

**Policy**

---

HARASSMENT, INTIMIDATION AND BULLYING PREVENTION  
REPORTING AND GRIEVANCE PROCEDURE

In accordance with N.J.S.A. 18A:37 and N.J.A.C. 6A:16-7, the Morris County Vocational School District (MCVSD) recognizes that bullying, intimidation and harassment of members of the school community\* have a negative effect on school climate. Students who are bullied, intimidated and/or harassed are less able to devote full attention to their education. Every student has the right to an education and to be safe in and around school. It is the policy of the Morris County Vocational School District to prohibit the unlawful harassment of students based on race, color, religion, creed, national origin, marital status, sex, sexual orientation, disability, or other such condition or state that would likely produce a harmful effect on an individual.

Definitions

“Members of school community” means school and community members, including parents and guardians, students, school employees, such as: instructional staff, students support service personnel, school administrators, school support staff, bus drivers, custodians, coaches, cafeteria workers, school volunteers; community organizations such as faith-based, health and human services, business and law enforcement.

The board establishes that "harassment, intimidation or bullying" means any gesture or written, verbal or physical act, or any use of electronic communication (N.J.S.A. 18A:37-15.1) that takes place on school property, or at any school-sponsored function, on a school bus and that:

- A. Is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or,
- B. By any other distinguishing characteristic; and
- C. A reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a student or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- D. 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.

“Electronic communication” means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager that takes place on school property, at any school-sponsored function or on a school bus.

“Cyber-bullying” means when a student or school employee uses information and communication technologies such as email, cell phone and pager text messaging, instant messaging, computers, cameras, defamatory personal Web sites and defamatory online personal polling Web sites to harass, humiliate, intimidate and/or threaten other students or employees on the Internet.

“Racial or color harassment” means unwelcome verbal, written or physical conduct, directed at a person's race or color, such as, racial slurs, taunts, or insults when the conduct creates a hostile, offensive or intimidating school environment or substantially undermines and detracts from, or interferes with, the victim's educational performance or access to the school's resources and activities.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to that conduct is made either explicitly or implicitly a term or condition of a student’s education, academic status or progress; or
- B. Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student; or
- C. The conduct has the effect of substantially undermining and detracting from, or interfering with, a student’s educational performance or access to the school’s resources and activities, or creating an intimidating, hostile or offensive environment.

Sexual harassment includes unwelcome verbal, or physical conduct of a sexual nature, such as sexual gossip or personal comments of a sexual nature, sexually suggestive language, sexual jokes, comments or anecdotes, offensive touching, pinching or grabbing, or restraining someone’s movement when the conduct creates a hostile, offensive or intimidating school environment or substantially undermines and detracts from or interferes with, the victim’s educational performance or access to the school’s resources and activities.

“Religious or creed harassment” means unwelcome verbal, written or physical conduct, directed at the characteristics of person’s religion or creed, such as religious slurs, taunts or insults when the conduct creates a hostile, offensive or intimidating school environment or substantially undermines and detracts from, or interferes with, the victim’s educational performances or access to the school’s resources and activities.

“National origin harassment” means unwelcome verbal, written or physical conduct directed at the characteristics of a person’s national origin, such as ethnic slurs, insults or taunts when the conduct creates a hostile, offensive or intimidating school environment or substantially undermines and detracts from, or interferes with, the victim’s educational performance or access to the school’s resources and activities.

“Marital status harassment” means unwelcome verbal, written or physical conduct, directed at the characteristics of a person’s marital status, such as taunts, insults or slurs regarding pregnancy or the status of being an unwed mother or father when the conduct creates a hostile, offensive or intimidating school environment or substantially undermines and detracts from, or interferes with, the victim’s educational performance or access to the school’s resources and activities.

“Sexual orientation harassment” means unwelcome verbal, written or physical conduct, directed at the characteristics of a person’s sexual orientation, such as ridicule, taunts, insults or slurs when the conduct creates a hostile, offensive or intimidating school environment or substantially undermines and detracts from, or interferes with, the victim’s educational performance or access to the school’s resources and activities.

