

**Appendix A**  
**Listing of Citations and Supporting Documentation**

NEW JERSEY'S  
CONSOLIDATED STATE PERFORMANCE REPORT:

PART II

2003-2004

**Revised January 2006**

## **Appendix A**

### **Listing of Citations and Supporting Documentation**

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## **Appendix A**

### **Listing of Citations and Supporting Documentation**

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**18A:40A-16. Guidelines for substance abuse education programs for parents or guardians; education materials; roster of individuals, groups, and agencies providing assistance and services**

a. The Commissioner of Education, in consultation with the Commissioner of Health, shall establish guidelines for substance abuse education programs to be offered by local boards of education to the parents or legal guardians of public school pupils. The program shall, at a minimum, provide:

(1) A thorough and comprehensive review of the substance abuse education curriculum which will be taught to the child of the parent or guardian during the school year, with recommendations as to the ways in which the parent or guardian may enhance, reinforce and supplement that program;

(2) Information on the pharmacology, physiology, psychosocial and legal aspects of substance abuse, and instruction to assist the parent or guardian in the identification of the symptoms and behavioral patterns which might indicate that a child may be involved in substance abuse; and

(3) Information on the State, local and community organizations which are available for the prevention, early intervention, treatment and rehabilitation of individuals who show symptoms of substance abuse.

b. In addition to the guidelines required pursuant this section, the Commissioner of Education, in consultation with the Commissioner of Health, shall develop and provide to local boards of education suggested materials for the substance abuse education program for parents or legal guardians of school pupils, and shall maintain and continuously update a roster of individuals or groups available to assist boards of education in implementing this program and a list of State and local agencies and organizations which are approved by the Department of Health to provide services for the prevention, early intervention, treatment or rehabilitation of individuals who show symptoms of substance abuse.

**18A:40A-17. Outreach programs providing education for parents and guardians**

a. Under the guidelines established by the Commissioner of Education, each local board of education shall establish an outreach program to provide substance abuse education for the parents or legal guardians of the pupils of the district. In establishing the program, the local board of education shall consult with such local organizations and agencies as are recommended by the commissioner. The board of education shall insure that the program is offered at times and places convenient to the parents of the district on school premises, or in other suitable facilities.

b. In addition to the substance abuse education program required pursuant to this section, each local board of education shall establish policies and procedures to provide assistance to parents or legal guardians who believe that their child may be involved in substance abuse. These policies and procedures shall be consistent with the policies and procedures for intervention by school personnel developed pursuant to this act.

c. The board of education in each school district in the State in which a nonpublic school is located shall have the power and duty to loan to the parents or legal guardians of all pupils attending nonpublic schools located within the district all educational materials developed by the Commissioner of Education for the instruction of the parents or legal guardians of public school pupils on the nature and effects of substances and substance abuse. The Commissioner of Education shall make these materials available so that the local board of education shall not be required to expend funds for the loan of these materials.

#### **18A:40A-18. Substance awareness coordinators**

The Commissioner of Education, in consultation with the Commissioner of Health and Senior Services, shall develop and administer a program which provides for the employment of substance awareness coordinators in certain school districts.

a. Within 90 days of the effective date of this act, the Commissioner of Education shall forward to each local school board a request for a proposal for the employment of a substance awareness coordinator. A board which wants to participate in the program shall submit a proposal to the commissioner which outlines the district's plan to provide substance abuse prevention, intervention and treatment referral services to students through the employment of a substance awareness coordinator. Nothing shall preclude a district which employs a substance awareness coordinator at the time of the effective date of this act from participating in this program. The commissioner shall select school districts to participate in the program through a competitive grant process. The participating districts shall include urban, suburban and rural districts from the north, central and southern geographic regions of the State with at least one school district per county. In addition to all other State aid to which the local district is entitled under the provisions of P.L.1996, c. 138 (C. 18A:7F-1 et al.) and other pertinent statutes, each board of education participating in the program shall receive from the State, for a three-year period, the amount necessary to pay the salary of its substance awareness coordinator.

b. The position of substance awareness coordinator shall be separate and distinct from any other employment position in the district, including, but not limited to district guidance counselors, school social workers and school psychologists. The State Board of Education shall approve the education and experience criteria necessary for employment as a substance awareness coordinator. The criteria shall include a requirement for certification by the State Board of Examiners. In addition to the criteria established by the State board, the Department of Education and the Department of Health and Senior Services shall jointly conduct orientation and training programs for substance awareness coordinators, and shall also provide for continuing education programs for coordinators.

