

# Looking Out For Your Legal Rights®

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## New Jersey's Anti-Bullying Law

**BULLYING** is a serious problem facing school-aged children. In recent years, there has been increasing attention and awareness directed toward the issue of bullying in schools. Nationally, approximately one-third of students ages 12-18 reported having been bullied in the prior school year. New Jersey's rate of bullying is slightly higher.

The *Anti-Bullying Bill of Rights* became effective in September 2011. The law strengthens standards for schools to prevent, report, investigate, and respond to bullying. The law requires training for teachers, school staff, and school board members. School districts must have district anti-bullying coordinators, school anti-bullying specialists, and school safety teams (which includes a parent of a student). Every year, school districts must report bullying incidents to the New Jersey Department of Education (NJ DOE). The NJ DOE gives each school district and each school in the district a grade on how the school district or school is carrying out the requirements of the Anti-Bullying Bill of Rights. School districts are required to post the report and the grade their schools have received on their website.

The law requires school districts to report other information related to bullying. The State gives schools a grade on their anti-bullying policies and programs.

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The State reviews school programs to see if they follow the Anti-Bullying Bill of Rights. Grades for the school districts and schools are posted on the school district's website. Schools observe the first week in October as a "Week of Respect." During the Week of Respect, schools are required to give students age-appropriate training and information on preventing bullying.

### ***What is bullying?***

The New Jersey law defines bullying as any gesture, any written, verbal or physical act, or any electronic communication that is reasonably perceived as being motivated by either an actual or perceived characteristic, such as:

- Race
- Color
- Religion
- Ancestry
- National origin
- Gender
- Sexual orientation
- Gender identity and expression

- Mental, physical, or sensory disability

In order to be bullying, the conduct must:

- Be something that a reasonable person under the circumstances should know would have the effect of physically or emotionally harming a student or a student's property, or putting a student in reasonable fear of harm to himself or herself or his or her property;
- Insult or put down a student or group of students; or
- Create a hostile educational environment for the student by interfering with their education or severely or pervasively causing physical or emotional harm to the student.

Bullying can be a series of incidents or a single incident. Students are not the only people who can bully others. School officials, staff, and teachers can also commit acts of bullying.

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## Cyber-bullying

Children can engage in cyber-bullying of others online, anytime they have access to the Internet or phone. Sadly, cyber-bullying is common in schools. It can take many forms—hateful text messages, inappropriate use of social media, and filling an email inbox with disgusting images or spam mail. The Anti-Bullying Bill of Rights prohibits bullying even off school grounds. Under this law, a child may face school disciplinary action if they engage in cyber-bullying. This act can be found at N.J.S.A. 18A:37-13 *et seq.*

It is also illegal in New Jersey to harass someone online, or at all using an electronic device. This is called cyber-harassment. It includes making threats to a person or someone's property. Threatening to post lewd or indecent material online as a way to cause someone emotional harm or fear is also illegal. Cyber-harassment can result in criminal charges or a civil restraining order.



### ***Does my child have to be physically harmed?***

Bullying does not have to be a physical act such as hitting. It may also be an act that causes emotional harm, damages property, or places a student in fear of physical or emotional harm or damage.

### ***Does bullying have to take place at school?***

No. Bullying can take place on school property or at any school-sponsored function, on a school bus, or in some situations off school grounds. See **Cyber-bullying** in the box above.

### ***My child attends a charter school. Does the law apply to her?***

Yes, the Anti-Bullying Bill of Rights applies to charter schools. If your child attends a charter school, the charter school must comply with the same rules and requirements.

### ***I think my child is being bullied. What should I do?***

Your child's school is required to have a bullying policy. It should be available online, and copies should be given to parents every year. You should review the policy. The policy should include a procedure for reporting a bullying incident. You may verbally report bullying, but you should also send a letter. Your letter should include specific details about the bullying incident. You should also state when you reported the bullying and the name of the person you told about the bullying. Also include your concerns and any specific actions you want the school to take. Make sure to keep a copy of the letter.

### ***I have told the school my child is being bullied. What do they have to do?***

Within one day of getting a verbal report about an incident of bullying, the school must investigate that incident. The school's anti-bullying specialist



**Bullying does not have to be a physical act such as hitting. It may also be an act that causes emotional harm.**

must conduct the investigation. An anti-bullying specialist is the school staff person responsible for preventing, identifying, and responding to incidents of bullying in the school. He or she may be the guidance counselor, school psychologist, or another specially trained school staff member.

