

[First Reprint]

**ASSEMBLY, No. 3803**

**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

INTRODUCED DECEMBER 11, 2006

**Sponsored by:**

**Assemblywoman LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Camden)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

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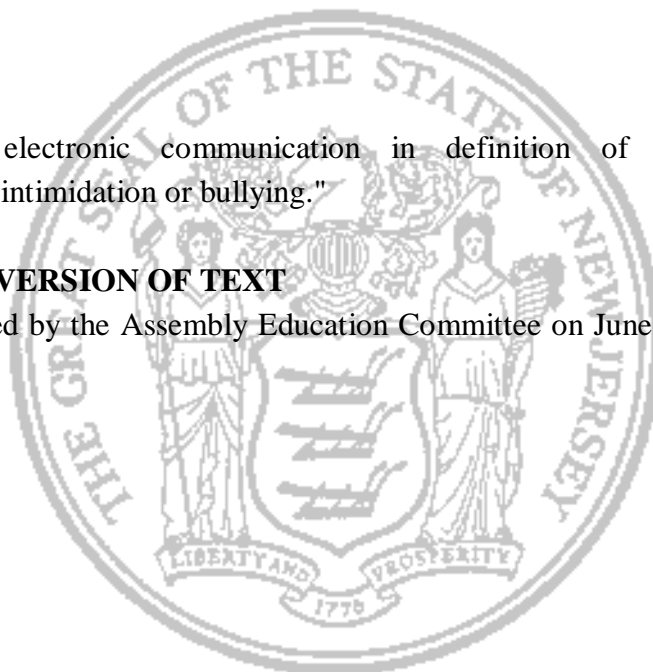
**Assemblywoman Voss, Assemblymen Whelan, Diegnan, P. Barnes, III and Gordon**

**SYNOPSIS**

Includes electronic communication in definition of public school "harassment, intimidation or bullying."

**CURRENT VERSION OF TEXT**

As reported by the Assembly Education Committee on June 14, 2007, with amendments.



**(Sponsorship Updated As Of: 6/22/2007)**

1 AN ACT concerning harassment and bullying prevention in public  
2 school districts and amending and supplementing P.L.2002, c.83.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 2 of P.L.2002, c.83 (C.18A:37-14) is amended to  
8 read as follows:

9 2. As used in this act:

10 "Electronic communication" means a communication transmitted  
11 by means of an electronic device, including, but not limited to, a  
12 telephone, cellular phone, computer, or pager;

13 "Harassment, intimidation or bullying" means any gesture, [or]  
14 any written, verbal or physical act, or any electronic communication  
15 that is reasonably perceived as being motivated either by any actual  
16 or perceived characteristic, such as race, color, religion, ancestry,  
17 national origin, gender, sexual orientation, gender identity and  
18 expression, or a mental, physical or sensory handicap, or by any  
19 other distinguishing characteristic, that takes place on school  
20 property, at any school-sponsored function or on a school bus and  
21 that:

22 a. a reasonable person should know, under the circumstances,  
23 will have the effect of harming a student or damaging the student's  
24 property, or placing a student in reasonable fear of harm to his  
25 person or damage to his property; or

26 b. has the effect of insulting or demeaning any student or group  
27 of students in such a way as to cause substantial disruption in, or  
28 substantial interference with, the orderly operation of the school.

29 (cf: P.L.2002, c.83, s.2)

30

31 2. (New section) a. A school district's policy on prohibiting  
32 harassment, intimidation or bullying adopted pursuant to section 3  
33 of P.L.2002, c.83 (C.18A:37-15), shall be amended, if necessary, to  
34 reflect the provisions of P.L. , c. (C. ) (pending before the  
35 Legislature as this bill. The district shall transmit a copy of the  
36 amended policy to the appropriate county superintendent of schools.  
37 Notice of the amended policy shall appear in any publication of the  
38 school district that sets forth the comprehensive rules, procedures  
39 and standards of conduct for schools within the school district, and  
40 in any student handbook.

41 b. In the event that a school district's policy on prohibiting  
42 harassment, intimidation or bullying adopted pursuant to section 3  
43 of P.L.2002, c.83 (C.18A:37-15) does not accord with the  
44 provisions of subsection a. of this section by the <sup>1</sup>[30th] 90th<sup>1</sup> day

**EXPLANATION** – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AED committee amendments adopted June 14, 2007.

1 following the effective date of this act, the district's existing policy  
2 prohibiting harassment, intimidation or bullying shall be deemed to  
3 include an "electronic communication" as defined in section 1 of  
4 P.L. , c. (C. ) (pending before the Legislature as this bill).

5

6 3. This act shall take effect immediately.