully.htm>.

5.

Violence Awareness Week

The NJDOE has provided guidelines and information to local boards of education for use in planning the activities that are required (*N.J.S.A. 18:36-5.1*) in observance of the week for each year the requirement has been in effect. The guidelines can be found at: <http://www.state.nj.us/njded/students/safety/violence.htm>.

6. Public Hearings on Violence and Vandalism

For each year the requirement (*N.J.S.A. 18A:17-46*) has been in effect, the NJDOE has provided guidelines and information to local boards of education for complying with the statute and submitting the required documentation to the NJDOE. The guidelines in effect for the 2004-2005 school year can be found at the following website: <http://www.state.nj.us/njded/students/safety/violence.htm>

7. Alternative Education

Regulations for alternative education programs have been adopted as Subchapter eight of *N.J.A.C. 6A:16*, Programs to Support Student Development. The provisions within *N.J.A.C. 6A:16-8* regulate the application process and approval criteria for the operation of alternative education programs. The department disseminated a revised guidance document titled *A Guide and Application for the Operation and Approval of Alternative Education Programs* in the 2003-2004 school year.

A working group has been established to review alternative education program requirements and propose modifications to strengthen this delivery system. The NJDOE will consider the recommendations of this group during its comprehensive review of *N.J.A.C. 6A:16* beginning in July 2005.

B. Prevention and Intervention Programs

1. Safe and Drug-Free Schools and Communities Act Program (Title IV-A of the No Child Left Behind Act)

The capacity for local school response to behavioral, social-emotional and health problems is supplemented by federal funding provided specifically for school violence

and substance abuse prevention activities. Under the federal *Safe and Drug-Free Schools and Communities Act* (SDFSCA) program, a total of \$7.8 million dollars was provided through the New Jersey Department of Education (NJDOE) to local districts for this purpose in 2004-2005.

Data on programs reported to the NJDOE by districts indicate that educators have matched the types of violence with appropriately designed plans and programs. They have put in place emergency and crisis management plans and have purchased security devices to provide a surveillance capacity to protect against intruders. They also have put in place specific programs to enhance their ability to intervene early when students are disruptive. For example, in the 2002-2003 school year, 349, or 60 percent of school districts reported implementing conflict resolution programs and 312 districts reported delivering violence prevention instruction using SDFSCA funds (up from 266 in 2001-2002) . Additional violence-related activity funded under SDFSCA included the purchase of security equipment (40 districts), the use of security personnel (20 districts) and illegal gang prevention activities (57 districts).

2. Core Curriculum Content Standards

New regulations (*N.J.A.C. 6A:8*) for Core Curriculum Content Standards in Comprehensive Health and Physical Education were adopted by the State Board of Education on April 7, 2004. The Core Curriculum Content Standards in Comprehensive Health and Physical Education contain specific indicators under Standards 2.1 (Wellness - health promotion concepts and skills), 2.2 (Integrated Skills - health enhancing personal, interpersonal and life skills) and 2.4 (Human Relationships and Sexuality – physical, emotional and social aspects of human relationships and sexuality) that require public schools to teach violence prevention skills, including media resistance, peer pressure resistance, peer leadership, problem-solving, conflict resolution and stress management. Additionally, Standard 9.2: Consumer, Family, and Life Skills, addresses significant related areas, such as critical thinking, self-management, interpersonal communication, character development, ethics and safety. Each of these strands focuses on conflict management, problem-solving, personal responsibility and cooperation.

The standards provide a strong focus on bullying and violence prevention strategies, with a clear emphasis on character education. Topical strands infused in each of the Core Curriculum Content Standards in Comprehensive Health and Physical Education help teachers locate specific content and skills related to violence prevention skills. The standards are further defined by progress indicators at grades two, four, six, eight and twelve.

The Curriculum Framework for Health and Physical Education (1999), which can be found at <http://www.state.nj.us/njded/frameworks/chpe/index.html>, includes 140 suggested sample lessons for educators to use to address topics related to violence prevention and positive social and emotional development. The New Jersey Core Curriculum Content Standards in Comprehensive Health and Physical Education provide an age-appropriate and culturally sensitive focus that helps students develop the knowledge and skills that lead to healthy, active lifestyles.

3. Intervention and Referral Services

The Intervention and Referral Services (I&RS) Initiative supports implementation of the I&RS regulations (*N.J.A.C. 6A:16-7*) by providing technical assistance to districts for the establishment of building-based (grades K-12) multidisciplinary problem-solving teams that are designed to assist students who are experiencing learning, behavior or health difficulties and to assist staff who have difficulties in addressing students' learning, behavior or health needs. The technical assistance provided by NJDOE includes a four-part videotape series and accompanying companion guide and flyer; a comprehensive *Resource Manual for Intervention and Referral Services*; and the provision of training to prepare building administrators and building-based teams to implement the I&RS regulations. The videotapes were disseminated to all school districts in June 1999, and will be updated for dissemination in the 2004-2005 school year. The original *Resource Manual*, which was distributed to districts in February 2000, was updated to reflect the provisions of the new regulations and was forwarded to schools in January 2003 and reissued in October 2004. Approximately 480 building-based teams have been trained since April 2000. In addition to providing annual team training, 120 school staff who were added to their school's I&RS teams were provided

training in the 2004-2005 school year. Plans are under way to develop supplemental training programs specifically designed to address the ongoing professional development needs of I&RS teams, in accordance with the provisions of *N.J.A.C. 6A:16-7.2(a)4* and *6A:16-7.2(a)5*.

4. Positive Student Discipline Reform Demonstration Project

The New Jersey Department of Education (NJDOE) has entered into a memorandum of understanding (MOU) with the Violence Institute of New Jersey (VINJ) at the University of Medicine and Dentistry of New Jersey (UMDNJ) to assist the NJDOE in administering, implementing and evaluating a research-based approach to school safety, including student discipline and positive student development, in three New Jersey school districts. The goal of the three-year project is to create safety and order in participating schools without unnecessarily excluding students. The project involves the implementation of comprehensive and science-based safety and discipline policies and practices that include prevention, intervention, referral and continuity of care programs, services and activities that maximize supportive school responses to student concerns and minimize the use of student exclusion from school as a disciplinary tool. In project year one (2003-2004), all three districts completed needs assessments, provided orientations for district staff and developed program plans in consultation with a representative group of school and community members. In project year two (2004-2005), the participating districts have begun implementing program plans, including the provision of leadership trainings for administrators and selecting and implementing comprehensive frameworks to support programs currently in place.