c. It shall be the responsibility of substance awareness coordinators to assist local school districts in the effective implementation of this act. Coordinators shall assist with the in service training of school district staff concerning substance abuse issues and the district program to combat substance abuse; serve as an information resource for substance abuse curriculum development and instruction; assist the district in revising and implementing substance abuse policies and procedures; develop and administer intervention services in the district; provide counseling services to pupils regarding substance abuse problems; and, where necessary and appropriate, cooperate with juvenile justice officials in the rendering of substance abuse treatment services.

d. The Commissioner of Education, in consultation with the Commissioner of Health and Senior Services, shall implement a plan to collect data on the effectiveness of the program in treating problems associated with substance abuse and in reducing the incidence of substance abuse in local school districts. Six months prior to the expiration of the program authorized pursuant to this section, the Commissioner of Education shall submit to the Governor and the Legislature an evaluation of the program and a recommendation on the advisability of its continuation or expansion to all school districts in the State.

## CHAPTER 4 PROCEDURES FOR SUBSTANCE ABUSE PREVENTION

### **6A:16-4.1 Adoption of policies and procedures for the intervention of student alcohol and other drug abuse**

(a) Each district board of education shall adopt and implement policies and procedures for the assessment, intervention, referral for evaluation, referral for treatment, and discipline of students whose use of alcohol or other drugs has affected their school performance, or for students who consume or who are suspected of being under the influence of the following substances in school or at school functions, according to the requirements of N.J.S.A. 18A:40A-9, 10 and 11:

1. Alcoholic beverages;
2. Any controlled dangerous substance, as identified in N.J.S.A. 24:21-2;
3. Any chemical or chemical compound which releases vapor or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes, as defined in N.J.S.A. 2A:170-25.9;
4. Over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system; and
5. Anabolic steroids.

(b) In adopting and implementing policies and procedures for the assessment, intervention, referral for evaluation and referral for treatment of alcohol or other drug-affected students, district boards of education shall consult with community agencies licensed by the New Jersey Department of Health and Senior Services, Division of Addiction Services, out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services or private practitioners certified by the appropriate, drug and alcohol licensing board.

(c) Each district board of education's alcohol and other drug policies for students using substances, as defined in N.J.A.C. 6A:16-4.1(a), shall include the following components:

1. The role of appropriate school staff when handling a variety of possible alcohol or other drug-related situations involving students on school property or at school functions;
2. Specific procedures, sanctions and due process provisions for violations of the alcohol and other drug policy requiring disciplinary action by the district board of education, including consequences for not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors. The sanctions should be graded according to the severity of the offense, the nature of the problem and the student's needs;

### **6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs**

(a) All information concerning a student's or staff member's involvement in a school intervention or treatment program for substance abuse shall be kept strictly confidential, according to the requirements of 42 CFR Part 2 and N.J.S.A. 18A:40A-7.1 and 7.2.

(b) Nothing in this subchapter shall be construed in any way to authorize or require the transmittal of any information or records which are in the possession of a substance abuse counseling or treatment program.

(c) The principal or designee shall not disclose to law enforcement officials or to any person other than a member of the local district's comprehensive alcohol, tobacco and other drug abuse program that a student or staff member has received or is receiving services through the local district's comprehensive alcohol and other drug abuse program, nor shall the principal or designee disclose any information, including the student's or staff member's identity or information about illegal activity, where such information was learned in the course of or as a result of services provided through the local district's comprehensive alcohol and other drug abuse program.

(d) Nothing in this section shall be construed to preclude the disclosure of information about illegal activity which was learned by any school employee outside of the local district's comprehensive alcohol and other drug abuse program.

1. Any such information about illegal activity shall be reported according to the requirements of N.J.A.C. 6A:16-63 and 6.4.

### **6A:16-7.1 Establishment of intervention and referral services**

(a) District boards of education shall establish and implement a coordinated system in each school building for the planning and delivery of intervention and referral services that are designed to assist students who are experiencing learning, behavior or health difficulties and to assist staff who have difficulties in addressing students' learning, behavior, or health needs. District boards of education shall choose the appropriate multidisciplinary team approach for planning and delivering the services required under this subchapter.

