

Harassment, Intimidation, Bullying

Definition from NJSA: 18A:37-14:

"Harassment, intimidation or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, 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 disability, or by any other distinguishing characteristic, that takes place on school property, at any school-sponsored function, on a school bus, or off school grounds as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3), that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

a. a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;

b. has the effect of insulting or demeaning any student or group of students; or

c. creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

In order to have HIB we must have the following:

1. **MOTIVATION:** Reasonably perceived as being motivated ...any distinguishing characteristic **AND**
2. **NEXUS:** Substantially disrupts or interferes with orderly operation of school or rights of other students **AND**
3. **HARM:** One or more of the following:

- a. EXPECTATION OF HARM: Reasonable person would expect result of physical or emotional harm to student or student's property **OR**
- b. ACTUAL HARM: Effect of insulting or demeaning student or group **OR**
- c. ACTUAL HARM: Creates hostile educational environment by doing one or more of the following:
 - i. Interfering with student's education **OR**
 - ii. Severely or pervasively causing physical or emotional harm

In the event that you are thinking about filing an Incident Report, please consider the definition before completing the paperwork.