

# SENATE, No. 1790

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Senator JOSEPH PENNACCHIO**

**District 26 (Essex, Morris and Passaic)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Co-Sponsored by:**

**Senator Turner**

**SYNOPSIS**

“Mallory’s Law”; revises provisions required in school district’s anti-bullying policy; provides for civil liability of parent of minor adjudicated delinquent for cyber-harassment or harassment; and increases certain fines against parents.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/19/2020)**

1 AN ACT concerning bullying, designated as Mallory's Law, revising  
2 various parts of the statutory law, and supplementing Title 2A  
3 and Title 18A of the New Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 1 of P.L.2013, c.272 (C.2C:33-4.1) is amended to  
9 read as follows:

10 1. a. A person commits the crime of cyber-harassment if, while  
11 making a communication in an online capacity via any electronic  
12 device or through a social networking site and with the purpose to  
13 harass another, the person:

14 (1) threatens to inflict injury or physical harm to any person or  
15 the property of any person;

16 (2) knowingly sends, posts, comments, requests, suggests, or  
17 proposes any lewd, indecent, or obscene material to or about a  
18 person with the intent to emotionally harm a reasonable person or  
19 place a reasonable person in fear of physical or emotional harm to  
20 his person; or

21 (3) threatens to commit any crime against the person or the  
22 person's property.

23 b. Cyber-harassment is a crime of the fourth degree, unless the  
24 person is 21 years of age or older at the time of the offense and  
25 impersonates a minor for the purpose of cyber-harassing a minor, in  
26 which case it is a crime of the third degree.

27 c. If a minor under the age of 16 is adjudicated delinquent for  
28 cyber-harassment, the court may order as a condition of the  
29 sentence that the minor, accompanied by a parent or guardian,  
30 complete, in a satisfactory manner, one or both of the following:

31 (1) a class or training program intended to reduce the tendency  
32 toward cyber-harassment behavior; or

33 (2) a class or training program intended to bring awareness to  
34 the dangers associated with cyber-harassment.

35 d. A parent or guardian who fails to comply with a condition  
36 imposed by the court pursuant to subsection c. of this section is a  
37 disorderly person and shall be fined not more than **[\$25]** \$100 for a  
38 first offense and not more than **[\$100]** \$500 for each subsequent  
39 offense.

40 e. In addition to any other disposition or condition imposed  
41 pursuant to this section, a parent or guardian having legal custody  
42 of a minor who demonstrates willful or wanton disregard in the  
43 exercise of the supervision and control of the conduct of a minor  
44 adjudicated delinquent of cyber-harassment pursuant to this section  
45 may be liable in a civil action pursuant to section 4 of  
46 P.L. ,c. (C. ) (pending before the Legislature as this bill).  
47 (cf: P.L.2013, c.272, s.1)

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1       2. Section 1 of P.L.1982, c.163 (C.18A:17-46) is amended to  
2 read as follows:

3       1. Any school employee observing or having direct knowledge  
4 from a participant or victim of an act of violence shall, in  
5 accordance with standards established by the commissioner, file a  
6 report describing the incident to the school principal in a manner  
7 prescribed by the commissioner, and copy of same shall be  
8 forwarded to the district superintendent.

9       The principal shall notify the district superintendent of schools  
10 of the action taken regarding the incident. Two times each school  
11 year, between September 1 and January 1 and between January 1  
12 and June 30, at a public hearing, the superintendent of schools shall  
13 report to the board of education all acts of violence, vandalism, and  
14 harassment, intimidation, or bullying which occurred during the  
15 previous reporting period. The report shall include the number of  
16 reports of harassment, intimidation, or bullying, the status of all  
17 investigations, the nature of the bullying based on one of the  
18 protected categories identified in section 2 of P.L.2002, c.83  
19 (C.18A:37-14), the names of the investigators, the type and nature  
20 of any discipline imposed on any student engaged in harassment,  
21 intimidation, or bullying, and any other measures imposed, training  
22 conducted, or programs implemented, to reduce harassment,  
23 intimidation, or bullying. The information shall also be reported  
24 once during each reporting period to the Department of Education.  
25 The report must include data broken down by the enumerated  
26 categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14),  
27 and data broken down by each school in the district, in addition to  
28 district-wide data. It shall be a violation to improperly release any  
29 confidential information not authorized by federal or State law for  
30 public release.

