

18A:37-15.1

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2007 **CHAPTER:** 129

NJSA: 18A:37-15.1 (Includes electronic communication in definition of public school "harassment...")

BILL NO: S993 (Substituted for A3803)

SPONSOR(S): Buono and others

DATE INTRODUCED: January 17, 2006

COMMITTEE: **ASSEMBLY:** Education

SENATE: Education

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 21, 2007

SENATE: March 13, 2007

DATE OF APPROVAL: August 6, 2007

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (First reprint enacted)

S993

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **[ASSEMBLY:](#)** [Yes](#)

[SENATE:](#) [Yes](#)

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A3803

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: **[ASSEMBLY:](#)** [Yes](#)

[SENATE:](#) No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

IS 4/23/08

P.L. 2007, CHAPTER 129, *approved August 6, 2007*
Senate, No. 993 (*First Reprint*)

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 read
8 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) ¹a.¹ 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.) (now 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 ¹b. In the event that a school district's policy on prohibiting
42 harassment, intimidation or bullying adopted pursuant to section 3

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:

¹Senate SED committee amendments adopted March 2, 2006.

1 of P.L.2002, c.83 (C.18A:37-15) does not accord with the
2 provisions of subsection a. of this section by the 90th day following
3 the effective date of this act, the district's existing policy
4 prohibiting harassment, intimidation or bullying shall be deemed to
5 include an "electronic communication" as defined in section 1 of
6 P.L. , c. (C.) (pending before the Legislature as this bill).¹

7

8 3. This act shall take effect immediately.

9

10

11

12

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

SENATE, No. 993

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED JANUARY 17, 2006

Sponsored by:
Senator BARBARA BUONO
District 18 (Middlesex)

Co-Sponsored by:
Senator Madden

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/3/2006)

S993 BUONO

2

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 read
8 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 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.) (now 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

42 3. This act shall take effect immediately.

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.

STATEMENT

1
2
3
4
5
6
7
8
9
10

This bill includes electronic communications in the definition of "harassment, intimidation or bullying" under P.L.2002, c.83 (C.18A:37-13 et seq.). That law, enacted in September of 2002, requires each school district to adopt a policy prohibiting harassment, intimidation or bullying. The current definition includes gestures and written, verbal or physical acts. This bill clarifies that technologies such as e-mail and cellular phone text messaging may not be used to harass, intimidate or bully a student.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 993

STATE OF NEW JERSEY

DATED: JUNE 14, 2007

The Assembly Education Committee favorably reports Senate Bill No. 993 (1R).

This bill includes electronic communications in the definition of "harassment, intimidation, or bullying" under P.L.2002, c.83. That law, enacted in September of 2002, requires each school district to adopt a policy prohibiting harassment, intimidation, or bullying. The current definition includes gestures and written, verbal or physical acts. This bill clarifies that technologies such as e-mail and cellular phone text messaging may not be used to harass, intimidate, or bully a student.

Under the bill, in the event a district fails within 90 days of the bill's effective date to amend its policy on harassment, intimidation, or bullying to include an electronic communication, the district's existing policy will be deemed to include an electronic communication as defined in this bill.

As reported by committee, this bill is identical to Assembly Bill No. 3803 with committee amendments.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 993

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 2, 2006

The Senate Education Committee reports favorably Senate Bill No. 993 with committee amendments.

As amended by the committee, this bill includes electronic communications in the definition of "harassment, intimidation or bullying" under P.L.2002, c.83 (C.18A:37-13 et seq.). That law, enacted in September of 2002, requires each school district to adopt a policy prohibiting harassment, intimidation or bullying. The current definition includes gestures and written, verbal or physical acts. This bill clarifies that technologies such as e-mail and cellular phone text messaging may not be used to harass, intimidate or bully a student.

The committee amended the bill to provide that in the event a district fails within 90 days of the bill's effective date to amend its policy on "harassment, intimidation or bullying" to include an electronic communication, the district's existing policy will be deemed to include an electronic communication as defined in this bill.

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)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/9/2007)

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 read
8 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 30th day following

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.

1 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.

7

8

9

STATEMENT

10

11 This bill includes electronic communications in the definition of
12 "harassment, intimidation or bullying" under P.L.2002, c.83
13 (C.18A:37-13 et seq.). That law, enacted in September of 2002,
14 requires each school district to adopt a policy prohibiting
15 harassment, intimidation or bullying. The current definition
16 includes gestures and written, verbal or physical acts. This bill
17 clarifies that technologies such as e-mail and cellular phone text
18 messaging may not be used to harass, intimidate or bully a student.

19 Under the bill, in the event a district fails within 30 days of the
20 bill's effective date to amend its policy on "harassment,
21 intimidation or bullying" to include an electronic communication,
22 the district's existing policy will be deemed to include an electronic
23 communication as defined in the bill.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3803

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 2007

The Assembly Education Committee reports favorably Assembly Bill No. 3803 with committee amendments.

As amended, this bill includes electronic communications in the definition of "harassment, intimidation, or bullying" under P.L.2002, c.83. That law, enacted in September of 2002, requires each school district to adopt a policy prohibiting harassment, intimidation, or bullying. The current definition includes gestures and written, verbal or physical acts. This bill clarifies that technologies such as e-mail and cellular phone text messaging may not be used to harass, intimidate, or bully a student.

Under the bill, in the event a district fails within 90 days of the bill's effective date to amend its policy on harassment, intimidation, or bullying to include an electronic communication, the district's existing policy will be deemed to include an electronic communication as defined in the bill.

The committee amended the bill to provide that a district's existing policy will be deemed to include an electronic communication if the district fails to amend its policy within 90 days, rather than 30 days, of the bill's effective date.

As reported by committee, this bill is identical to Senate Bill No. 933 (1R).