

Definition:

"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.**
L.2002, c.83, s.2; amended 2007, c.129, s.1; 2010, c.122, s.11.

In order for it to be A substantiated HIB, the investigation MUST find that it is in violation of all of the following Prongs.

Prong 1:

Gesture, written, verbal or physical act, electronic communication

Prong 2:

Single incident/series of incidences

Prong 3:

Motivated by actual or perceived characteristic

Prong 4:

On school property, school-sponsored function, school bus, off school grounds

Prong 5

Disrupts or interferes with orderly operation of the school or the rights of other students

Prong 6

Physical or emotional harm, damaging a student's property, fear

Prong 7

Insulting or demeaning

Prong 8

Interfering with a student's education or causes physical or emotional harm