31       The report shall be used to grade each school for the purpose of  
32 assessing its effort to implement policies and programs consistent  
33 with the provisions of P.L.2002, c.83 (C.18A:37-13 et seq.). The  
34 district shall receive a grade determined by averaging the grades of  
35 all the schools in the district. The commissioner shall promulgate  
36 guidelines for a program to grade schools for the purposes of this  
37 section.

38       The grade received by a school and the district shall be posted on  
39 the homepage of the school's website. The grade for the district and  
40 each school of the district shall be posted on the homepage of the  
41 district's website. A link to the report shall be available on the  
42 district's website. The information shall be posted on the websites  
43 within 10 days of the receipt of a grade by the school and district.

44       If a school district's policy permits a preliminary determination  
45 to be made on whether a reported incident or complaint is a report  
46 outside the scope of the definition of harassment, intimidation, or  
47 bullying pursuant to section 2 of P.L.2002, c.83 (C.18A:37-14), the  
48 superintendent shall also provide annually to the board of education

1 information on the number of times a preliminary determination  
2 was made that an incident or complaint was outside the scope of  
3 that definition for the purposes of the State's monitoring of the  
4 school district.

5 Verification of the reports on violence, vandalism, and  
6 harassment, intimidation, or bullying shall be part of the State's  
7 monitoring of the school district, and the State Board of Education  
8 shall adopt regulations that impose a penalty on a school employee  
9 who knowingly falsifies the report. A board of education shall  
10 provide ongoing staff training, in cooperation with the Department  
11 of Education, in fulfilling the reporting requirements pursuant to  
12 this section. The majority representative of the school employees  
13 shall have access monthly to the number and disposition of all  
14 reported acts of school violence, vandalism, and harassment,  
15 intimidation, or bullying.

16 (cf: P.L.2010, c.122, s.7)

17

18 3. Section 3 of P.L.2002, c.83 (C.18A:37-15) is amended to  
19 read as follows:

20 3. a. Each school district shall adopt a policy prohibiting  
21 harassment, intimidation or bullying on school property, at a  
22 school-sponsored function or on a school bus. The school district  
23 shall adopt the policy through a process that includes representation  
24 of parents or guardians, school employees, volunteers, students,  
25 administrators, and community representatives.

26 b. A school district shall have local control over the content of  
27 the policy, except that the policy shall contain, at a minimum, the  
28 following components:

29 (1) a statement prohibiting harassment, intimidation or bullying  
30 of a student;

31 (2) a definition of harassment, intimidation or bullying no less  
32 inclusive than that set forth in section 2 of P.L.2002, c.83  
33 (C.18A:37-14);

34 (3) a description of the type of behavior expected from each  
35 student;

36 (4) consequences and appropriate remedial action for a person  
37 who commits an act of harassment, intimidation or bullying. The  
38 consequences for a student who commits an act of harassment,  
39 intimidation, or bullying may include: for the first act of  
40 harassment, intimidation, or bullying committed by a student, a  
41 copy of the results of the investigation shall be placed in the  
42 student's record and the student may be subject to remedial actions,  
43 including the provision of counseling or behavioral intervention  
44 services, or discipline, or both, as determined by the principal in  
45 consultation with appropriate school staff; for the second act, a  
46 copy of the results of the investigation shall be placed in the  
47 student's record and the student may be subject to remedial actions,  
48 including the provision of counseling or behavioral intervention

1 services, or discipline, or both, as determined by the principal, in  
2 consultation with appropriate school staff; and for the third and  
3 each subsequent act, a copy of the results of the investigation shall  
4 be placed in the student's record, and the principal, in consultation  
5 with appropriate school staff, shall develop an individual student  
6 intervention plan which shall be approved by the superintendent of  
7 schools or the superintendent's designee, and may include remedial  
8 actions including counseling or behavioral intervention services, or  
9 progressive discipline, or both, and may require the student,  
10 accompanied by a parent or guardian, to complete in a satisfactory  
11 manner a class or training program to reduce harassment,  
12 intimidation or bullying behavior.

