BIAS BASED BULLYING

Bullying and Harassment is Violence

What is Bias-Based Bullying?

Harassment, intimidation or bullying based on a person's gender, race, ethnicity, perceived sexual orientation, religion, age, familial status, or mental, physical or sensory handicap.

Types of Bullying

1. **Direct:**

- Physical: Hitting, kicking, scratching, tripping, spitting, etc.
- Verbal: Name-calling, taunts, put-downs, threats, etc.

2. **Indirect:** Social exclusion from the peer group, ignoring, isolating, alienating, etc.
3. **Cyber-bullying**: Sending insulting or embarrassing e-mail, text messages, etc.

Sikh parents in the D.C. area celebrated Vaisakhi, a day in which the Sikh Nation was born and Sikhs were given a clear identity, by reaching out to the greater community. The purpose was to bring awareness of the Sikh identity to schools that have Sikh students.

New Jersey Protects Against Bias-Based Bullying

Legislation (N.J.S.A. 18A:37-13) enacted on September 6, 2002 required each school district in the state of New Jersey to adopt a policy prohibiting harassment, intimidation and bullying on school property, at school sponsored functions and on school buses.
The Memorandum of Agreement between Education and Law Enforcement officials (N.J.S.A. 6A: 16-6.2(b)(13) mandates that school officials report hate crimes and should report bias-related acts to law enforcement authorities.

According to a recent N.J. Supreme Court decision, schools may be liable under the Law Against Discrimination for permitting student-on-student bias-based harassment and failing to take reasonable action to end it. For more information, please visit www.state.nj.us/lps/dcr/law.html.

Consequences for Students Who Commit Acts of Bullying:

It is only after meaningful consideration of the surrounding factors that an appropriate consequence to bias-based bullying will be determined. Consequences for students and employees who commit acts of bullying may range from positive behavioral interventions, suspension or expulsion to criminal prosecution.

The Cost of Harassment

In the 2004 case *L.W. v. Toms River Regional Schools Board of Education*, a student was being harassed in school. School administrators warned the bullies to stop and disciplined the worst offenders, but did not reinforce anti-discrimination policy through assemblies, letters to guardians, etc. L.W.'s mother finally filed a discrimination complaint against the school. The school argued that the anti-discrimination standards applied in the workplace are unrealistic in the classroom. The Supreme Court disagreed and ordered the school district to pay the student $50,000 for emotional suffering. It was also fined $10,000, ordered to pay another $10,000 to the student's mother and required to toughen its policies against anti-gay discrimination.

The PIP Strategy

PREVENTION: A comprehensive school-and-community, anti-bias approach that involves children, teachers, counselors, administrators, counselors, family, board of education, and law enforcement.

INTERVENTION: Consistent policies and response by ALL adults to ALL children.

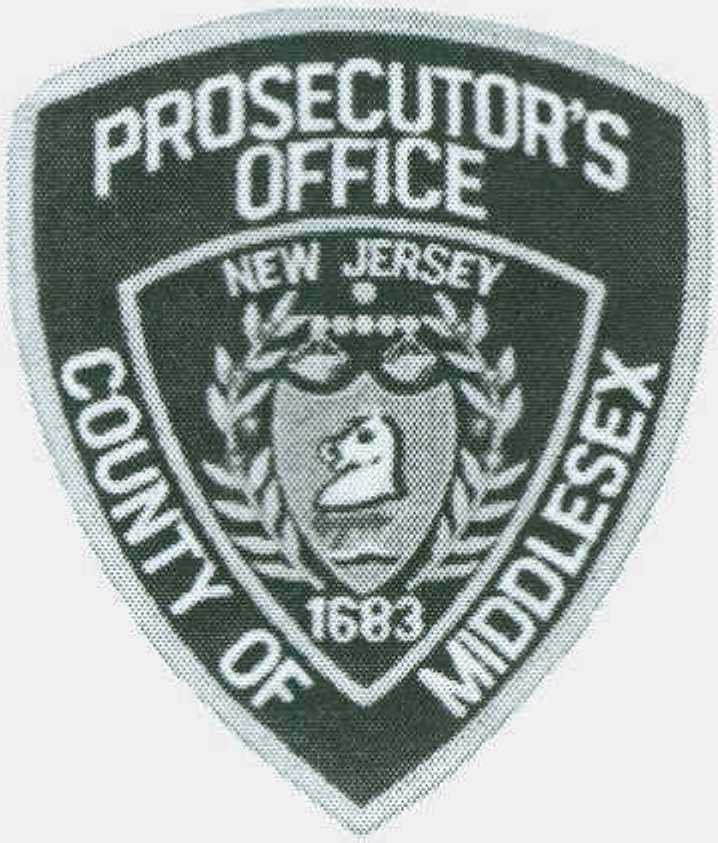
PROTECTION: Support for targets reduces the chance they will bully others, may prevent long-term anxiety, aggression, depression or suicide and fosters an inclusive environment that is accepting of differences among all people.

General Strategies for Parents

- Ask your child how children treat other children at school, and how they are treated.
- Never ignore bullying by making remarks such as, 'boys will be boys' or 'girls can be mean.' Denial of bullying does not make it go away.
- Request to see the school's anti-bullying policy and communicate with the school about providing an effective school-wide campaign against bias-based bullying.
- Be involved and present at your child's school.
- Do not blame the target. The way he/she walks, sits, talks, dresses, etc. is not a reason to be bullied.

How Serious is the Problem?

- 55% of 8 to 11-year-olds and 68% of 12 to 15-year-olds say that bullying is a serious problem for them.
  Source: Kaiser Family Foundation
- Almost 30% of youth 11 to 15 have been a target and/or a perpetrator of bullying.
  Source: Journal of the AMA.
- By age 30, 1 out of 4 persons identified as bullies in childhood has a criminal record.
- Nearly 50% of bias crime offenders are 11 to 20 years old; 16% of reported bias incidents take place in schools.
  Source: NJ Bias Incident Offense Report



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