

**C****Effective: September 6, 2002**New Jersey Statutes Annotated [Currentness](#)

Title 18a. Education

Subtitle 6. Conduct of Schools

<sup>⌘</sup> [Part 2. Facilities and Conduct of Schools](#)        <sup>⌘</sup> [Chapter 37. Discipline of Pupils \(Refs & Annos\)](#)            ➔ **18A:37-13. Legislative findings**

The Legislature finds and declares that: a safe and civil environment in school is necessary for students to learn and achieve high academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment; and since students learn by example, school administrators, faculty, staff, and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying.

CREDIT(S)

[L.2002, c. 83, § 1, eff. Sept. 6, 2002.](#)

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**Effective: August 6, 2007**

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Title 18a. Education

Subtitle 6. Conduct of Schools

▣ [Part 2. Facilities and Conduct of Schools](#)

▣ [Chapter 37. Discipline of Pupils \(Refs & Annos\)](#)

→ **18A:37-14. Harassment, intimidation, and bullying; prohibited conduct**

As used in this act:

“Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager;

“Harassment, intimidation or bullying” means any gesture, any written, verbal or physical act, or any electronic communication 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 placing a student in reasonable fear of harm to his person or damage to his 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.

CREDIT(S)

[L.2002, c. 83, § 2, eff. Sept. 6, 2002.](#) Amended by [L.2007, c. 129, § 1, eff. Aug. 6, 2007.](#)

N. J. S. A. 18A:37-14, NJ ST 18A:37-14

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**Effective: March 13, 2008**

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Subtitle 6. Conduct of Schools

▣ [Part 2](#). Facilities and Conduct of Schools

▣ [Chapter 37](#). Discipline of Pupils ([Refs & Annos](#))

→ **18A:37-15. Harassment, intimidation and bullying policy to be adopted by school districts; contents and notice**

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

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

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

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

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

(4) consequences and appropriate remedial action for a person who commits an act of harassment, intimidation or bullying;

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

(6) a procedure for prompt investigation of reports of violations and complaints, identifying either the principal or the principal's designee as the person responsible for the investigation;

(7) the range of ways in which a school will respond once an incident of harassment, intimidation or bullying is

identified;

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

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

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

(11) a requirement that the policy be posted on the school district's website and distributed annually to parents and guardians who have children enrolled in a school in the school district.

c. A school district shall adopt a policy and transmit a copy of its policy to the appropriate county superintendent of schools by September 1, 2003.

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

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

CREDIT(S)

[L.2002, c. 83, § 3, eff. Sept. 6, 2002.](#) Amended by [L.2007, c. 303, § 7, eff. March 13, 2008.](#)

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▣ [Chapter 37](#). Discipline of Pupils ([Refs & Annos](#))

→ **18A:37-15.2. Website posting of harassment, intimidation and bullying policy**

Within 60 days of the effective date of this section [\[FN1\]](#) each school district shall amend its bullying policy in accordance with section 3 of [P.L. 2002, c. 83 \(C.18A:37-15\)](#) as amended by section 7 of [P.L.2007, c. 303](#), make the policy available on the district's website, and notify students and parents that the policy is available on the district's website.

CREDIT(S)

[L.2007, c. 303, § 8, eff. March 13, 2008.](#)

[\[FN1\] L.2007, c. 303, eff. March 13, 2008.](#)

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→ **18A:37-16. Retaliation or false accusation against victim prohibited; mandatory reporting; school employee immunity for failure to remedy**

a. A school employee, student or volunteer shall not engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying.

b. A school employee, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the appropriate school official designated by the school district's policy.

c. A school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, and who makes this report in compliance with the procedures in the district's policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

CREDIT(S)

[L.2002, c. 83, § 4, eff. Sept. 6, 2002.](#)

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▣ [Part 2. Facilities and Conduct of Schools](#)▣ [Chapter 37. Discipline of Pupils \(Refs & Annos\)](#)**→ 18A:37-17. Bullying prevention programs; school employee training to include policy on harassment, intimidation or bullying**

a. Schools and school districts are encouraged to establish bullying prevention programs, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members.

b. To the extent funds are appropriated for these purposes, a school district shall: (1) provide training on the school district's harassment, intimidation or bullying policies to school employees and volunteers who have significant contact with students; and (2) develop a process for discussing the district's harassment, intimidation or bullying policy with students.

c. Information regarding the school district policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program.

CREDIT(S)

[L.2002, c. 83, § 5, eff. Sept. 6, 2002.](#)

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