13 The superintendent of schools or the superintendent's designee  
14 and the principal shall consult law enforcement, as appropriate,  
15 pursuant to the provisions of the Uniform State Memorandum of  
16 Agreement Between Education and Law Enforcement Officials, if  
17 the student's behavior may constitute a possible violation of the  
18 New Jersey Code of Criminal Justice;

19 (5) a procedure for reporting an act of harassment, intimidation  
20 or bullying, including a provision that permits a person to report an  
21 act of harassment, intimidation or bullying anonymously; however,  
22 this shall not be construed to permit formal disciplinary action  
23 solely on the basis of an anonymous report.

24 All acts of harassment, intimidation, or bullying shall be reported  
25 verbally to the school principal on the same day when the school  
26 employee or contracted service provider witnessed or received  
27 reliable information regarding any such incident. The principal  
28 shall inform the parents or guardians of all students involved in the  
29 alleged incident, and may discuss, as appropriate, the availability of  
30 counseling and other intervention services. The principal shall keep  
31 a written record of the date, time, and manner of notification to the  
32 parents or guardians. All acts of harassment, intimidation, or  
33 bullying shall be reported in writing to the school principal within  
34 two school days of when the school employee or contracted service  
35 provider witnessed or received reliable information that a student  
36 had been subject to harassment, intimidation, or bullying. The  
37 written report shall be on a numbered form developed by the  
38 Department of Education. A copy of the form shall be submitted  
39 immediately by the principal to the superintendent of schools and to  
40 the board of education no later than the date of the board of  
41 education meeting next following the submission of the copy of the  
42 form to the superintendent of schools. The form shall be completed  
43 even if a preliminary determination is made under the school  
44 district's policy that the reported incident or complaint is a report  
45 outside the scope of the definition of harassment, intimidation, or  
46 bullying pursuant to section 2 of P.L.2002, c.83 (C.18A:37-14), and  
47 shall be kept on file at the school but shall not be included in any  
48 student record, unless the incident results in disciplinary action or is

1 otherwise required to be contained in a student's record under State  
2 or federal law. The superintendent and the members of the board of  
3 education shall review the copy of the form and shall each provide a  
4 signed statement to the principal attesting to the fact that they have  
5 reviewed the copy of the form. The signed statement shall be kept  
6 on file at the school with the original written report.

7 The school district shall provide a means for a parent or guardian  
8 to complete an online numbered form developed by the Department  
9 of Education to confidentially report an incident of harassment,  
10 intimidation, or bullying.

11 The principal shall report to the board of education if a  
12 preliminary determination is made under the school district's policy  
13 that the reported incident or complaint is a report outside the scope  
14 of the definition of harassment, intimidation, or bullying, and the  
15 board may require the principal to conduct an investigation of the  
16 incident, if the board determines that an investigation is necessary;

17 (6) a procedure for prompt investigation of reports of violations  
18 and complaints, which procedure shall at a minimum provide that:

19 (a) the investigation shall be initiated by the principal or the  
20 principal's designee within one school day of the report of the  
21 incident and shall be conducted by a school anti-bullying specialist.  
22 The principal may appoint additional personnel who are not school  
23 anti-bullying specialists to assist in the investigation. The  
24 investigation shall be completed as soon as possible, but not later  
25 than 10 school days from the date of the written report of the  
26 incident of harassment, intimidation, or bullying. In the event that  
27 there is information relative to the investigation that is anticipated  
28 but not yet received by the end of the 10-day period, the school  
29 anti-bullying specialist may amend the original report of the results  
30 of the investigation to reflect the information;