“Disability harassment” means unwelcome verbal, written or physical conduct, directed at the characteristics of a person’s disabling mental or physical condition, such as intimidation, ridicule or insults based on manner of speech or movement, cognitive ability, receipt of educational services outside the general education environment, or other manifestation of a person’s disability when the conduct creates a hostile, offensive or intimidating school environment or substantially undermines and detracts from or interferes with, the victim’s educational performance or access to the school’s resources and activities.

Appropriate Student Behavior (N.J.A.C. 6A:16-7)

The board of education expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

The board of education believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, and staff and community members, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff and community members.

The board of education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities to help students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent discipline problems and encourage students' abilities to grow in self-discipline.

Based on broad community involvement (i.e., the use of a process that includes representation of parents/guardians and other community representatives, school employees, volunteers, students and administrators for the purpose of providing input regarding the development and content of the policy that is based on accepted core ethical values), the board of education shall develop general guidelines for student conduct and shall direct development of detailed regulations suited to the age levels of the students and the mission and physical facilities of the individual schools. Board policy requires all students in the district to adhere to the rules and regulations established by the school district and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

The chief school administrator shall provide annually to students and their parents/guardians the rules of the district regarding student conduct, and these rules shall appear in publications of the school district's comprehensive rules, procedures and standards of conduct, including the student handbook.

The policy shall:

- A. Describe student responsibilities, including the requirements for students to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority;
- B. Address appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success.
- C. Explain student rights; and
- D. Identify disciplinary sanctions and due process.

Reporting - New Jersey Recommended Guidelines for School Personnel for the Management of Student Misconduct in Schools (N.J.A.C. 6A:16-7.1(a) and 7.9 (a)1)

Any student who believes that s/he has been harassed by a person subject to this policy, or who witnesses conduct that s/he believes might constitute harassment, may report the conduct to a person designated under this policy as a complaint officer, or to any other school employee. A member of the school community who witnesses conduct that s/he believes might constitute harassment under this policy is required by law to report the conduct to a complaint officer. A complaint or report may be made orally, in writing or anonymously.

Formal disciplinary action may not be based solely on the bases of an anonymous report. Any member of the school community who witnesses conduct, or otherwise has reasonable cause to believe that conduct which, either as a single incident or if continued or repeated, could constitute harassment shall take action to stop the conduct and to prevent its recurrence. When a student reports such conduct to a school employee, the person to whom the conduct is reported shall refer the report to a complaint officer for informal or formal resolution in accord with the procedures related to this policy. A person to whom conduct has been reported under this policy may consult informally with a complaint officer to determine whether informal resolution should be attempted.

In the event that the school employee is unable to take appropriate and prompt action after witnessing or

HARASSMENT, INTIMIDATION AND BULLYING (continued)

receiving a complaint about conduct that could constitute harassment, the employee must report the incident or complaint to a complaint officer designated by this policy. The following are the designated complaint officers:

- A. Program Administrator
- B. Affirmative Action Officer

If one of the designated complaint officers is the person alleged to be engaged in the conduct complained of, the complaint shall be filed with the appropriate program administrator, Affirmative Action Officer, or other complaint officer, or, if the allegation is against the program administrator, with a complaint officer other than the program administrator.

Informal Procedure

If possible to resolve a complaint through a conversation between the complainant and the respondent, an informal resolution of the complaint may be attempted by a school employee or designated complaint officer acceptable to the complainant and the subject of the complaint.

When informal resolution is attempted, and the complaining student, or the student about whom a complaint is made, is under the age of 18, his/her parent(s) or guardian shall be notified in accord with the school's disciplinary policies. Any complaint against a school employee shall be handled through the formal procedure.

Formal Procedure

If the complainant chooses not to utilize the informal procedure, the school employee to whom the complaint was brought shall assist the complainant in contacting a designated complaint officer.

The formal procedure shall also be initiated when a school employee, either before or after informal resolution is attempted, other adult responsible under this policy for forwarding complaints to a complaint officer, or a person about whom a complaint has been made, refers the complaint to a complaint officer. The superintendent/principal or his or her designee may develop administrative procedures governing the formal complaint process as long as those procedures are consistent with the following minimum requirements.

