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April 11, 2011

TO: Chief School Administrators and Charter School Lead Persons

FROM: Christopher Cerf *CRC*
Acting Commissioner

SUBJECT: New and Amended Harassment, Intimidation and Bullying Laws
and Revised Model Policy and Guidance for District Policies

On January 5, 2011, Governor Chris Christie signed into law P.L.2010, Chapter 122, known as the Anti-bullying Bill of Rights. The law includes new requirements for school districts, charter schools, the New Jersey Department of Education (NJDOE), other state agencies, professional associations and institutions of higher education. To ensure that you are familiar with all of your legal responsibilities under the law, I encourage you to review the law at <http://www.njleg.state.nj.us/2010/Bills/PL10/122 .PDF>.

According to the law, each district board of education is required, in part, to revise the school district's HIB policy and transmit a copy to the appropriate executive county superintendent (ECS) of schools by **September 1, 2011**. Additionally, all subsequent amended policies must be submitted to the ECS within 30 days of adoption [*N.J.S.A.* 18A:37-15(c)].

To assist districts, the NJDOE was required to amend its model HIB policy applicable to grades kindergarten through twelve and issue the sample policy to districts and charter schools [*N.J.S.A.* 18A:37-15(d)(2)]. The NJDOE's revised model HIB policy and guidance document can be found at <http://www.state.nj.us/education/parents/bully.htm>. The model policy was originally developed and has been amended in consultation with representatives from the following statewide organizations and groups: New Jersey School Boards Association, New Jersey Association of School Administrators, New Jersey Principals and Supervisors Association, New Jersey Education Association, American Federation of Teachers New Jersey, New Jersey School Counselors Association, New Jersey School Psychologists Association, Association of Student Assistance Professionals of New Jersey, New Jersey Parents and Teachers Association, Division on Civil Rights of the New Jersey Department of Law and Public Safety, executive county superintendents and school administrators. The model policy and guidance will be updated, as appropriate.

Please use the model policy and guidance document as a guide in developing your district's policies. Part 4 of the model policy and guidance describes the provisions that a local policy must include; suggests minimum policy language; and explains issues for consideration in developing a policy that is appropriate to each district's unique circumstances. The minimum model policy language should not be adopted as the district's complete policy. For example, the model policy does not specify consequences or remedial actions for persons who commit an act of HIB, per *N.J.S.A. 18A:37-15(b)(4)*, since districts must determine the appropriate consequences and remedial actions that are consistent with their existing codes of student conduct. Part 3 summarizes the statutory requirements, and Part 5 lists resources to assist you in developing your district's HIB policy and procedures. In addition to this written information, your county office of education will be scheduling a training session on the new law.

Thank you for your sincere efforts to provide a safe and supportive school environment in which all of our students can learn and succeed. Questions regarding the model HIB policy and the authorizing statute may be directed to your county office of education.

CC/BG/SBM

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