31 (b) the results of the investigation shall be reported to the  
32 superintendent of schools within two school days of the completion  
33 of the investigation, and in accordance with regulations  
34 promulgated by the State Board of Education pursuant to the  
35 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
36 1 et seq.), the superintendent may decide to provide intervention  
37 services, establish training programs to reduce harassment,  
38 intimidation, or bullying and enhance school climate, impose  
39 discipline, order counseling as a result of the findings of the  
40 investigation, or take or recommend other appropriate action;

41 (c) the results of each investigation shall be reported to the  
42 board of education no later than the date of the board of education  
43 meeting next following the completion of the investigation, along  
44 with information on any services provided, training established,  
45 discipline imposed, or other action taken or recommended by the  
46 superintendent;

47 (d) parents or guardians of the students who are parties to the  
48 investigation shall be entitled to receive information about the

1 investigation, in accordance with federal and State law and  
2 regulation, including the nature of the investigation, whether the  
3 district found evidence of harassment, intimidation, or bullying, or  
4 whether discipline was imposed or services provided to address the  
5 incident of harassment, intimidation, or bullying. This information  
6 shall be provided in writing within 5 school days after the results of  
7 the investigation are reported to the board. A parent or guardian  
8 may request a hearing before the board after receiving the  
9 information, and the hearing shall be held within 10 days of the  
10 request. The board shall meet in executive session for the hearing  
11 to protect the confidentiality of the students. At the hearing the  
12 board may hear from the school anti-bullying specialist about the  
13 incident, recommendations for discipline or services, and any  
14 programs instituted to reduce such incidents;

15 (e) at the next board of education meeting following its receipt  
16 of the report, the board shall issue a decision, in writing, to affirm,  
17 reject, or modify the superintendent's decision. In addition, the  
18 board may require the investigation to be reopened. The board's  
19 decision may be appealed to the Commissioner of Education, in  
20 accordance with the procedures set forth in law and regulation, no  
21 later than 90 days after the issuance of the board's decision; and

22 (f) a parent, student, guardian, or organization may file a  
23 complaint with the Division on Civil Rights within 180 days of the  
24 occurrence of any incident of harassment, intimidation, or bullying  
25 based on membership in a protected group as enumerated in the  
26 "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.);

27 (7) the range of ways in which a school will respond once an  
28 incident of harassment, intimidation or bullying is identified, which  
29 shall be defined by the principal in conjunction with the school anti-  
30 bullying specialist, but shall include an appropriate combination of  
31 services that are available within the district such as counseling,  
32 support services, intervention services, and other programs, as  
33 defined by the commissioner. In the event that the necessary  
34 programs and services are not available within the district, the  
35 district may apply to the Department of Education for a grant from  
36 the "Bullying Prevention Fund" established pursuant to section 25  
37 of P.L.2010, c.122 (C.18A:37-28) to support the provision of out-  
38 of-district programs and services;

39 (8) a statement that prohibits reprisal or retaliation against any  
40 person who reports an act of harassment, intimidation or bullying  
41 and the consequence and appropriate remedial action for a person  
42 who engages in reprisal or retaliation;

43 (9) consequences and appropriate remedial action for a person  
44 found to have falsely accused another as a means of retaliation or as  
45 a means of harassment, intimidation or bullying;

46 (10) a statement of how the policy is to be publicized, including  
47 notice that the policy applies to participation in school-sponsored  
48 functions;

1 (11) a requirement that a link to the policy be prominently  
2 posted on the home page of the school district's website and  
3 distributed annually to parents and guardians who have children  
4 enrolled in a school in the school district; and

5 (12) a requirement that the name, school phone number, school  
6 address and school email address of the district anti-bullying  
7 coordinator be listed on the home page of the school district's  
8 website and that on the home page of each school's website the  
9 name, school phone number, school address and school email  
10 address of the school anti-bullying specialist and the district anti-  
11 bullying coordinator be listed. The information concerning the  
12 district anti-bullying coordinator and the school anti-bullying  
13 specialists shall also be maintained on the department's website.