5. Character Education Initiative

New Jersey was the first state in the nation to provide state aid funding to implement character education programs and services through the New Jersey Character Education Partnership (NJCEP) initiative. For the fourth year (2003-2004) of the initiative, the Governor's FY2004 budget provided \$4.75 million for school district character education program implementation and expansion. The purpose of NJCEP is to help public school educators to adopt validated character education programs that will meet the developmental needs of students throughout New Jersey by promoting

pro-social student behaviors and creating a caring, disciplined school climate conducive to learning. The public school districts that participated during the 2002-2003 submitted data along with a narrative on program outcomes. The *Report on Year-Three Outcomes* is available at <http://www.nj.gov/njded/chared/outcomes>.

In 2003, the national Character Education Partnership (CEP) recognized eight New Jersey schools for their outstanding character education programs. This national recognition demonstrates the success of the sustained emphasis New Jersey has brought to character education over the past eight years. Additionally, CEP presented one of New Jersey's schools with the National School of Character award for demonstrating outstanding character education initiatives that yield positive results in student behavior, school climate and academic performance.

In March 2004, the New Jersey Department of Education (NJDOE), Office of Program Support Services (OPSS), hosted Tsunenobu Ban, a visiting professor from Japan, his wife, Kyoka Ban, lecturer of education, and professor Ban's graduate student, Hiroko Tanaka. Professor Ban contacted the NJDOE requesting the visit because of New Jersey's commitment to the statewide implementation of character education.

In May 2004, three regional character education conferences for public and nonpublic schools were offered, emphasizing school reform, curriculum infusion using the New Jersey Core Curriculum Content Standards and programs based on scientific research. The conferences were sponsored by the New Jersey Center for Character Education (NJCCE), in collaboration with the Passaic County Office of Education, the Somerset County Office of Education and the Educational Information and Resource Center (ERIC).

6. New Jersey Center for Character Education

In 2002, New Jersey was one of only five states to receive a four-year federal grant award under the Partnerships in Character Education grant program (*Title V, Part D of the No Child Left Behind Act*). Under this grant, New Jersey has created the New Jersey Center for Character Education (NJCCE) at the Center for Applied Psychology in

the Graduate School of Applied and Professional Psychology, Rutgers University. During the 2003-2004 school year, the NJCCE continued to provide in-depth technical assistance and support and opportunities for professional development and skill enhancement to public and nonpublic schools throughout the state. The creation of the NJCCE has provided the leadership necessary to take New Jersey's character education effort to a new level by providing guidance for schools to adopt programs and strategies that have been proven to be effective.

The NJCCE continues to provide ten demonstration sites at local educational agencies (LEAs) with intensive evaluation services. The demonstration sites represent the diversity of New Jersey's schools and their experiences with school reform efforts. Two of the participating LEAs are the state-operated districts of Jersey City and Paterson. The remaining eight LEAs (Woodbridge Township, Westwood Regional, Cape May County Special Services, Hunterdon Central Regional, Cherry Hill, Monroe Township, Highland Park and Plainfield) were selected as a result of a competitive application process. Additionally, the NJCCE continues to utilize an expert panel to assist in the implementation of an evaluation plan for the program. The expert panel also will provide recommendations to the collaborating LEAs regarding the most effective strategies for conducting research and implementing scientifically based program strategies.

7. Youth Gang Prevention and Intervention Project (Phase II)

Under a memorandum of understanding between the NJDOE and the Juvenile Justice Commission (JJC), the following gang-related programs and services have been provided during the 2004-2005 school year: gang prevention and education to students in Newark, Trenton and Camden who are at high risk for involvement in gang activity, utilizing a curriculum developed in Phase I of the project; development of curriculum for community-based organizations to assist them in developing and maintaining community "safety nets" for gang-involved youth who are under the jurisdiction of the JJC's transitional services; three regional gang awareness conferences for school personnel, community members and organizations; and professional development programs on gang issues for Juvenile Justice Commission staff, county youth services

commission staff and members, county juvenile detention center personnel and juvenile peer facilitators.

8. Student Support Services Planning and Development Project

Under this project, supportive services were provided to 10 school districts interested in refining or reforming their student services programs. A contract was awarded to MGT of America, Inc. to provide technical support services to participating districts to assist them in evaluating existing student support services, assessing the support needs of students, and designing and implementing the optimum configuration and systems for delivering and sustaining student support services for their school populations. The foundation of the project was the self-study undertaken by each district, which encompasses the identification of existing programs, the analysis of student services in relation to identified student needs, the assessment of effectiveness and efficiency of existing programs and recommendations for reforming or refining these programs.

The two-year effort, which began July 1, 2002, offered each participating district an incentive grant of approximately \$5,000 per year to help support district participation; provide substantial technical assistance from a consultant contractor; and implement a collegial process for evaluation, review and revision of how student services were organized, staffed and delivered. The districts were selected based on an articulation agreement with the NJDOE's Office of School to Career and College Initiatives, which initiated a complementary project with pilot sites under the New Jersey School Counseling Initiative. Exemplary work resulting from the initiative and best practices in student support services were showcased at a statewide conference in May 2004.

9. Alternative Education

In December 2003, the department convened a work group comprised of district personnel and department staff from each county. The purpose of this workgroup was to assist the department in updating the *Guide and Application for the Operation and Approval of Alternative Education Programs*. The updated document can be found at www.nj.gov/njded/students/safety/behavior/programs.shtml.