- A. The complaint officer shall complete a harassment complaint form based on the written or verbal allegations of the complainant. This complaint form shall be maintained by the complaint officer in a locked file, and shall not be revealed to any unauthorized person.
- B. The complaint shall detail the alleged facts and circumstances of the incident or pattern of behavior.
- C. If a student under 18 years of age is involved, his/her parents shall be notified by the complaint officer as soon as is practical under the circumstances.
- D. The complaint officer shall initiate an investigation of the allegations which shall include interview with the complainant, the accused, and with any other individuals who may have information bearing on the incident in question.
- E. Within five working days of completing the investigation, the complaint officer shall submit a written report to the superintendent/principal and the program administrator. The report shall include a statement of the conclusions of the investigator as to whether the allegations have been substantiated, and as to whether the alleged conduct constitutes a violation of this policy.
- F. In the report, the complaint officer shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident

HARASSMENT, INTIMIDATION AND BULLYING (continued)

constitutes a violation of this policy requires consideration of all the facts and surrounding circumstances. Although conduct may be found to be in violation of other standards of student, or employee conduct or decorum, harassment will not be reported by the complaint officer when the subject of a complaint is a single incident that is not shown to have substantially interfered with the victim's educational performance, to have created a hostile, offensive or intimidating environment, or to have substantially limited the victim's access to the school's resources and opportunities.

- G. When a complaint officer concludes that a student has engaged in harassment, the superintendent/principal and/or program administrator shall use his or her discretion to initiate disciplinary or other appropriate action in accord with the school's policies and procedures.
- H. When a complaint officer concludes that an employee has engaged in harassment against a student, the superintendent/principal and/or the appropriate program administrator shall use his or her discretion to initiate disciplinary or other appropriate action in accord with the school's policies and procedures, the employee's contract of employment and applicable state or federal law.
- I. The superintendent/principal and/or the appropriate program administrator shall maintain the written report of the investigation and results in a locked file for at least six years after the report has been completed. When an investigation is conducted by the school district, the superintendent/principal shall be given a copy of the investigation report and results by the appropriate program administrator.
- J. The privacy of the complainant, the individual against whom the complaint is filed, and the witnesses shall be respected as much as possible, consistent with legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations. Subject to any limitation imposed by law, the complainant, complainant's parents if the complainant is under 18 years of age, the person against whom the complaint was made, and his or her parents if he or she is under the age of 18, shall be informed in writing by the complaint officer of the results of the investigation.

Consequences and Remedial Actions for Violations (N.J.S.A.18A:37-15, N.J.A.C. 6A: 16-7.9)

Some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials.

Consequences and appropriate remedial actions for students who commit an act of harassment, intimidation or bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Students.

Consequences, for students who bully others shall depend on the results of the investigation and may include but are not limited to counseling; a parent conference; detention; suspension and/or expulsion; or placement in an alternative educational setting. Depending on the severity of the incident, the program administrator may also take appropriate steps to ensure student and staff safety. These may include but are not limited to implementing a safety plan; separating and supervising the students involved; providing staff support for students as necessary; reporting incidents to law enforcement (as appropriate); and developing a supervision plan with the parents.

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and circumstances of the act, the level of harm, the nature of the behavior, past incidents or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, and school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response

HARASSMENT, INTIMIDATION AND BULLYING (continued)

to the actions, in the context of the acceptable student behavior and the consequences of such actions and to involvement of law enforcement officers, including school resource officers.

The following factors, at a minimum, shall be given full consideration by superintendent/principal and the appropriate program administrator in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation or bullying by students:

## A. Factors for Determining Consequences

1. Age, developmental and maturity levels of the parties involved;
2. Degrees of harm;
3. Surrounding circumstances;
4. Nature and severity of the behaviors;
5. Incidences of past or continuing patterns of behavior;
6. Relationships between the parties involved; and
7. Context in which the alleged incidents occurred.