14 c. A school district shall adopt a policy and transmit a copy of  
15 its policy to the appropriate executive county superintendent of  
16 schools by September 1, 2003. A school district shall annually  
17 conduct a re-evaluation, reassessment, and review of its policy,  
18 making any necessary revisions and additions. The board shall  
19 include input from the school anti-bullying specialists in conducting  
20 its re-evaluation, reassessment, and review. The district shall  
21 transmit a copy of the revised policy to the appropriate executive  
22 county superintendent of schools within 30 school days of the  
23 revision. The first revised policy following the effective date of  
24 P.L.2010, c.122 (C.18A:37-13.1 et al.) shall be transmitted to the  
25 executive county superintendent of schools by September 1, 2011.

26 d. (1) To assist school districts in developing policies for the  
27 prevention of harassment, intimidation, or bullying, the  
28 Commissioner of Education shall develop a model policy applicable  
29 to grades kindergarten through 12. This model policy shall be  
30 issued no later than December 1, 2002.

31 (2) The commissioner shall adopt amendments to the model  
32 policy which reflect the provisions of P.L.2010, c.122 (C.18A:37-  
33 13.1 et al.) no later than 90 days after the effective date of that act  
34 and shall subsequently update the model policy as the commissioner  
35 deems necessary.

36 e. Notice of the school district's policy shall appear in any  
37 publication of the school district that sets forth the comprehensive  
38 rules, procedures and standards of conduct for schools within the  
39 school district, and in any student handbook.

40 f. Nothing in this section shall prohibit a school district from  
41 adopting a policy that includes components that are more stringent  
42 than the components set forth in this section.

43 (cf: P.L.2012, c.1, s.1)

44  
45 4. (New section) Notwithstanding any other provision of law  
46 to the contrary, a parent or guardian having legal custody of a minor  
47 who demonstrates willful or wanton disregard in the exercise of the  
48 supervision and control of the conduct of a minor adjudicated



1 delinquent of cyber-harassment, pursuant to section 1 of P.L.2013,  
2 c.272 (C.2C:33-4.1), or harassment, pursuant to N.J.S.2C:33-4,  
3 may be liable in a civil action.

4

5 5. (New section) There is hereby established within the  
6 Department of Education a School Climate State Coordinator to  
7 serve as a resource to parents, students, and educators. The duties  
8 and responsibilities of the State coordinator shall include:

9 a. Identifying and disseminating research and resources,  
10 including professional development resources, to promote best  
11 practices in student social-emotional learning and the development  
12 of a positive, supportive school climate in New Jersey schools;

13 b. Providing information regarding the provisions and  
14 procedures of the "Anti-Bullying Bill of Rights Act," P.L.2002,  
15 c.83 (C.18A:37-13 et seq.), and regulations promulgated thereto,  
16 relevant provisions of the "Law Against Discrimination," P.L.1945,  
17 c.169 (C.10:5-1 et seq.), and other State and federal laws addressing  
18 harassment, intimidation, and bullying;

19 c. Reviewing and reporting data collected on harassment,  
20 intimidation and bullying pursuant to section 1 of P.L.1982, c.163  
21 (C.18A:17-46) to identify and report to the Department of  
22 Education any patterns of harassment, intimidation, or bullying in  
23 public schools. The department shall review the information  
24 provided by the State coordinator to develop guidance and  
25 strategies for public schools, parents, school staff, and other  
26 agencies, as appropriate;

27 d. Assisting the Department of Education in creating public  
28 information programs that educate parents, educators, and the  
29 public concerning the duties of the State coordinator, the issue of  
30 harassment, intimidation, and bullying, and the resources available  
31 to address and prevent harassment, intimidation, and bullying;