10. Peer Transitions Project

This project is designed to reduce factors that place students at risk for substance abuse and other negative behaviors as they transition from middle school to high school. Under an interagency agreement, NJDOE has provided a fifth year of funding to the Division of Addiction Services (DAS) to expand the Peer Transitions Project. Utilizing learning stations, peer educators provide students with information and facilitate discussions on issues (e.g., substance abuse prevention, avoiding gangs, bullying prevention, coping) that will help students make successful transitions to high school. The project builds upon the existing network of peer leadership programs in New Jersey that has been established under the New Jersey Middle School Peer-to-Peer Program, a collaborative effort among NJDOE, DAS, the Governor's Council on Alcoholism and Drug Abuse and the Department of Law and Public Safety.

11. Community Services for Suspended and Expelled Youth

Under a grant from the United States Department of Education, the NJDOE provided a resource manual titled *Time Out for Service: A Manual on Community Service for Suspended and Expelled Students*, as well as videotapes of a conference that was held in the spring of 2004 to provide information to school staff and community members on the use of community services for suspended and expelled students. Currently, the NJDOE is partnering with Rutgers University and the University of Medicine and Dentistry of New Jersey for the provision of direct services to approximately 20 schools to help them coordinate and implement programs under which students who are suspended, expelled or otherwise removed from school perform community service. The goal of the overall program is to provide suspended and expelled students with meaningful activities to occupy their time during their absences from school; to help them avoid negative behaviors; and to teach them the value of service to others and their communities.

12. Drug Abuse Education Fund Project

As required by of N.J.S.A. C.2C:43-3.5 and N.J.S.A. C.54A:9-25.12 et seq. a Drug Abuse Education Fund (D.A.E.F.) was established from portions of taxpayer-designated refunds and penalties assessed against individuals adjudicated or

convicted of certain crimes. The resources accumulated in the fund are appropriated annually to NJDOE for distribution to non-governmental entities for the use of law enforcement personnel in providing drug abuse education to students in grades K-12 on a statewide basis. Under the appropriation for these statutory provisions, the NJDOE issued a grant to D.A.R.E. New Jersey, Inc. for the third year of services for the 2004-2005 school year.

13. Disaffected Youth Grant Program

The goal of this program, which concluded in October 2004, was to help school-age children and adolescents in the Asbury Park, Camden City and Elizabeth school districts, who were identified as at risk for involvement in the juvenile justice system, to remain in school or return to school and achieve the Core Curriculum Content Standards. The program was designed to address the identified academic and nonacademic needs of participating at-risk youth and their families by providing districtwide programs that include individual and group counseling, academic instruction, parent and family participation and outreach, and alcohol, tobacco and other drug prevention and intervention programs and services.

C. Professional Development and Technical Support

1. School Emergencies and Crises

In response to the Attorney General's Domestic Security Preparedness Task Force Infrastructure Advisory Committee-School Sector, the NJDOE developed and disseminated to all chief school administrators in September 2004 a comprehensive manual, titled *School Safety Manual: Best Practices Guidelines*. The manual, provided to chief school administrators in secure form, is designed to provide in-depth guidance for the establishment of plans, procedures and mechanisms for responding to emergencies and crises, in accordance with *N.J.A.C. 6A:16-5.2*. It also offers information on conducting risk analyses and implementing comprehensive strategies for preventing and intervening with high-risk behavior and for promoting safe school learning environments. Training will be offered to school staff in support of the manual.

In support of the *School Safety Manual*, interdepartmental meetings were held to develop a uniform checklist that will be used to help schools identify key safety and security elements. Schools will be asked to use the checklist to perform self-assessments to identify areas of need. Additionally, this checklist will be used by state and local law enforcement officials to conduct on-site audits designed to assess the current state of security in our schools, as stipulated in Acting Governor Cody's recent State of the State address. These audits are planned to be completed in every school prior to Labor Day 2005. Training on the use of the checklist and the associated database will be provided the county and district level staff.

2. Safe, Disciplined and Drug-Free Schools Promising Programs Showcase

One of the responsibilities of administering the federal *Safe and Drug-Free Schools and Communities Act* (SDFSCA) funds is to support the requirement for school districts to adopt programs that have a scientific research base, as a way of implementing the Principles of Effectiveness that schools are required to use as the basis for planning and selecting programs funded under SDFSCA. The NJDOE plans to sponsor a statewide conference in May 2005 for developers of programs designated as promising by the United States Department of Education to showcase their programs to New Jersey educators. The presentations and conference proceedings will be videotaped and copies will be disseminated to all New Jersey school districts in the fall of 2005.

3. Community Services for Suspended and Expelled Youth Conference

Under a grant from the United States Department of Education, the NJDOE plans to provide a statewide conference in May 2005, addressing the use of community services for students suspended or expelled from school. A documentary video of the program will be provided to all districts in the fall of 2005.

4. Harassment, Intimidation and Bullying

Trainings were provided at the following events in the 2003-2004 school year to help school staff fulfill the requirements (*N.J.S.A. 18A:37-13 et seq.*) for addressing harassment, intimidation and bullying: Principals' Training sponsored by the New Jersey

Principals and Supervisors Association; Thirty-third Annual School Law Forum sponsored by the New Jersey School Boards Association; Bullying Conference sponsored by the New Jersey Law Center; and No Child Left Behind Regional Information sessions sponsored by the New Jersey Department of Education.

5. Electronic Violence and Vandalism Reporting System (EVVRS)

Regional trainings were provided to school staff in the 2003-2004 and 2004-2005 school years to assist districts in fulfilling their requirement (*N.J.S.A. 18A:17-46*) to report acts of violence. Specifically, training was provided in the federal and state requirements related to the EVVRS, the accurate reporting of offenses consistent with the published definition of the offenses, and the use of the electronic reporting system.

