28. (New section) a. A public institution of higher education shall adopt a policy to be included in its student code of conduct prohibiting harassment, intimidation, or bullying. The policy shall contain, at a minimum:

(1) A statement prohibiting harassment, intimidation, or bullying;

(2) Disciplinary actions which may result if a student commits an act of harassment, intimidation, or bullying; and

(3) A definition of harassment, intimidation, or bullying that at a minimum includes any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on the property of the institution of higher education or at any function sponsored by the institution of higher education that substantially disrupts or interferes with the orderly operation of the institution or the rights of other students and that:

(a) a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his person or damage to his property;

(b) has the effect of insulting or demeaning any student or group of students in such a way as to cause disruption in, or interference with, the orderly operation of the institution of higher education;

(c) creates a hostile educational environment for the student at the institution of higher education; or

(d) infringes on the rights of the student at the institution of higher education by interfering with a student’s education or by severely or pervasively causing physical or emotional harm to the student.

b. The institution shall distribute the policy by email to each student within seven days of the start of each semester and shall post the policy on its website.


(pending before the Legislature as this bill), shall be interpreted to
prohibit or abridge the legitimate statement, expression or free
exercise of the beliefs or tenets of that faith by the religious
organization operating the school or by the school’s faculty, staff,
or student body.¹

¹ 30. (New section) Nothing contained in the "Anti-Bullying Bill
and supplemented by P.L. , c. (C. ) (pending before the
Legislature as this bill), shall alter or reduce the rights of a student
with a disability with regard to disciplinary actions or to general or
special educational services and supports.¹

¹[29.] 31.¹ This act shall take effect in the first school year
following enactment, but the Commissioner of Education may take
such anticipatory administrative action in advance thereof as shall
be necessary for the implementation of this act.