32 e. Working collaboratively with law enforcement, the  
33 Department of Education, the Division on Civil Rights in the  
34 Department of Law and Public Safety, and the Department of  
35 Health to develop a training program on the impact of harassment,  
36 intimidation, and bullying on students and schools, that will be  
37 available for school districts to use in local anti-bullying programs  
38 and intervention plans;

39 f. Working collaboratively with law enforcement, including  
40 organizations representing school resource officers, to develop  
41 resources and training for law enforcement concerning the impact  
42 of harassment, intimidation, and bullying on students and schools,  
43 and the appropriate role of law enforcement in such matters  
44 pursuant to the Uniform Memorandum of Agreement Between  
45 Education and Law Enforcement Officials; and

46 g. Annually providing to the Commissioner of Education, the  
47 State Board of Education, and pursuant to section 2 of P.L.1991,  
48 c.164 (C.52:14-19.1) the Legislature, a report summarizing the

1 activities of the State coordinator, and any specific  
2 recommendations concerning school climate best practices and  
3 procedures.

4  
5 6. (New section) The School Climate State Coordinator shall  
6 consider communications received in the course of his duties,  
7 including personally identifiable information regarding students,  
8 parents, and others from whom information is acquired, as  
9 confidential and shall not disclose this information, in accordance  
10 with State and federal law.

11  
12 7. (New section) The Department of Education shall post in a  
13 prominent location on the homepage of its Internet website the  
14 contact information for the School Climate State Coordinator. Each  
15 school district shall post this information on its website at the same  
16 location it makes its policy on harassment, intimidation, and  
17 bullying available.

18  
19 8. (New section) The School Climate State Coordinator is  
20 authorized to call upon any department, office, division, or agency  
21 of the State to supply the State coordinator with data and any other  
22 information or assistance available to the department, office,  
23 division, or agency as the State coordinator deems necessary to  
24 discharge the duties under P.L. , c. (C. ) (pending before the  
25 Legislature as this bill). Each department, office, division, or  
26 agency, to the extent not inconsistent with law, shall cooperate fully  
27 with the State coordinator within the limits of its statutory  
28 authority, and provide such assistance on as timely a basis as is  
29 necessary to enable the State coordinator to accomplish his duties  
30 pursuant to P.L. , c. (C. ) (pending before the Legislature as this  
31 act). The State coordinator may consult with experts or other  
32 knowledgeable individuals in the public or private sector on any  
33 aspect of the State coordinator's mission.

34  
35 9. Sections 1 and 4 of this act shall take effect immediately and  
36 the remainder of this act shall take effect on July 1 of the first full  
37 school year next following the date of enactment.

38

39

40

#### STATEMENT

41

42 Under current law, all acts of harassment, intimidation, or  
43 bullying must be reported in writing to the school principal within  
44 two school days of when the school employee or contracted service  
45 provider witnessed or received reliable information that a student  
46 had been subject to harassment, intimidation, or bullying. This bill  
47 provides that the written report must be on a numbered form  
48 developed by the Department of Education (DOE). The principal

1 will be responsible for immediately submitting the form to the  
2 superintendent of schools and to the board of education. Under the  
3 provisions of the bill, the form must be completed, even if a  
4 preliminary determination is made under the school district's policy  
5 that the reported incident or complaint is a report outside the scope  
6 of the definition of harassment, intimidation, or bullying under the  
7 "Anti-Bullying Bill of Rights Act," P.L.2002, c.83 (C.18A:37-  
8 13 et seq.). The bill requires a school district to provide a means  
9 for a parent or guardian to complete an online form to report an  
10 incident of harassment, intimidation, or bullying.