6. Intervention and Referral Services

Staff from approximately 480 schools have been trained in the establishment of building-based teams of intervention and referral services (*N.J.A.C. 6A:16-7*) since April 2000, with 60 of the schools receiving training in the 2003-2004 school year. In addition to providing annual team training, 80 school staff who were added to their school's intervention and referral services (I&RS) teams were trained in 2003-2004. Orientations to the I&RS regulations and best practices for I&RS implementation were provided in the 2003-2004 school year at events sponsored by the Special Education Advisory Council, the New Jersey Association of Pupil Personnel Services Administrators, the New Jersey Association of Federal Program Administrators, the New Jersey Principals and Supervisors Association, the Southern Regional Office of the New Jersey Department of Education and the Student Support Services Conference of the New Jersey Department of Education.

7. Unsafe School Choice Option Policy

Training was provided at events sponsored by the following organizations in the 2003-2004 school year to help school staff fulfill the requirements of the Unsafe School Choice Option Policy: Principals' Training, sponsored by the New Jersey Principals and Supervisors Association; Thirty-third Annual School Law Forum, sponsored by the New

Jersey School Boards Association; and No Child Left Behind Regional Information sessions, sponsored by the New Jersey Department of Education.

8. Technical Assistance

The NJDOE continues to provide technical support programs and services for the implementation of the regulations addressing school safety, violence, substance abuse and health services found in *N.J.A.C. 6A:16, Programs to Support Student Development* and related statutes. The department also provides assistance to schools in the effective implementation of the Principles of Effectiveness required under the federal *Safe and Drug-Free Schools and Communities Act*.

D. Publications and Materials

1. Resource Manual for Intervention and Referral Services

In support of the Intervention and Referral Services regulations (*N.J.A.C. 6A:16-7*), the Resource Manual was reprinted and made available to districts in October 2004. The manual is posted at: <http://www.state.nj.us/njded/students/irs/>.

2. A Guide for the Development of a Districtwide School Safety Plan

In November 2001, the NJDOE, in support of the “Strategic Plan for Systemic Improvement of Education in New Jersey” established by the State Board of Education, developed and disseminated *A Guide for the Development of a Districtwide School Safety Plan*. The purpose of the guide is to provide New Jersey schools with background information for addressing school safety in a comprehensive manner.

The guide provides school staff with a general framework for planning and an inventory of supportive resources for the development of comprehensive school safety plans and programs designed to effect positive behavior in schools in order to ensure safe school climates. It describes a continuum of strategies and activities that are vital to the establishment of safe and secure educational environments, including the physical makeup of school buildings, prevention and intervention programs and services, community involvement, and responding in the aftermath of a crisis. The

publication was distributed to all county superintendents and is also posted at: http://www.state.nj.us/njded/educators/school_safety_man.

3. School Safety Manual: Best Practices Guidelines

In response to a directive from the Domestic Security Preparedness Task Force, the NJDOE, under the guidance of the Infrastructure Advisory Committee - School Sector, developed and disseminated to all chief school administrators in September 2004 a comprehensive manual titled *School Safety Manual: Best Practices Guidelines*. The manual, submitted to chief school administrators as a secure document, is designed to provide a broad range of information, including prevention and early intervention programs and strategies, community-wide planning and coordination, risk assessment strategies, target hardening of school facilities and in-depth guidance for the establishment of plans, procedures and mechanisms for responding to emergencies and crises, in accordance with *N.J.A.C. 6A:16-5.2*.

4. Safe, Disciplined and Drug-Free Schools Promising Programs Showcase

This conference, planned for May 2005, is intended to feature developers of programs throughout the country designated as promising by the United States Department of Education. The presentations and conference proceedings are planned to be videotaped, and copies of the videotape will be disseminated to all New Jersey school districts in the fall of 2005.

5. Model Policy Prohibiting Harassment, Intimidation and Bullying

To assist school districts in developing and adopting harassment, intimidation and bullying policies, as required under *N.J.S.A. 18A:37-13 et seq.*, the NJDOE was required to develop and issue a model policy applicable to grades kindergarten through twelve. The model policy can be found at: <http://www.state.nj.us/njded/parents/bully.>

6. Memorandum of Agreement between Education and Law Enforcement Officials

The Attorney General and the Commissioner of Education in 1999 issued a revised *Uniform State Memorandum of Agreement between Education and Law Enforcement Officials*. Sections on weapons offenses, bias crimes and sexual harassment have been included in the revised memorandum. Requirements for the

memorandum are set forth in the subchapter of administrative code, *Law Enforcement Operations for Substances, Weapons and Safety* (N.J.A.C. 6A:16-6). The memorandum, which is reviewed and signed annually by local education and law enforcement officials, forms the basis for sharing information between education and law enforcement representatives and sets parameters for law enforcement investigations. The Attorney General's Education and Law Enforcement Working Group intends to revise the memorandum to make it consistent with new statutes and regulations and to clarify and update issues and procedures, as appropriate. The model memorandum of agreement can be found at: www.state.nj.us/lps/dcj/pdfs/agree.pdf.

E. Planning, Collaboration and Coordination

1. Domestic Security Preparedness Task Force Infrastructure Advisory Committee - School Sector

In response to the terrorist attacks on September 11, 2001, Governor McGreevey created the Domestic Security Preparedness Task Force, which is chaired by the Attorney General's office and includes representatives from all state agencies. As a result of task force planning, a committee was formed to specifically address the unique needs of schools for responding to potential attacks and threats. The school sector committee made recommendations to be considered for implementation in the 2004-2005 school year, including the development of a publication titled *School Safety Manual: Best Practices Guidelines*. The manual was disseminated to all chief school administrators as a secure document in September 2004.

In support of the *School Safety Manual*, interdepartmental meetings, including representatives from NJDOE, the Attorney General's office, the State Police, the state and county offices of counterterrorism, the state and county offices of emergency management, county prosecutors, county superintendents and other state agencies, were held to develop a uniform checklist that will be used to help schools identify and assess needs regarding key safety and security elements. Additionally, the checklist will be used by state and local law enforcement officials to conduct on-site audits designed to assess the current state of security in all New Jersey schools, as stipulated in Acting

Governor Cody's recent State-of-the-State address. These audits are planned to be completed in every school prior to Labor Day 2005.