1. The intervention and referral services shall be provided to aid students in the general education program; and

2. The intervention and referral services, pursuant to N.J.S.A. 18A:46-18.1 et seq. and this subchapter, may be provided for students who have been determined to be in need of special education programs and services.

i. The intervention and referral services provided for students with learning disabilities shall be coordinated with the student's Individualized Education Program team, as appropriate.

### **6A:16-7.2 Functions of intervention and referral services**

(a) The functions of the system of intervention and referral services in each school building shall be to:

1. Identify learning, behavior, and health difficulties of students;

2. Collect thorough information on the identified learning, behavior, and health difficulties;

3. Develop and implement action plans which provide for appropriate school or community interventions or referrals to school and community resources, based on the collected data and desired outcomes for the identified learning, behavior, and health difficulties;

4. Provide support, guidance, and professional development to school staff who identify learning, behavior, and health difficulties;
5. Provide support, guidance, and professional development to school staff who participate in each building's system for planning and providing intervention and referral services;
6. Actively involve parents or guardians in the development and implementation of intervention and referral services action plans;
7. Coordinate the access to and delivery of school resources and services for achieving the outcomes identified in the intervention and referral services action plans;
8. Coordinate the services of community-based social and health provider agencies and other community resources for achieving the outcomes identified in the intervention and referral services action plans;
9. Maintain records of all requests for assistance and all intervention and referral services action plans, according to the requirements of 34 CFR Part 98, 34 CFR Part 99, 42 CFR Part II, N.J.S.A. 18A:40A-7.1, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6:3-2.1;
10. Review and assess the effectiveness of the provisions of each intervention and referral services action plan in achieving the outcomes identified in each action plan and modify each action plan to achieve the outcomes, as appropriate; and
11. At a minimum, annually review the intervention and referral services action plans and the actions taken as a result of the building's system of intervention and referral services and make recommendations to the principal for improving school programs and services as appropriate.

### SUBCHAPTER 3. COMPREHENSIVE SUBSTANCE ABUSE PROGRAMS

#### **6A:16-3.1 (a) 6 Establishment of comprehensive alcohol, tobacco and other drug abuse programs**

(a) Each district board of education shall establish a comprehensive, program of prevention, intervention, referral for evaluation, referral for treatment and continuity of care for student alcohol, tobacco and other drug abuse in the public elementary and secondary schools of the district according to the requirements of N.J.S.A. 18A:40A-10.

1. The purpose of the prevention component of the program shall be to:
  - i. Keep students from using alcohol, tobacco or other drugs;
  - ii. Reduce the incidence and prevalence of student alcohol, tobacco and other drug abuse;
  - iii. Reduce the age of onset of students' first use of alcohol, tobacco or other drugs;
  - iv. Reduce the factors that place students at risk for involvement with alcohol, tobacco or other drugs through school and community-based planning processes;
  - v. Contribute to the development of school environments and alternative activities that are alcohol, tobacco and other drug-free;
  - vi. Increase the knowledge and skills of students, staff and community members for avoiding the harmful effects of alcohol, tobacco and other drug use; and
  - vii. Actively involve staff, parents and other community members in the development and implementation of prevention program plans.
2. The purpose of the intervention, referral for evaluation and referral for treatment components of the program shall be to:
  - i. Identify students who are at risk for, or who have exhibited, alcohol, tobacco or other drug abuse or related problems;
  - ii. Help students or their families who have requested assistance for an alcohol, tobacco or other drug abuse problem;

iii. Make a preliminary assessment of a student's need for educational programs, supportive services or treatment which extends beyond the general school program by virtue of the use of alcohol, tobacco or other drugs by the student or the student's family;

iv. Refer students for evaluation to make a positive determination regarding a student's need for alcohol, tobacco or other drug treatment; and

v. Help a student or a student's family follow through on the recommendations of an evaluation which has positively determined the harmful use of alcohol, tobacco or other drugs by the student or the student's family.

3. The purpose of the continuity of care component of the program shall be to:

i. Assist with the provision of educational programs and services for students in treatment; and

ii. Plan and provide supportive services for students who are returning from treatment.