## B. Factors for Determining Remedial Measures

## 1. Personal

- a. Life skill deficiencies;
- b. Social relationships;
- c. Strengths;
- d. Talents;
- e. Traits;
- f. Interests;
- g. Hobbies;
- h. Extra-curricular activities;
- i. Classroom participation; and
- j. Academic performance.

## 2. Environmental

- a. School culture;
- b. School climate;
- c. Student-staff relationships and staff behavior toward the student;
- d. General staff management of classrooms or other educational environments;
- e. Staff ability to prevent and manage difficult or inflammatory situations;
- f. Social-emotional and behavioral supports;
- g. Social relationships;
- h. Community activities;
- i. Neighborhood situation; and
- j. Family situation.

Consequences and Remedial Measures

Consequences for a student who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and must be consistent with the board approved code of student conduct and N.J.A.C. 6A:16-7, Student Conduct. Remedial measures shall be designed to:

- A. Correct the problem behavior;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- B. Prevent another occurrence of the problem;
- C. Protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation or bullying.

Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including short and long-term suspension or expulsion, as permitted by law. The consequences and remedial measures may include, but are not limited to:

## A. Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Legal action; and
10. Expulsion.

## B. Examples of Remedial Measures

1. Personal
2. Restitution and restoration;
3. Mediation;
4. Peer support group;
5. Recommendations of a student behavior or ethics council;
6. Corrective instruction or other relevant learning or service experience;
7. Supportive student interventions, including participation of the Intervention and Referral Services team;
8. Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
9. Behavioral management plan, with benchmarks that are closely monitored;
10. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
11. Involvement of school "disciplinarian;"
12. Student counseling;
13. Parent conferences;
14. Student treatment; or
15. Student therapy.

## C. Environmental (Classroom, School Building or School District)

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in student routes or patterns traveling to and from school;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

9. Supervision of student before and after school, including school transportation;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;
12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff;
14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions, including participation of the Intervention and Referral Services team;
17. Parent conferences;
18. Family counseling;
19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a student behavior or ethics council;
23. Peer support groups;
24. School transfers; and
25. Law enforcement (e.g., school resource office, juvenile officer) involvement.

School Climate

The overall school climate and school culture and the individual and institutional factors that contribute to climate and culture may overtly or inadvertently support harassment, intimidation or bullying behavior. School climate and culture shall be considered in the response to an act of harassment, intimidation or bullying.

The board of education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials. In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses include:

- A. School and community surveys;
- B. Mailings;
- C. Focus groups;
- D. Adoption of research-based bullying prevention program models;
- E. Training for certificated and non-certificated staff;
- F. Participation of parents and other community members and organizations;
- G. Small or large group presentations for staff, students, and the community for fully addressing an positive school climate and culture as well as the issues surround harassment, intimidation and bullying in the school community;
- H. The involvement of law enforcement officers, including school resource officers.

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who

HARASSMENT, INTIMIDATION AND BULLYING (continued)

committed the act. Responses may include:

- A. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion).
- B. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management.
- C. School responses can include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices.
- D. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs and coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based).

Consequences, Reprisal, Retaliation, False Accusation Prohibited

It shall be a violation of this policy for any person to retaliate against a person who alleges harassment or who testifies, assists or participates in an investigation, proceeding or hearing relating to harassment allegations. Retaliation may take the form of intimidation, reprisal or harassment, and shall be subject to the reporting, investigation, and enforcement procedures set forth in this policy. A person who knowingly makes a false report of harassment shall be subject to disciplinary action in accord with school discipline policies and procedures. The Morris County Vocational School District expects students and parents who become aware of an act of bullying to report it to the appropriate program administrator for further investigation. Retaliation against any person who reports, is believed to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of this policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation or bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Students.

Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of harassment, intimidation or bullying shall be disciplined in accordance with district policies, procedures and agreements. Consequences and appropriate remedial action for a visitor or volunteer, found to have falsely accused another as a means of harassment, intimidation or bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials

Establishment of Bullying Prevention Programs (N.J.S.A.18A:37-17, N.J.A.C. 6A:16-7.9.)

An informative in-service program regarding the school districts policy against harassment, intimidation or bullying shall be incorporated into the employee handbook.