2. Truancy Working Group

A working group composed of representatives from the Legislature, the NJDOE, the Administrative Office of the Courts and the Department of Human Services has made recommendations regarding practices for addressing truancy issues on the part of schools, courts and human service agencies. A truancy survey was administered to a sample of school districts in the spring of 2003 to collect information on existing practices in response to student truancy. Recommendations of the task force have been included in the proposed regulations on student attendance at *N.J.A.C 6A:16-7.8*.

3. Collaboration with Mental Health Agencies and Student Support Personnel

One of the conclusions to be drawn from the terrorist attacks on September 11, 2001 and national school tragedies, such as the Littleton, Colorado incident, is that schools should examine how they collaborate with local mental health agencies. The effective use of student support services staff and the development of relationships between them and mental health providers are important components of schools' responses to violence. Therefore, the NJDOE continues to forge links between New Jersey schools and mental health providers to establish effective working relationships, identify areas of concern and consider strategies for improving the delivery of student support services.

Specifically, NJDOE staff continues to serve on the New Jersey Department of Human Services, Division of Mental Health Services' statewide infrastructure advisory group on mental health services. They also collaborate with the leadership of the Association of Student Assistance Professionals of New Jersey (ASAPNJ), the New Jersey Association of School Psychologists (NJASP) and the New Jersey School Counselors Association. Representatives of these organizations serve on advisory committees for NJDOE projects, including the Positive Student Discipline Reform Demonstration Project and the Unsafe School Choice Option Policy.

4. Other Collaborative Partnerships

The NJDOE aims to continue to collaborate with the following groups: New Jersey School Boards Association, New Jersey Association of School Administrators, New Jersey Principals and Supervisors Association, New Jersey Education Association, New Jersey Pupil Services Administrators Association, New Jersey School Counselors Association, the Association of Student Assistance Professionals of New Jersey, the New Jersey Association of Mental Health Agencies, the New Jersey Association of School Psychologists, the Violence Institute of the University of Medicine and Dentistry of New Jersey, the Departments of State, Health and Senior Services, Human Services and Law and Public Safety, the Administrative Offices of the Court, the Attorney General's Education and Law Enforcement Working Group, and other organizations, associations and agencies. The NJDOE intends to continue to support the various collaborative initiatives described above in the Programmatic Response section of this report.

The department continues to be represented on the following organizations and their subgroups: Governor's Council on Alcoholism and Drug Abuse, Governor's Advisory Council on Domestic Violence, Governor's Advisory Council on Sexual Violence, New Jersey Association of County Youth Services Coordinators, Juvenile Justice Delinquency Prevention Committee and School-based Probation Committee and the New Jersey Coalition for Bullying Awareness and Prevention.

F. Research, Evaluation and Data Collection

1. Evaluation/Data Collection Projects

The Office of Program Support Services in the NJDOE conducts evaluations of its major initiatives and grant programs. During the 2003-2004 school year, the office issued a Request for Proposal (RFP) to conduct technical analysis of the Electronic Violence and Vandalism Reporting System data and reported performance data on all recipients of funds under the *Safe and Drug Free Schools and Communities Act* (Title IV-A of *NCLB*).

In September of 2004, the NJDOE was notified by the U.S. Department of Education that it had won a three-year competitive grant award to improve the use of data to assist in the management of drug and violence prevention programs. Objectives of New Jersey's project include: 1) the technological enhancement of the program plan section of the Title IV-A portion of the *No Child Left Behind* electronic application; the development of an EVVRS data warehouse; the production of a new videotape on reporting incidents on the EVVRS; a report containing recommendations on enhancing participation in student surveys about at-risk behavior; and broadening the use of data and participation in the drug and violence planning process at the county and local levels. The department is in the process of forming an interdepartmental project advisory committee and reviewing tasks associated with each objective.

2. New Jersey Student Health Survey

In 2004-2005, the NJDOE conducted the bi-annual New Jersey Student Health Survey among a sample of public school students. This survey, which is based on the Youth Risk Behavior Survey sponsored by the United States Centers for Disease Control and Prevention (CDC), asks students to self-report on their actions and attitudes in six areas that are highly related to preventable, premature injury or illness. Concerning violence, the survey includes questions on: carrying a weapon, carrying a gun, having been in a physical fight, having personal property stolen or damaged at school, having been hit by a boyfriend or girlfriend, having been forced to have sex and trying to commit suicide. The findings are used by state agencies for planning, program assessment and federal reporting. Reports of findings are distributed to school staff and published on the NJDOE Web site. The spring 2005 survey is being administered in two versions, one for grades 7-8 and another for grades 9-12.

FUTURE DIRECTIONS

A. Technical Review of the Electronic Violence and Vandalism Reporting System

The aforementioned changes in the Public School Safety Law and the Unsafe School Choice Option requirement under *NCLB* make accurate reporting by districts all the more critical. In order to review completeness and consistency of district reporting, the NJDOE is carrying out a technical review of the Electronic Violence and Vandalism Reporting System, the results of which will produce recommendations for improvements in the system, training priorities and suggestions for future data analysis and reporting.

B. School Safety Manual: Best Practices Guidelines

The NJDOE intends to review the current *School Safety Manual: Best Practices Guidelines* and disseminate a second generation document in the 2005-2006 school year. Training will be offered to school staff in support of the manual.

C. Youth Gang Prevention and Intervention Project (Phase III)

The purpose of this planned collaborative initiative with the Juvenile Justice Commission (JJC) and the Department of Law and Public Safety is to develop a comprehensive array of programs and services designed to assist local schools and community-based organizations to understand and positively address negative youth gang issues. The initiative will expand upon the curriculum materials and programs developed by JJC under Phase II of a current memorandum of agreement between JJC and the NJDOE. Once completed, these materials, including a community-based curriculum, a gang awareness and resource booklets and a videotape introducing the curriculum, will be made available to schools and community organizations.

D. Intervention and Referral Services

The NJDOE plans to produce and disseminate in 2005-2006 new training videos in support of the *Intervention and Referral Services* regulations (*N.J.A.C. 6A:16-7*). NJDOE also intends to develop supplements to the NJDOE publication titled

Resource Manual for Intervention and Referral Services and offer additional workshops to extend the skills and knowledge of intervention and referral services team members.