4. Each district board of education shall ensure that all educational staff members receive in-service training in alcohol, tobacco and other drug abuse prevention and intervention according to the requirements of N.J.S.A. 18A:40A-3 and 15. The in-service training shall be updated annually in order to ensure educational staff members have the most current information available on the subject of substance abuse and the district's comprehensive alcohol, tobacco and other drug abuse program, policies and procedures.

5. Substance awareness coordinators employed by district boards of education shall assist local school districts in the effective implementation of the requirements of N.J.S.A. 18A:40A-1 through 18 and N.J.A.C. 6A:16-3 through 7.

6. Each district board of education shall establish educational programs on alcohol, tobacco and other drug abuse for parents and guardians according to the requirements of N.J.S.A. 18A:40A-16 and 17(a) and offered at times and places convenient to the parents and guardians of enrolled students.

7. Each district board of education shall make and enforce regulations to prohibit the smoking of any substance and the use of tobacco products anywhere in its buildings or on school grounds, except as part of a classroom instruction or theatrical production, according to the requirements of N.J.S.A. 26:3D-17.

Amended by R.2002 d.396, effective Dec. 16, 2002. See: 34 N.J.R. 3157(a), 34 N.J.R. 4433(a).

In (a) 7 substituted "smoking of any substance and the use of tobacco products anywhere in its buildings or on school grounds, except" for "smoking of tobacco anywhere in its buildings except."

### **6A:16-3.2 Confidentiality of student alcohol and other drug information**

(a) Each district board of education shall assure compliance with the following confidentiality requirements:

1. Confidentiality of alcohol and drug abuse patient records, pursuant to 42 CFR Part 2; and

2. Confidentiality of information provided by an elementary or secondary school student while participating in a school-based drug and alcohol counseling program which indicates that the student's parent or other person residing in the student's household is dependent upon or illegally using substances pursuant to N.J.S.A. 18A:40A-7.1 and 7.2.

**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 this act;

(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; and

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

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.

L.2002, c.83, § 3, eff. Sept. 6, 2002.



## State of New Jersey

DEPARTMENT OF EDUCATION  
PO BOX 500  
TRENTON, NJ 08625-0500

RICHARD J. CODEY  
*Acting Governor*

WILLIAM L. LIBRERA  
*Commissioner*

November 27, 2002

TO: Chief School Administrator and Charter School Lead Person  
FROM: William L. Librera, Ed.D.  
Commissioner  
SUBJECT: [Adoption of Harassment, Intimidation and Bullying Policies](#)

This is to advise you of new requirements for school districts to adopt school harassment, intimidation and bullying policies and to provide you with supportive resources for complying with the provisions of the authorizing statute (copy of N.J.S.A. 18A:37-13 et seq. enclosed). Under the law, which was approved on September 6, 2002, school districts are required, in part, to adopt a policy on harassment, intimidation and bullying and transmit a copy to the appropriate county superintendent of schools by September 1, 2003 [N.J.S.A. 18A:37-15(3)(c)]. To assist school districts, the New Jersey Department of Education (NJDOE) is required to develop a model policy applicable to grades kindergarten through twelve and issue the sample policy to districts and charter schools [N.J.S.A. 18A:37-15(3)(d)].

Enclosed please find a copy of the NJDOE's model policy on harassment, intimidation and bullying. The policy was developed in consultation with representatives from the following statewide professional organizations: New Jersey School Boards Association, New Jersey Association of School Administrators, New Jersey Principals and Supervisors Association, New Jersey Education Association, New Jersey School Counselors Association, New Jersey School Psychologists Association, Association of Student Assistance Professionals of New Jersey, New Jersey Parents and Teachers Association, the Office of Bias Crimes and Community Relations of the New Jersey Department of Law and Public Safety and the Violence Institute of New Jersey of the University of Medicine and Dentistry of New Jersey. Other organizations that expressed an interest in the policy were invited to provide comments.

While the model policy has been crafted to fulfill NJDOE's responsibilities under the authorizing statute, it is not intended to be a "one-size-fits-all" approach to policy development for local school districts. The model policy has been developed more as a guide for school districts to use in developing their own policies. The model policy describes the provisions that a local policy must include; suggests nominal policy language, where appropriate (e.g., the model policy does not impose consequences or remedial actions, per N.J.S.A. 18A:37-15(3)(b)(4), since districts must determine the appropriate consequences and remedial actions that are consistent with their existing codes of student conduct); and provides an explanation of issues for consideration in developing a policy that is appropriate to each district's unique circumstances.