***My child's school is investigating.  
What happens next?***

The investigation should be completed as soon as possible, and no later than 10 days from the day the bullying was reported in writing. Once the investigation is completed, the results of the investigation must be reported to the superintendent within two days. The superintendent may decide to:

- Provide intervention services, such as counseling or a peer support group
- Establish training programs
- Discipline the student
- Take or recommend other appropriate action.

The results of the investigation must be reported to the Board of Education (Board) no later than the date of the next Board meeting following the com-

pletion of the investigation. Information on action taken or recommended by the superintendent must also be reported to the Board. At the next Board meeting, the Board must issue a written decision, agreeing with, rejecting, or changing the superintendent's decision.

***How will I know the results of the investigation?***

Parents or guardians of students who are involved in the incident are entitled to receive information about the investigation. The information should be provided in writing within five school days of when the investigation is reported to the Board and should include:

- The nature of the investigation
- Whether evidence of bullying was found
- Whether discipline was imposed
- Whether services were provided.

Parents may request a hearing before the Board. The hearing must be held within 10 days of the request. Parents may want to request a hearing if they do not agree with the results of the investigation or actions that will be taken. The Board may hear from the school's anti-bullying specialist about the incident, the discipline or services that the specialist recommends, or programs that will be started.

***What can I do if I do not agree with the Board of Education's decision?***

A parent may appeal the Board's decision to the Commissioner of Education no later than 90 days after the Board issues its decision. For more information on how to file an appeal to the

Commissioner of Education, see *Frequently Asked Questions: Controversies and Disputes* on the New Jersey Department of Education website at <http://bit.ly/16sgvYS>.

Schools may also be held liable under the New Jersey Law Against Discrimination if they knew or should have known about the bullying but failed to take reasonable action to address it. Complaints can be made to the New Jersey Division on Civil Rights (DCR) within 180 days of the occurrence of a bullying incident. See *How to File a Complaint* (from the New Jersey Division on Civil Rights) at

<http://bit.ly/2sxtl92> for more information.

If you have any questions about the information in this article or think that your rights or your child's rights have been violated, contact LSNJLAW<sup>SM</sup>, Legal Services of New Jersey's statewide, toll-free legal hotline, at 1-888-LSNJ-LAW (1-888-576-5529). Hotline hours are Monday through Friday, 8 a.m. to 5:30 p.m. If you are not eligible for assistance from Legal Services, the hotline will refer you to other possible resources. □

*By Rachel Elkin, Supervising Attorney, Education Representation Project, Legal Services of New Jersey*

## Child Support and Financial Maintenance for Dependent Disabled Adult Children

**A NEW LAW** went into effect in February 2017. The New Jersey child support termination statute says that unless a court orders otherwise (including an order reached by agreement of the parties), child support will end when a child turns 19. Child support may be continued beyond that date, if the child is in school or a state or federal agency has determined that the child is disabled. For more details on that law, see the article on the child support termination statute on Legal Services of New Jersey's website, [www.lsnjlaw.org](http://www.lsnjlaw.org).

For more information about the new child support termination statute, please see the

website of the New Jersey Office of Child Support Services Frequently Asked Questions (FAQs) at [www.njchildsupport.org](http://www.njchildsupport.org).

### ***When does child support end for dependent disabled adult children?***

Under the child support termination statute, child support will end at the age of 19 unless a court orders another date. If a parent provides the court with documents showing that a state or federal agency has determined that the child is disabled, the court may allow child support to continue beyond the age of 19. See the article on the child support termination law on Legal Services of



**The New Jersey child support termination law states that unless a court orders otherwise, child support will end when a child turns 19.**

## Financial maintenance is the financial support that a parent is ordered to pay for the benefit of a dependent adult child after age 23.

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New Jersey’s website, [www.lsnjlaw.org](http://www.lsnjlaw.org), for more details on applying to continue child support beyond age 19, and for details on what happens when child support is terminated.

Child support will end on (or before) the child’s 23rd birthday, even when an adult child is eligible for child support beyond age 19, due to the child’s disability. There is no way to continue child support beyond the child’s 23rd birthday. But an adult disabled child may be eligible for financial maintenance from the non-custodial parent.

**Converting child support to financial maintenance.** For disabled adult children 23 or older, either the child or the parent may apply to convert the child support to ongoing support from the non-custodial parent, which is called “financial maintenance.”

### ***What is financial maintenance?***

Financial maintenance is a new legal term that was created in the child support termination statute. It means the financial support that a parent is ordered to pay for the benefit of a dependent adult child after the age of 23. There are some key differences between financial maintenance and child support.