E. Social Norms Project

The New Jersey Higher Education Consortium has effectively implemented a research-based project designed to alter social norms and behavior regarding the use of harmful substances. The NJDOE is exploring applications of the social norms model to public schools, as well as applications of the model to issues other than substance abuse.

F. Social-Emotional Learning

Reports of the research literature make it clear that when social-emotional and academic learning both become part of schooling, students are more likely to remember or use what they are taught. Findings from the research literature indicate that schools can benefit from applying proven strategies for enhancing academic and social-emotional learning, which have been demonstrated to improve academic achievement, as well as reduce high-risk behavior. In response to these important findings, the NJDOE is exploring a mechanism to provide technical support to assist schools in examining their instructional practices, programs, curricula and policies and fully integrating social-emotional learning throughout the educational program.

G. Technical Assistance for SDFSCA and USCO

The NJDOE plans to issue a training and technical support contract to provide assistance and supportive resources to schools utilizing federal *Safe and Drug-Free Schools and Communities Act* funds and schools designated by the NJDOE as persistently dangerous under the Unsafe School Choice Option Policy.

H. School Safety and Crisis Prevention and Response Training

The NDOE plans to provide training, in collaboration with other organizations, designed to help schools prepare for emergencies and crises. Specific training will be

provided in support of the revised *School Safety Manual: Best Practices Guidelines* to be developed and disseminated by the NJDOE for use in the 2005-2006 school year.

Appendix A: Public School Safety Law*

AN ACT concerning violence in the public schools and amending P.L.1982, c.163.

C.18A:17-46 Reporting of act of violence by school employee; annual 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. Annually, at a public hearing in October, the superintendent of schools shall report to the board of education all acts of violence and vandalism which occurred during the previous school year. The proceedings of the public hearing shall be transcribed and kept on file by the board of education, which shall make the transcript available to the public. Verification of the annual report on violence and vandalism 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 and vandalism.

The board of education shall file the transcript of the public hearing with the Division of Student Services in the Department of Education by November 1. The division shall review the transcript to ensure compliance with this section of law. The costs of staff training and transcribing the public hearing and printing the transcript shall be paid by the Department of Education.

Approved January 2, 2002.

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

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 and vandalism in the public schools and making recommendations to alleviate the problem.

L.1982, c. 163, s. 3, eff. Oct. 28, 1982.

* Pertinent Sections

Appendix B: Summary of Changes to Incident Definitions, 2003-04 EVRVS

Violence Incidents

Simple Assault

No Change

A person attempts to cause, or purposely, knowingly, or recklessly causes bodily injury to another. One needs to consider age and developmentally appropriate behavior before using this category.

Aggravated Assault

No change

A person attempts to cause serious bodily injury to another, or causes such injury purposely or knowingly, or under circumstances manifesting indifference to the value of human life, recklessly causes such injury (e.g., injury which creates a substantial risk of death, or which causes permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ). This category should be used only when the attack is very serious.

Fight

2002-03

Mutual participation in a fight involving physical violence, where there may or may not be a main offender. Does not include verbal confrontations or minor confrontations such as a shoving match. All participants may be classified as offenders, or the incident may entail offender and victim. One needs to consider age and developmentally appropriate behavior before using this category.

(New)

2003-04

Mutual engagement in a physical confrontation that may result in bodily injury to either party. Does not include verbal confrontations or a minor confrontation such as a shoving match. All participants should be classified as offenders. One needs to consider age and developmentally appropriate behavior before using this category.

[See Scenario Examples 1-5.](#)

Gang Fight/Assault

2002-03

A fight between, or an assault by, two or more members of identified groups. All participants may be classified as offenders, or the incident may entail offender and victim.

(New)

2003-04

A fight between two or more members of identified groups or an assault by two or more members of one group upon members of another group. The groups may be gangs per se, or cliques or groups of students "working together," even though the groups may not have a formal partnership. If it is a *fight*, then all participants should be classified as offenders (report a maximum of six offenders on the EVVRS). If the incident represents an

assault of one group upon another, then the members of one group (a maximum of six) would be reported as offenders and the members of the second group (a maximum of six) would be reported as victims. If the incident was an assault of one group upon another, then, *in addition*, report the incident as either a "Simple Assault" or an "Aggravated Assault" on the Incident Information Page, depending upon the seriousness of the bodily injury to the victims. If the incident was an assault and weapons of any kind were involved, then, *in addition*, report the incident as an "Assault with a Firearm" or "Assault with Other Weapon" (but *not* as a "Simple Assault" or "Aggravated Assault").

[See Scenario Examples 1-5.](#)

Robbery

No Change

Obtaining money or other materials things (regardless of value) from another by means of violence or threat of **immediate** violence.

Extortion

No change

Obtaining money or other material things (regardless of value) from another by means of stated or implied threat of **future** violence.

Sex Offense

2002-03

Subjecting another to sexual contact or exposure without consent. Consider age and developmentally appropriate behavior before using this category. (Incidents of sexual harassment are not reported as incidents of violence using the EVVRS.)

Sex Offense

(New)

2003-04

Subjecting another to sexual contact or exposure. For the incident to be considered a sex offense, the offender must (1) intentionally touch, either directly or through clothing, the victim's intimate parts, for the purpose of degrading or humiliating the victim; (2) sexually arouse or sexually gratify himself or herself in view of the victim whom the offender knows to be present; (3) force or coerce the victim to participate in any contact or exposure; or (4) 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. Incidents of sexual assault should be reported in this category. 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." Consider age and developmentally appropriate behavior before using this category. *Note: Sexual harassment has been added to the reporting system in 2003-2004 under the violence reporting category Harassment/Intimidation/Bullying.*

[See Scenario Example 11.](#)

Threat

2002-03

Attempting by physical menace (e.g., verbal threats) to put another in fear of serious bodily injury. (Do not include bomb threats in this category.) One needs to consider age and developmentally appropriate behavior before using this category.