While the model provides sample language for each of the ten required components of the policy [N.J.S.A. 18A:37-15(3)(b)], districts should take particular care to ensure that locally developed policies and procedures, at a minimum, are:

- 1) Based on broad community involvement and accepted core ethical values;
- 2) Consistent with existing school district policies and procedures;
- 3) Fully in compliance with all provisions of N.J.S.A. 18A:37-13 et seq., in particular the ten components of the policy set forth in N.J.S.A. 18A:37-15(3)(b);
- 4) In conformance with the provisions of N.J.A.C. 6A:16-5.1, Code of student conduct; and
- 5) Consistent with the provisions of the district's Memorandum of Agreement between Education and Law Enforcement Officials, pursuant to N.J.A.C. 6A:16-6, Law Enforcement Operations for Substances, Weapons, and Safety.

To further assist you in the development of your district's harassment, intimidation and bullying policy, we have enclosed a list of resources, including sample policies and background information. You are encouraged to refer to these and other related resources as you consider the appropriate policy provisions for your district.

I hope that this information is helpful in the development of your policy. If you have any questions, please call either Ms. Susan B. Martz, director, Office of Program Support Services or Mr. Gary L. Vermeire, program coordinator, Safe and Drug-Free Schools Unit, Office of Program Support Services, at (609) 292-5935.

WLL/IB/SBM

Enclosures

c: Dwight Pfennig  
Gloria Hancock  
J. Michael Rush  
Isaac Bryant  
Judith Weiss  
Albert Monillas  
Susan Martz  
Gary Vermeire  
County Superintendents

**NEW JERSEY STATUTES ANNOTATED**  
**TITLE 18A.EDUCATION**  
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**18A:37-13 Legislative findings**

1. 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.

L.2002, c.83, § 1, eff. Sept. 6, 2002

**18A:37-14 Harassment, intimidation, and bullying defined; definitions**

2. As used in this act:

"Harassment, intimidation or bullying" means any gesture or written, verbal or physical act 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.

L.2002, c.83, § 2, eff. Sept. 6, 2002

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

4. 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.

L.2002, c.83, § 4, eff. Sept. 6, 2002

**18A:37-17 Bullying prevention programs; school employee training to include policy on harassment, intimidation or bullying**

5. 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.

L.2002, c.83, § 5.

## **Public School Safety Law\***

AN ACT concerning violence in the public schools and amending P.L.1982, c.163.

### **C.18A:17-46 Act of violence; report by school employee; notice of action taken; annual report**

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

The principal shall notify the district superintendent of schools of the action taken regarding the incident. Annually, at a public hearing in October, the superintendent of schools shall report to the board of education all acts of violence and vandalism which occurred during the previous school year. The proceedings of the public hearing shall be transcribed and kept on file by the board of education, which shall make the transcript available to the public. Verification of the annual report on violence and vandalism shall be part of the State's monitoring of the school district, and the State Board of Education shall adopt regulations that impose a penalty on a school employee who knowingly falsifies the report. A board of education shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to this section. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence and vandalism.

The board of education shall file the transcript of the public hearing with the Division of Student Services in the Department of Education by November 1. The division shall review the transcript to ensure compliance with this section of law. The costs of staff training and transcribing the public hearing and printing the transcript shall be paid by the Department of Education.

Approved January 2, 2002.

### **18A:17-47. Discharge of, or discrimination against, school employee who files report**

It shall be unlawful for any board of education to discharge or in any manner discriminate against a school employee as to his employment because the employee had filed a report pursuant to section 1 of this act. Any employee discriminated against shall be restored to his employment and shall be compensated by the board of education for any loss of wages arising out of the discrimination; provided, however, if the employee shall cease to be qualified to perform the duties of his employment he shall not be entitled to restoration and compensation.

L.1982, c. 163, § 2, eff. Oct. 28, 1982.

### **18A:17-48. Annual report to legislature**

The Commissioner of Education shall each year submit a report to the Education Committees of the Senate and General Assembly detailing the extent of violence and vandalism in the public schools and making recommendations to alleviate the problem.

L.1982, c. 163, § 3, eff. Oct. 28, 1982.

\*Pertinent Sections