

POLICY GUIDE

BAYONNE BOARD OF EDUCATION

OPERATIONS

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Bias Crimes and Bias-Related Acts

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8465 BIAS CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. **Bias** crimes and bias-related acts involving students can lead to further violence and retaliation. **Bias** crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. School district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of **bias** crimes and bias-related acts.

Definitions

A "**bias** crime" **means** any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race; color; **religion; gender; disability; sexual orientation; gender identity or expression; national origin;** or ethnicity.

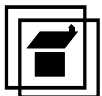
A "bias-related act" **means** an act directed at a person, group of persons, private property, or public property that is motivated in whole or **in** part by racial; gender; disability; religion; sexual orientation; **gender identity or expression; national origin;** or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.

All **bias** crimes are also bias-related acts, but not all bias-related acts will constitute a **bias** crime.

Required Actions

School employees shall immediately notify the Principal and the Superintendent or designee when in the course of their employment they develop reason to believe a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e).

The Superintendent or designee shall promptly notify the local police department and the bias investigation officer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e)1.



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The Superintendent **or designee** shall **immediately** notify the **local police department** and the **bias investigation officer for the** county prosecutor's office **where** there is reason to believe that a **bias crime or bias-related act** that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened **in accordance with N.J.A.C. 6A:16-6.3(e)2.**

It is understood a referral to the **local police department** or county prosecutor's office **pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials** is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the **local police department** or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected **bias crime or bias-related act** occurring on school **grounds** and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected **bias crime or bias-related act** pending the arrival of the **local police department** or the county prosecutor's office. The school officials, **where** feasible, will cover or conceal such evidence until the arrival of the **local police department** or county prosecutor's office.

N.J.S.A. 2C:16-1

N.J.A.C. 6A:16-6.1 ; **6A:16-6.2**; 6A:16-6.3

State Memorandum of Agreement approved by the Department of Law & Public Safety and the Department of Education

Adopted: 28 July 1997

REVISED: March 15th, 2022