**Threat
(New)**

2003-04

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.

[See Scenario Examples 8-10.](#)

**Terroristic Threat
(New Category)**

2003-04

Threatening to commit one of the following criminal offenses: homicide, assault, sexual assault, robbery, kidnapping or arson with the purpose of placing others in imminent fear of one of the violent acts under circumstances reasonably causing the victims(s) to believe the **immediacy** of the threat and the likelihood that it will be carried out. One needs to consider age and developmentally appropriate behavior before using this category.

[See Scenario Examples 8-10.](#)

**Kidnapping
(New Category)**

2003-04

Per *N.J.S.A. 2C:13-1*, unlawful removal of a student from school or school grounds or a substantial distance from where he or she is found in or on school grounds; or confinement of the victim with 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 or to terrorize the victim.

[See Scenario Examples 8-10.](#)

**Harassment, Intimidation or Bullying (includes Bias Intimidation)
(New)**

2003-04

Any gesture or written, verbal or physical act 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 handicap, or by any other distinguishing characteristic, that takes place on school property, at any school -sponsored function or on a school bus and that:

a) a reasonable person should know, under the circumstances, will have the effect of harming a student or damaging the student's property; or b) has the effect of insulting or demeaning any student or group of students in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

[See Scenario Examples 16-19.](#)

Vandalism Incident

Arson

2002-03

Purposely setting fire to school district property or someone's personal property. Arson does not include a simple act of lighting a match. Knowingly setting off a fire alarm when no fire exists, or damaging the alarm, is entered in the **Damage to Property** category.

Arson

(New)

2003-04

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 is in the school or on school grounds, a building or a structure of another. Arson does not include a simple act of lighting a match. Knowingly setting off a fire alarm when no fire exists, or damaging the alarm, is entered in the **Damage to Property** category.

Burglary

No change

An individual entering, or surreptitiously remaining in, a school district facility or property, or someone's property (e.g., automobile) with the purpose to commit an offense therein.

Damage to Property

No change

Purposely, knowingly, or recklessly destroying or defacing school, contracted, or personal property, causing an economic loss due to repair or replacement. Knowingly setting off a fire alarm when no fire exists is entered in this category. Serious incidental damage to property occurring during an act of violence should be reported.

Fireworks Offense

2002-03

The possession, selling/distributing, or detonating of a self-fusing explosive device, no greater in size than two inches, and commercially sold as "fireworks."

Fireworks Offense

(New)

2003-04

The possession, selling/distributing, or detonating of a self-fusing explosive device, no greater in size than two inches, and commercially sold as "fireworks." Cherry bombs, M80s and M90s are reported in this category.

Theft

No change

Taking of the districts or a person's belongings or property without consent.

Trespassing

No change

Entrance onto school property or into school by an individual without permission who knows he/she is not privileged to be on property.

Cost to LEA

No change

The estimated cost of the incident to the district. Include the cost of materials and labor (all reimbursed costs). Do not include costs of vandalism incurred by individual student or staff.

Substance Abuse Incident

Use

2002-03

In accordance with *N.J.A.C. 6:29-6.5(a)*, an incident is reported for a student for whom a positive diagnosis from a medical examination indicates that the student is under the influence of alcoholic beverages, marijuana, and/or other drug (controlled dangerous substance, but not including cigarettes), or indicates that the pupil has used anabolic steroids. The student need not be caught in the act of using to be reported as "use." Report should be completed when suspected use is confirmed by positive diagnosis.

Suspected Use Confirmed

(New)

2003-04

An incident is reported as Suspected Use Confirmed when a positive determination from a medical examination indicates that the student is under the influence of alcoholic beverages, marijuana, and/or other drug (controlled dangerous substance, but not including cigarettes), or indicates that the student has used anabolic steroids. A report should be completed when suspected use is confirmed by a positive determination from a physician.

Suspected Use Not Confirmed

2003-04

Alcoholic Beverages and Controlled Dangerous Substances – 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 or the school physician, according to the requirements of *N.J.S.A. 18A:40A-12*.

Anabolic Steroids – 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, that person shall report the matter as soon as possible to the principal and to the certified or non-certified school nurse or the school physician or to the substance awareness coordinator, according to the requirements of *N.J.S.A. 18A:40A-12*.

In each instance described above, the referring staff member shall complete the Violence, Vandalism and Substance Abuse Incident Report, according to the requirements of *N.J.S.A. 18A:17-46* and *N.J.A.C. 6A:16-5.3*, checking the field,

Suspected Use – Not Confirmed. If there is a positive determination from the medical examination, indicating that the student's alcohol or other drug use interferes with the student's mental or physical ability to perform in school, or if it is determined that the student has used anabolic steroids, the field, *Suspected Use – Not Confirmed*, would be unchecked (de-selected) and the field, *Suspected Use – Confirmed*, would be checked (selected). Leave *Suspected Use – Not Confirmed* checked if there is no positive determination of use.

Possession

No Change

Student is found with alcohol, marijuana, and/or any other drug (controlled dangerous substance, including anabolic steroids, but not including cigarettes) in his/her locker or vehicle, or on his/her person. Includes possession of unauthorized prescription drugs and drug paraphernalia.

Distribution

No Change

Student is selling, buying, or giving alcohol or other controlled dangerous substance(s) (including anabolic steroids) to others, or employs others to do the same. The student need not be caught in the act of selling or giving. The term "distribution" includes having alcohol or drugs under circumstances where it may be inferred that the student would distribute to others. Therefore, possession of a large amount of drugs should be reported as "distribution," not as "possession."

Substance type

No Change

Click the dropdown menu to indicate which descriptor(s) characterize(s) the substance. More than one substance type may be selected.

Alcohol, Marijuana, Amphetamines, Party drug, Cocaine/Crack, Hallucinogens (e.g. LSD, PCP), Narcotics (e.g. heroin, morphine), Depressants, (e.g. barbiturates, tranquilizers), Anabolic steroids, Unauthorized prescription drugs, Inhalants, Drug paraphernalia.

