

OUTLINE EXPERT OPINION REPORTS
By Michael B. Greene

Regarding

**John and Jane Smith vs. New Jersey School District 26 of Education,
Principal Johnson, and Other Name Defendants
Civil Action
Court of New Jersey
Docket No: 42**

**Written, Authorized, and Submitted by
Michael B. Greene, Ph.D.**

Date:

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A. INTRODUCTION This section is subject to modification

Responsibilities of Expert Witness: This expert witness possesses extensive knowledge, experience, and academic credentials regarding school violence policies and practices and in particular with respect to harassment, discrimination, intimidation, and bullying. Dr. Greene, as reflected in his biographical statement below and in his Curricula Vita (submitted under a separate cover), is particularly suited to render expert opinions on whether and to what degree schools and school district Boards of Education in New Jersey have complied with violence-related local, state, and federal laws, regulations, policies, requirements, and obligations. Client Smith recognized Dr. Greene's expertise in matters of discrimination, harassment, intimidation, and bullying in schools and retained him to review materials in this case and to render his professional opinion.

Compensation: Dr. Greene's hourly fee is \$300/hour in order to review the materials in this case, review applicable laws, regulations, policies, and guidance on the relevant matters pertaining to this case, and to review the pertinent professional literature in order to prepare this report and review any subsequently submitted materials, and to testify, as necessary, in this case.

Biographical Statement: Dr. Michael B. Greene received his Ph.D. in developmental psychology from Columbia University in 1980 and since 1975 has devoted the bulk of his career to the study and prevention of youth, school, and family violence. He served as the founding Executive Director of the Violence Institute of New Jersey at the University of Medicine and Dentistry of New Jersey and the founding Director of the Center for the Prevention of Violence at Youth Consultation Service, Inc. He has published numerous papers in peer reviewed journals and book chapters on school violence, focusing on bullying and harassment in particular.

Dr. Greene has also lectured at major national and international conferences on the topics of youth and school violence, has given more than 20 talks at New Jersey public and parochial schools on the topic of bullying and harassment, and has been previously recognized as an Expert Witness in violence and harassment in schools in civil cases in New Jersey. He was

appointed to the Cadre of Experts on the American Psychological Association's Commission on Violence and Youth, he serves as the Research Director and Steering Committee Member of the New Jersey Coalition for Bullying Awareness and Prevention, on the Advisory Board of New Jersey Child Assault Prevention, and is a member of the international Bullying Research Network. He has served as the Principal Investigator on numerous federal, state, and foundation grants; including a US Department of Education grant in which he oversaw a technical assistance program for 5 New Jersey school districts to help each develop the capacity to conduct needs assessments regarding school violence and substance use and help school districts strategically plan and implement evidence-based violence prevention and substance abuse programs. After Columbine, he hosted a roundtable discussion on violence in schools for Governor Whitman and he prepared a Tip Sheet on identifying adolescents who may harm others that was distributed to every school in New Jersey. He has also testified at legislative hearings in New Jersey and in the United States Senate. He serves as a peer reviewer on several prominent psychological and public health journals and serves on the editorial board of *PsycCRITIQUES*, the American Psychological Association's journal of book reviews, where he has also reviewed books on bullying, hazing, and school violence. Dr. Greene was also asked by the New Jersey Department of Education to consult on the preparation of its 2003 model bullying policy and was on the Expert Advisory Panel for the New Jersey Commission on Bullying. Finally, Dr. Greene is a licensed psychologist (NYS License).

Format for Citations: Citations to case material, laws, policies, regulations, and professional literature are provided throughout the report, with the complete bibliographical citations provided in Section G. Some governmental documents are cited by a shortened version of the document's title. Such shorted titles are bolded following the full citation included in Section G. Professional citations are provided in the standard format with the name of the author of the cited document followed by the date of publication. Laws, policies, and regulations are cited with number and chapter designations. Court cases are bolded and cited by the name of the case followed by the date of the case.

Standard of Expert Opinion: The Legal Standard by which all expert opinions are rendered in this report conforms to the standard of "reasonable degree of probability."