The primary difference is that child support is usually collected and enforced through Probation in New Jersey. Financial maintenance cannot be enforced or collected through Probation.

For child support, Probation has

many extraordinary collection tools that are not available for enforcing other debts, such as tax offsets and license suspensions.

### ***Where do I file for financial maintenance?***

If the disabled adult child has been declared incapacitated by a court, and letters of guardianship issued, a motion to convert child support to financial maintenance should be filed in the New Jersey Superior Court–Probate Part through the Surrogate’s Office.

If there is no guardianship over the disabled adult child, the request by the parent or adult child to convert child support to financial maintenance should be filed in the New Jersey Superior Court–Family Part.

### ***How much financial maintenance will be awarded?***

In New Jersey, there are charts and a mathematical formula to determine how much child support should be paid, based primarily upon the incomes of both parents. These are called the Child Support Guidelines.

There are no guidelines for financial maintenance and there is no law that specifically allows courts to use the Child Support Guidelines to determine the amount of a financial maintenance award.

The child support termination statute says child support may be “converted” to financial maintenance. This suggests (but does not clearly state) that

the amount of child support at the time of conversion will be applied to the financial maintenance.

The parent or child applying for financial maintenance should include a case information statement to detail the household income, expenses, assets, and liabilities. This will help the court assess how much to award for financial maintenance. Be sure to include any expenses that are required because of the child's disability. You may find the case information in the Self-Help Center on the New Jersey Judiciary's website, [www.njcourtsonline](http://www.njcourtsonline).

You may request that the financial maintenance be the same amount as the child support was, or you may ask for an increase. But you will need to show the court why an increase makes sense (for example, a change in the income of one or both of the parents, another change in circumstances, additional expenses in caring for the disabled adult child).

### ***How will financial maintenance impact benefits from the Social Security Administration?***

#### **Disabled Adult Child (DAC) benefits.**


If all of the following are true, your child may be eligible for Social Security DAC benefits:

- Child is currently 18 years old or older.
- Child was disabled before age 22.
- Prior to reaching 18, child received Social Security dependent derivative benefits from a parent or other relative who was disabled, retired, or deceased.

DAC benefits are not means-tested, so financial maintenance will not impact the disabled adult child's eligibility for this benefit.

**Supplemental Security Income (SSI) benefits.** SSI benefits for a disabled child who is 18 or older may be significantly impacted by receiving financial maintenance. Financial maintenance paid directly to the child or to the custodial parent for the benefit of the child is considered unearned income to the child. Unearned income can reduce the amount of SSI benefits or make the child entirely ineligible for SSI benefits and the associated Medicaid.

To avoid the partial or complete loss of SSI benefits, when requesting financial maintenance (or modification of financial maintenance) you may request that instead of the financial maintenance being paid directly to the child or the parent, that it be paid to either an ABLE account set up for the disabled adult child, or directly to a third-party vendor for services (car insurance, cell phone provider, school tuition, etc.).

ABLE accounts were recently introduced under federal law to allow disabled adults (who became disabled before age 26) to maintain eligibility for disability-related benefits (such as SSI) while having access to funds that may be used for disability-related expenses (including housing and transportation). You may read more about ABLE accounts on Legal Services of New Jersey's website, [www.lsnjlaw.org](http://www.lsnjlaw.org). 

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By Mary M. McManus-Smith, Chief Counsel—  
Family Law, Legal Services of New Jersey

## Schools, Law Enforcement Agencies, and Access to Juvenile Records

**IN NEW JERSEY**, juvenile offenses are not called “crimes” and juvenile records are “strictly safeguarded” under state law. Yet, they can still be reported to and used by school officials under certain circumstances. This can have a serious impact on a child’s current or future education. This article explores when schools can access juvenile records and to what extent.

### ***Does law enforcement have to notify a school if a student is charged with an offense?***

Law enforcement *must* report juvenile offense-related information to the principal of the school if:

- The alleged offense occurred on school property or a school bus or committed against an employee or official of the school;
- The juvenile was taken into custody as a result of information or evidence provided by school officials; or
- The offense, if committed by an adult, would constitute a crime and

- ☑ The offense resulted in death or serious bodily injury;
- ☑ Involved an attempt or conspiracy to commit same;
- ☑ Involved the unlawful use or possession of a firearm or other weapon;
- ☑ Involved unlawful manufacture, distribution, or possession with intent to distribute a controlled dangerous substance or analog;
- ☑ Was committed by a juvenile who acted with a discriminatory purpose; or
- ☑ Constitutes a crime of the first, second, or third degree.

