

HATE CRIMES AND BIAS-RELATED ACTS (M)

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The Board of Trustees is committed to providing a safe and healthy environment for all children in the school and to providing an educational program that teaches tolerance, understanding, the non-violent resolution of conflicts, and peace. Hate crimes and bias-related acts involving pupils can lead to further violence and retaliation. Hate crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility that is contrary to the Greater Brunswick Charter School mission and will not be tolerated by the school. The school employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of hate crimes and bias-related acts.

Definitions

A "hate crime" is 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, disability, religion, sexual orientation, or ethnicity.

A "bias-related act" is an act directed at a person, group of persons, private property, or public property that is motivated in whole or part by racial, gender, disability, religion or sexual orientation, or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense. All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a pupil enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Assistant Education Director, who in turn shall notify the New Brunswick Police Department and Bias Investigation Officer for the county prosecutor's office. The Assistant Education Director shall notify the New Brunswick Police Department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a pupil or there is otherwise reason to believe that a life has been or will be threatened.



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Whenever any school employee in the course of his/her employment has reason to believe that a bias-related act has been committed or is about to be committed on school property, or has been or is about to be committed by any pupil, whether on or off school property and whether or not such bias-related act was or is to be committed during operating school hours, the school employee should immediately notify the Assistant Education Director, who in turn should promptly notify the New Brunswick Police Department.

In deciding whether to refer the matter of a bias-related act to the New Brunswick Police Department or the county prosecutor's office, the Assistant Education Director should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any pupil, school employee or member of the general public. The Assistant Education Director should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.

It is understood a referral to the New Brunswick Police Department or county prosecutor's office is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge. Such a referral does not reduce the responsibility of the Education Director to address educationally the circumstances leading to the referral.

Unless the New Brunswick Police Department or the county prosecutor's office request otherwise, the school may continue to investigate a suspected hate crime or bias-related act occurring on school property 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 hate crime or bias-related act pending the arrival of the New Brunswick Police Department or the county prosecutor's office. The school officials, when feasible, will cover or conceal such evidence until the arrival of the New Brunswick Police Department or county prosecutor's office.

N.J.A.C. 6A:16-6.1 et seq.; 6A:16-6.3(e)

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

Adopted: 18 August 2011



POLICY

GREATER BRUNSWICK CHARTER
BOARD OF EDUCATION

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