11 Pursuant to the provisions of the bill, the district's anti-bullying  
12 policy must include specific consequences for a student who  
13 commits an act of harassment, intimidation or bullying. Under the  
14 bill, for the first and second acts of harassment, intimidation, or  
15 bullying committed by a student, a copy of the results of the  
16 investigation will be placed in the student's record and the student  
17 may be subject to remedial actions, including the provision of  
18 counseling or behavioral intervention services, or discipline, or  
19 both, as determined by the principal in consultation with  
20 appropriate school staff; and for the third and each subsequent act, a  
21 copy of the results of the investigation will be placed in the  
22 student's record, and the principal, in consultation with appropriate  
23 school staff, will develop an individual student intervention plan  
24 which will be approved by the superintendent and may include  
25 remedial actions and may require the student, accompanied by a  
26 parent or guardian, to complete a class or training program to  
27 reduce harassment, intimidation, or bullying behavior.

28 The bill requires that as part of the information provided by the  
29 superintendent of schools twice a year to the board of education  
30 regarding acts of violence, vandalism, and bullying which occurred  
31 during the previous reporting period, the superintendent will  
32 provide the board with information on the number of reports that  
33 were determined, pursuant to the district's preliminary  
34 determination process, not to meet the statutory definition of  
35 bullying.

36 Currently, under the provisions of the cyber-harassment statute,  
37 section 1 of P.L.2013, c.272 (C.2C:33-4.1), the court may order a  
38 parent or guardian of a minor under the age of 16 who has been  
39 adjudicated delinquent of cyber-harassment to attend classes or  
40 training with the minor. Failure to comply with these conditions  
41 results in a disorderly persons offense and the imposition of a fine  
42 of not more than \$25 for a first offense and not more than \$100 for  
43 each subsequent offense.

44 The bill would increase the monetary penalty against the parent  
45 or guardian for failure to comply with the class or training program  
46 as follows: (1) the \$25 fine for a first offense would be increased to  
47 \$100; and (2) the \$100 fine for each subsequent offense would be  
48 increased to \$500.

1 In addition, civil liability may be imposed on a parent or  
2 guardian, having legal custody of the minor, who demonstrates a  
3 willful or wanton disregard in the exercise of the supervision and  
4 control of a minor adjudicated delinquent of cyber-harassment or  
5 harassment.

6 The bill also establishes within the DOE a School Climate State  
7 Coordinator. The duties and responsibilities of the State coordinator  
8 will include:

9 (1) Identifying and disseminating research and resources to  
10 promote best practices in student social-emotional learning and the  
11 development of a positive, supportive school climate in schools;

12 (2) Providing information regarding the provisions and  
13 procedures of the “Anti-Bullying Bill of Rights Act,” and other  
14 State and federal laws addressing harassment, intimidation, and  
15 bullying;

16 (3) Reviewing and reporting data collected on harassment,  
17 intimidation and bullying to identify and report to the DOE any  
18 patterns of harassment, intimidation, or bullying in public schools;

19 (4) Assisting the DOE in creating public information programs  
20 that educate parents, educators, and the public concerning the duties  
21 of the State coordinator, the issue of harassment, intimidation, and  
22 bullying and the resources available to address it;

23 (5) Working collaboratively with law enforcement, the DOE, the  
24 Division on Civil Rights in the Department of Law and Public  
25 Safety, and the Department of Health to develop a training program  
26 on the impact of harassment, intimidation, and bullying on students  
27 and schools;

28 (6) Working collaboratively with law enforcement to develop  
29 resources and training for law enforcement concerning the impact  
30 of harassment, intimidation, and bullying on students and schools,  
31 and the appropriate role of law enforcement in such matters; and

32 (7) Annually providing to the Commissioner of Education, the  
33 State Board of Education, and the Legislature, a report summarizing  
34 the activities of the State coordinator, and any specific  
35 recommendations concerning school climate best practices and  
36 procedures.

37 The bill, named Mallory’s Law, is in response to the tragic case  
38 of 12-year old Mallory Grossman who was subjected to unrelenting  
39 bullying at school and online leading up to her suicide. The bill  
40 attempts to address this issue by placing more stringent safeguards  
41 in the “Anti-Bullying Bill of Rights Act.”