Other Remedies Unaffected (N.J.S.A.18A:37-18)

This policy does not replace or prevent a victim from seeking redress under any other available law either civil or criminal.

HARASSMENT, INTIMIDATION AND BULLYING (continued)Notice and Publication (N.J.S.A. 18A:37-15)

The board shall provide notice of this harassment policy and procedures to students, custodial parents or guardians and school employees and members of the school community. Notice to students shall be in age-appropriate language and shall include examples of harassment. Notice of this policy shall also appear in the faculty handbook, student parent handbook and on school website. The board shall develop and initiate age-appropriate programs it believes to be appropriate to effectively inform students and school employees about the substance of the policy and procedures in order to help prevent harassment, and to inform the public that this policy applies to student participation in school-sponsored functions and events on or off school property.

**Adopted:** January 14, 2003  
**Revised/Readopted:** September 9, 2003  
**Revised/Readopted:** May 15, 2007  
**NJSBA Review/Update:** November 2008, October 2009  
**Readopted:** May 12, 2009  
**Revised:** October 13, 2009

Key Words

Harassment, Intimidation, Bullying, Cyberbullying, Sexual Harassment, Conduct, Discipline, Student Conduct, Student Conduct, Weapons, Vandalism

**Legal References:** N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure  
N.J.S.A. 2C:12-1 Definition of assault  
N.J.S.A. 2C:33-19 Paging devices, possession by students  
N.J.S.A. 2C:39-5 Unlawful possession of weapons  
N.J.S.A. 18A:6-1 Corporal punishment of students  
N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:25-2 Authority over students  
N.J.S.A. 18A:36-19a Newly enrolled students; records and identification  
N.J.S.A. 18A:37-1 et seq. Discipline of Students  
 See particularly:  
N.J.S.A. 18A:37-15  
N.J.S.A. 18A:40A-1 et seq. Substance Abuse  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.A.C. 6A:14-2.8 Discipline/suspension/expulsions  
N.J.A.C. 6A:16-1.1 et seq. Programs to Support Student Development  
 See particularly:  
N.J.A.C. 6A:16-1.4,-2.4  
 -4.1, -5.1, -6.1, -6.2,  
 -7.1 through -7.6  
N.J.A.C. 6:32-12.1 Reporting requirements  
N.J.A.C. 6:32-12.2 School-level planning

P.L. 2007, c.129, amends N.J.S.A. 18A:37-15 and includes electronic communication in the definition of public school “harassment, intimidation or bullying”

20 U.S.C.A. 1415(k) Individual with Disabilities Education Act Amendments of 1997

Bethel School District No. 403, v. Fraser, 478 U.S. 675 (1986)

Hazelwood v. Kuhlmeier 484 U.S. 260 (1988)

HARASSMENT, INTIMIDATION AND BULLYING (continued)

Honig v. Doe, 484 U.S. 305 (1988)

See also Commissioners' Decisions indexed under "Students – Punishment of" in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

L.W. v. Toms River Regional Schools board of education, N.J., No. A-111-05 (Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student because of his perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division on Civil Rights.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

**Possible**

<b><u>Cross References:</u></b>	*1220	<u>Ad hoc</u> advisory committees
	*1410	Local units
	3517	Security
	*3541.33	Transportation safety
	*4131/ 4131.1	Staff development; inservice education/visitation conferences
	4148	Employee protection
	*4231/ 4231.1	Staff development; inservice education/visitation conferences
	4248	Employee protection
	5000	Concepts and roles in student personnel
	5010	Personal goals and objectives for students
	*5020	Role of parents/guardians
	*5113	Absences and excuses
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5127	Commencement activities
	*5131	Conduct and discipline
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	5132	Dress and grooming
	5145	Rights
	5145.2	Freedom of speech/expression
	*5145.4	Equal educational opportunity
	*5145.6	Student grievance procedure
	*5145.11	Questioning and apprehension
	*5145.12	Search and seizure
	*6145	Extracurricular activities
	*6164.4	Child study team
	*6171.4	Special education
	*6172	Alternative educational programs

\*Indicates policy is included in the Critical Policy Reference Manual.