

LEGAL ONE COMPARISON CHART
CURRENT AND REVISED REGULATIONS – NJ’s ANTI-BULLYING BILL OF RIGHTS

SUBJECT MATTER	Code Section	Current Regulations	New Regulations (effective July 1, 2018)
Initiation of HIB Investigation	6A:16-7.7(a)2ix(1)	Principal shall initiate an investigation upon receipt of an allegation of HIB or when principal has reason to believe HIB has occurred.	Permits local board policy allowing the principal in consultation with ABS to make an initial determination as to whether reported incident is an act of HIB. In making determination, principal must assume the allegations are true. The parent may appeal the decision not to initiate an investigation to the BOE.
Role of Approved Private Schools for Students with Disabilities (APSSDs)	6A:16-1.2 6A:16-7.7(a)2ix & 6A:16-7.8	Indicates that APSSDs are governed by student discipline rules that apply to all public schools and holds PSSDs to same requirements as all boards of education.	Provides specific HIB rules for APSSDs and requires adoption of HIB policy. Requires sending district BOE of the alleged victim to take the lead in investigating incidents involving APSSD students when incident occurs on BOE school bus, at school-sponsored function and/or off school grounds. Requires APSSD staff to cooperate with sending district in investigation.
Taking Into Account the Circumstances of Incident when Contacting Parents	6A:16-7.7(a)2viii(2), (a)2ix(3), (a)2x(1)	No specific provision	Requires the school district to take into account the circumstances of the incident when communicating with parents in order to protect the student. Does not define how a school district is to do this. The language was developed in response to concerns related to revealing student sexual orientation or gender identity/expression.
Timeline for Parent Appeals	6A:16-7.7(a)2xi	Requires hearing to be held within 10 school days of the request. No deadline for when parent may request a hearing.	Establishes deadline for parent seeking to request a hearing before the BOE of no later than 60 calendar days after parent or guardian receives written notice of outcome of investigation.
School Safety / Climate Team	6A:16-1.1 6A:16-7.7(h)	Refers to “School Safety Team” Outlines role of SST to address school climate, identify patterns of HIB, etc.	Revises name to School “Safety/Climate Team” Clarifies that parent shall not receive confidential student information and that other team members not authorized to do so shall not receive confidential information.
Recognition of Power Imbalance	6A:16-7.7(a)2iii	No reference to imbalance in power.	Requires every board policy to include a statement that bullying is unwanted aggressive behavior that may involve a real or perceived power imbalance.
Conflict of Interest	6A:16-7.7(a)2ix	Does not address potential conflicts of interest.	Prohibits a member of the same bargaining unit from investigating claim against fellow member.
Student with Disabilities	6A:16-7.7(a)2v 6A:16-7.8	Requires BOE policy to include certain factors when determining remedial action, but does not reference students with disabilities.	Requires BOE policy, when considering remedial actions, to consider nature of disability. Requires APSSDs to consult with sending districts IEP teams as appropriate when considering remedial actions and consider role of I & RS.