### ***Can a school still access juvenile records if they aren’t notified by law enforcement?***

In general, schools can ask for juvenile record information of its enrolled students after an incident occurs or is adjudicated (decided in family court). Upon request, law enforcement or prosecuting agencies may disclose the identity, the offense, and the adjudication or disposition to the principal of the school where the juvenile is enrolled.

Law enforcement may also share information about juveniles who are being investigated. The principal may share this information with faculty to maintain order, safety, or discipline in the school. They may also share information to plan programs relevant to the juvenile’s educational and social development. This information may include specifics, such as:



This article explores when schools can access juvenile records and to what extent.



## Schools are required to report to law enforcement when a staff member has reason to believe a violation of drug laws has occurred.

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- The charged or suspected acts of delinquency
- The specific type, amount and value of drug found or its whereabouts and its packaging
- Whether cash was found
- Whether weapons were found
- Whether the offense involved or was directed at another enrolled student.

Records of investigations may not be maintained by the school.

Schools can also arrange to automatically receive detailed notice when its students are charged with offenses.

### ***Does a school have to report offenses to law enforcement?***

Schools have an obligation to report to law enforcement if:

- A firearm has been brought unlawfully onto school grounds or a student or another person has committed an offense with or while in possession of a firearm;
- A student threatens, is planning, or intends to cause death or serious or significant bodily injury to another;
- A crime involving sexual penetration or criminal sexual conduct has been committed on school grounds or by or against a student; or
- A bias-related act has been committed or is about to be committed.

Also, schools are required to report to law enforcement when a staff member has reason to believe a violation of drug laws has occurred. Offenses under the Comprehensive Drug Reform Act (CDRA) include:

- Possession and use
- Being under the influence
- Failure to make lawful disposition of illegal drugs obtaining or possessing synthetic cannabinoid and manufacturing
- Distribution or dispensing.

There are exceptions when the student:

- Has voluntarily sought treatment or counseling for a substance abuse problem,
- Participates in that treatment or counseling, and
- Was not involved in any distribution of drugs.

Schools may, but are not required to, disclose the identity of a student suspected to be under the influence of alcohol or drugs.

### ***Is there any way to avoid having juvenile records shared?***

Some agencies may choose to make station house adjustments, rather than charge a juvenile. Station house adjustments allow law enforcement agencies to set immediate consequences, such as community service or restitution, in

minor juvenile matters. This is a discretionary tool to avoid the creation of a formal delinquency record. Since charges are not filed and records are not created, schools are generally not notified of station house adjustments.

Also, it is law enforcement policy when a student is taken into custody on school grounds to try to “minimize the disruption of the school environment.” This means arrests should be conducted in private (*e.g.*, principal’s office), using plainclothes officers in unmarked police vehicles, no sirens or flashing lights, and minimal officer presence.

### Further Education

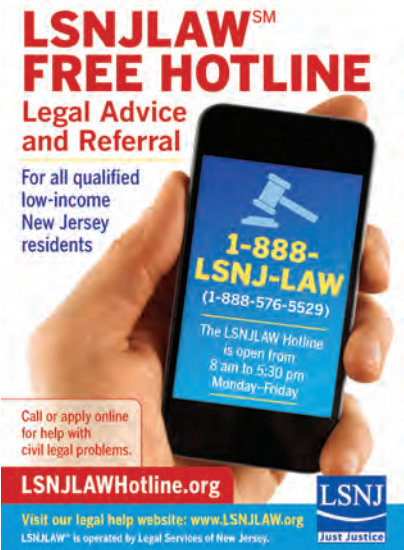
No school should have access to a student’s records other than the school in which the student is enrolled. There is no restriction, however, on other schools or colleges asking about arrests or adjudications of delinquency. Re-

member, a juvenile being taken into custody after an alleged offense is not considered an “arrest” and an adjudication of delinquency is not a “conviction.”

In New Jersey, juvenile records may be expunged with the same general protections as adult criminal record expungement. In many cases, an entire record of juvenile adjudications of delinquency can be expunged after an “offense-free” period of five years after discharge from custody or supervision.

To learn more about juvenile record or adult criminal record expungement, contact LSNJLAW<sup>SM</sup>, LSNJ’s statewide, toll-free legal hotline, at 1-888-LSNJ-LAW. You may also visit [www.lsnjlaw.org](http://www.lsnjlaw.org), click on the “Clearing Your Record Online” icon, and use our free self-help tools and resources. □

*By Akil S. Roper, Chief Counsel, Reentry,  
Legal Services of New Jersey*



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# Cuáles Son Sus Derechos Legales

Junio 2017

Publicado por Los Servicios Legales de Nueva Jersey

La intimidación o el acoso es un grave problema que muchos menores en edad escolar enfrentan. Se creó la “declaración de los derechos contra el acoso escolar” de Nueva Jersey para luchar contra el acoso en las escuelas.