B. Brief Summary of Conclusions (generic example)

The Plaintiffs' allegations of student-on-student and staff or coach-on student harassment and subsequent retaliatory harassment should have triggered very specific reporting, investigatory, and response mechanism outlined in the High School's own policies and by NJ's Anti-Bullying Law and by standards established in NJ's Law Against Discrimination. In fact, the Defendants failed grievously on multiple levels to comply with such requirements. Not only did the Defendants fail to adhere to required responsibilities, but the High School Superintendent, at times, put the burden of proof upon the Plaintiffs, reflecting major negligence of the school district's responsibility. The gross negligence and non-compliance by the Defendants placed not only the victim in this Case at risk of substantial short- and long-term psychological damage, but in effect failed to provide a safe and civil environment for the entire student body at the High School.

C. Complaints Addressed in Report (based upon the formal complaint)

D. Background, Findings, and Conclusions for Each Complaint (Findings and conclusions are based on the details and facts of each case and Dr. Greene does not assume, a priori, that the defendant is non-complaint with laws, regulations or policies).

1. Complaint #1

- A. Background: Includes pertinent and applicable laws, regulations, policies and contexts
- B. Findings: Includes pertinent facts of the case and in some cases explanatory contextual information
- C. Conclusions: Includes information on how and if the school/school district was in violation of extant laws, regulations, and policies.

2. Complaint #2

- A. Background
- B. Findings
- C. Conclusions

3. Complaint #3

- A. Background
- B. Findings
- C. Conclusions

4. Complaint #4

- A. Background
- B. Findings
- C. Conclusions

5. The Bullying/Harassment Engendered Emotional Harm (this section is typically written in conjunction with clinical reports and links such reports to the literature as well as to pertinent testimony)

- A. Background
- B. Findings
- C. Conclusions

E. Timelines of Reports and Actions, Including Reports of Bullying/Harassment

F. Documents Reviewed

1. Complaint and Notices

- 2. Interrogatories and Responses to Document Requests**
- 3. Depositions**
- 4. Deposition Exhibits**
- 5. Additional Materials Submitted in this Case**
- 6. Applicable local and state laws, regulations, and policies and pertinent professional literature (see Section I below)**

G. Laws, Policies, Regulatory Guidance, Court Cases, and Professional Literature Cited in Report

- 1. Pertinent Laws, School and District Policies, Regulatory Guidance, & Court Cases (all citations are to laws, regulations, and policies in place at time of the incidents addressed)**
- 2. Professional Literature (some typically cited references)**

Arseneault, L., Walsh, E., Trzesniewski, K., Newcombe, R., Caspi, A., & Moffitt, T. E. (2006). Bullying victimization uniquely contributes to adjustment problems in young children: a nationally representative cohort study. *Pediatrics*, *118*(1), 130-138.

Craig, W., Harel-Fisch, Y., Fogel-Grinvald, H., Dostaler, S., Hetland, J., Simons-Morton, B., et al. (2009). A cross-national profile of bullying and victimization among adolescents in 40 countries. *International Journal of Public Health*, *54*(Supplement 2), 1-9.

Esbensen, F.-A., & Carson, D. C. (2009). Consequences of Being Bullied: Results From a Longitudinal Assessment of Bullying Victimization in a Multisite Sample of American Students. *Youth & Society*, *41*(2), 209-233.

Greene, M.B. (2003). Counseling and Climate Change as Treatment Modalities for Bullying in Schools. *International Journal for the Advancement of Counselling*, *25*(4), 293-302.

Hawker, D. S., & Boulton, M. J. (2000). Twenty years' research on peer victimization and psychosocial maladjustment: A meta-analytic review of cross-sectional studies. *Journal of Child Psychology and Psychiatry*, *41*(4), 441-455.

Ivarsson, T., Broberg, A. G., Arvidsson, T., & Gillberg, C. (2005). Bullying in adolescence: psychiatric problems in victims and bullies as measured by the Youth Self Report (YSR) and the Depression Self-Rating Scale (DSRS). *Nordic Journal of Psychiatry*, *59*(5), 365-373.

Nansel, T. R., Craig, W., Overpeck, M. D., Saluja, G., Ruan, W. J., & Health Behaviour in School-aged Children Bullying Analyses Working, G. (2004). Cross-national consistency in the relationship between bullying behaviors and psychosocial adjustment. *Archives of Pediatrics & Adolescent Medicine*, 158(8), 730-736.

Reijntjes, A., Kamphuis, J. H., Prinzie, P., & Telch, M. J. (2010). Peer victimization and internalizing problems in children: A meta-analysis of longitudinal studies. *Child Abuse & Neglect*, 34(4), 244-252.