Weapons Incident

Bomb/Offense Type

No Change

If a bomb was used in the weapons incident, check the box to indicate the type of offense. If the first or second box is checked, then an Incident Description field must be provided.

Bomb Offense and/or Use of an Explosive Device

Most commonly, greater in size than a "firework," usually encased in a wax substance, fabric, or metal canister or container, and generally electrically fused or self-fusing. Includes "Molotov cocktail" or similar device. Incidents to be reported include fake bombs, devices that do not detonate, and reported bomb threats (no Victim Information should be reported in the case of bomb threat).

Firearm Offense - **Incident Description is required.**

Select one of the three choices, defined below, from the dropdown menu.

Possession of a Firearm

No change

Having on one's person, or in one's locker or vehicle, a handgun or rifle. The firearm need not be loaded. (Staff should not attempt to determine if weapon is loaded.) Include air guns, but do not include "look-alike" firearms that cannot be converted to a firearm. New Jersey law classifies "look-alike firearms" as firearms; federal law, however, does not. "Look-alike firearms" are to be reported under Other Weapons (see Other Weapons Offense, below).

Assault with a Firearm

No Change

Attacking or physically harming someone by threatening with or shooting a handgun or rifle. The firearm need not be loaded. (Staff should not attempt to determine if weapon is loaded.)

Sale or Transfer of a Firearm

No Change

Selling or giving, or having in one's possession with the intent to distribute or sell, a firearm of any kind.

Firearm type

No Change

More than one type of firearm may be checked. Note: Imitation firearms such as "look-alike" handguns are not classified as firearms by federal law; they should be included under Other Weapons (see Other Weapons Offense, below).

Other Weapons Offense Select one of the three choices, defined below, from the dropdown menu.

Assault with Other Weapon

2002-03

Attacking or physically harming someone with a knife, club, stun gun, chain, Mace, pepper spray, or other instrument of violence (other than a firearm).

Assault with Other Weapon

(New)

2003-04

Attacking or physically harming someone with a knife, club, stun gun, chain, pepper spray, or other instrument (other than a firearm) readily capable of lethal use or of inflicting serious bodily injury.

Possession of Other Weapon

2002-03

Having on one's person or in one's locker or vehicle, a knife, club, stun gun, chain, Mace, pepper spray, or other instrument of violence (other than a firearm) which is intended for use to cause physical injury or harm to another person or destruction of property. If Assault with Other Weapon is checked, Possession of Other Weapon cannot be checked.

Possession of Other Weapon

(New)

2003-04

Having on one's person or in one's locker or vehicle any weapon (other than a firearm). A weapon is any instrument readily capable of lethal use or of inflicting bodily injury that includes, but is not limited to, knives, clubs or other bludgeons, chains, sling shots, leather bands studded with metal filings and razor blades. This category also includes stun guns and any device which projects, releases or emits tear gas or any other substance (e.g., pepper spray) intended to produce temporary discomfort or permanent injury through being vaporized or otherwise dispensed in the air. Components that can readily be assembled into a weapon also apply. An incident of possession, if not reported on the EVVRS, may, of course, still be reported in the district's disciplinary record system.

If Assault with Other Weapon is checked, Possession of Other Weapon cannot be checked. Consider age and developmentally appropriate behavior before using this category. [See Scenario Examples 12-15.](#)

Sale or Transfer of Other Weapon

No Change

Selling or giving, or having in one's possession with the intent to distribute or sell, a weapon of any kind.

Other Weapon Type

Select other weapon type(s) from the dropdown menu. More than one weapon type may be checked.

2002-03

(New)

2003-04

Knife, Blade

Pin

Chain, Club

Mace, Spray

Imitation gun

Other

Knife, Blade, Razor, Scissors, Box Cutter

Pin, Sharp Pen/Pencil

Chain, Club, "Brass Knuckles"

Spray

Imitation gun, Toy gun, Paintball gun

Other

Appendix C: Data Collection Form

Appendix D: Weapons and Substance Detail

	2002-2003		2003-2004	
Weapons				
Handgun	9	0.6%	14	0.9%
Rifle	0	0.0%	0	0.0%
Air Gun	72	4.5%	77	4.9%
Imitation Gun	91	5.7%	103	6.5%
Bomb - Exploded	0	0.0%	2	0.1%
Bomb - Unexploded	1	0.1%	1	0.1%
Knife	1,049	67.6%	1,165	73.4%
Pin	8	0.5%	39	2.5%
Chain	5	0.3%	16	1.0%
Pepper Spray	12	0.8%	21	1.3%
Other	304	19.6%	149	9.4%
Total Weapons (duplicated*)	1,551	100.0%	1,587	100.0%
Substances				
Alcohol	540	18.7%	520	18.6%
Marijuana	1,883	65.3%	1,833	65.7%
Amphetamines	39	1.4%	26	0.9%
Party Drug	4	0.1%	5	0.2%
Cocaine	66	2.3%	99	3.5%
Hallucinogens	24	0.8%	23	0.8%
Narcotics	44	1.5%	32	1.1%
Depressants	31	1.1%	43	1.5%
Steroids	4	0.1%	2	0.1%
Prescription Drugs	131	4.5%	119	4.3%
Inhalants	5	0.2%	4	0.1%
Drug Paraphernalia	112	3.9%	85	3.0%
Total Substances (duplicated*)	2,883	100.0%	2,791	100.0%

Appendix E: District Totals by County

Types of Violence, Vandalism, Weapons Offenses, and Substance Abuse

Violence

Simple Assault
Aggravated Assault
Fight
Gang Fight
Robbery
Extortion
Sex Offense
Threat
Terroristic Threat
Kidnapping
Harassment/Intimidation/Bullying

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

Vandalism

Arson
Bomb Threat or Fake Bomb
Burglary
Damage to Property
Fireworks Offense
Theft
Trespassing

Substance Abuse

Use
Possession
Sale or Distribution

Total

Unduplicated count of incidents. May not sum to total of the four categories.