*Página 1*

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*Looking Out  
For Your Legal Rights*  
Flip issue over for the  
English edition of  
*Looking Out for Your  
Legal Rights.*

## La ley de Nueva Jersey contra el acoso escolar

**LA INTIMIDACIÓN** o el acoso es un grave problema que muchos menores en edad escolar enfrentan. En los últimos años, la atención y la concientización dirigidas al tema del acoso escolar han aumentado. A nivel nacional, aproximadamente un tercio de los estudiantes de entre los 12 y los 18 años de edad reportaron haber sido acosados durante el año escolar anterior. La tasa del acoso escolar en Nueva Jersey es ligeramente más alta.

*continúa en la página 2*

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***El boletín de educación jurídica para los habitantes de Nueva Jersey***

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*continúa de la página 1*

La declaración de los derechos contra el acoso escolar entró en vigor en septiembre de 2011. La ley refuerza estándares para que las escuelas puedan prevenir, informar, investigar y responder en casos de intimidación. Otras nuevas exigencias son los importantes requisitos de capacitación para los maestros, el personal escolar y los miembros del consejo escolar. Ahora, todo distrito está obligado a tener un coordinador distrital, especialistas en el tema y un equipo de seguridad (que incluya a uno de los padres de alguno de los estudiantes). Los distritos escolares tienen que enviar anualmente al Departamento estatal de Educación (NJ DOE) información sobre los incidentes de acoso escolar ocurridos en sus planteles. El NJ DOE les dará una calificación a cada distrito escolar y a cada escuela con respecto a cómo estos implementan los requisitos delineados en la declaración de los derechos contra el acoso. Las calificaciones e informes recibidos por los distritos y las escuelas

tienen que ser publicados en el sitio Web de dichos planteles.

La ley exige que todos los distritos escolares reporten toda información relacionada con el acoso. El estado dará una calificación a las escuelas con respecto a sus políticas y programas contra la intimidación. Los programas escolares serán revisados para determinar si se suscriben a la declaración de los derechos contra el acoso. También, las calificaciones recibidas por los distritos y las escuelas tienen que ser publicadas en el sitio Web del distrito escolar. Las escuelas celebrarán la primera semana de octubre como la “semana para el respeto”. Durante esta semana, las escuelas tienen que darles a los estudiantes formación e información para la edad adecuada sobre la prevención del acoso escolar.

### ***¿Qué es el acoso escolar?***

La ley estatal define que el acoso escolar, *bullying* en inglés, es cualquier gesto, cualquier acto escrito, verbal o

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## *Cuáles Son Sus Derechos Legales*

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**Una parte del costo de esta publicación se cubrió con la ayuda proporcionada por el fondo IOLTA del colegio de abogados de Nueva Jersey.**

## El ciberacoso

Mientras los niños tengan acceso a la Internet o a un teléfono, estos pueden participar en el acoso cibernético de otros. Lamentablemente, el acoso cibernético es común en las escuelas. Se puede llevar a cabo de varias maneras - por medio de mensajes que contengan textos odiosos, usando las redes sociales de una forma indebida y llenando la caja del correo electrónico con imágenes repugnantes o correo basura. La “Declaración de los Derechos contra el acoso escolar” prohíbe la intimidación incluso fuera del recinto escolar. En virtud de esta ley, un niño puede encararse con medidas disciplinarias en la escuela si este acosa cibernéticamente a otro. Podrá encontrar esta ley en N.J.S.A. 18A:37-13 *et seq.*

De igual manera, en Nueva Jersey es ilegal acosar a alguien a través de la Internet, o de cualquier otra forma usando un dispositivo electrónico. A esto se le llama ciberacoso, e incluye amenazas a una persona o a los bienes de la misma. El amenazar con publicar material obsceno o indecente en la Internet como una forma de causar a esa persona un daño emocional o miedo también es ilegal. El ciberacoso puede llevar a cargos penales o una orden civil de restricción.



físico o cualquier comunicación vía electrónica que se perciba ser motivado real o aparentemente por una característica tal como:

- Raza.
- Color.
- Religión.
- Ascendencia.
- Origen nacional.
- Género.
- Orientación sexual.
- Identidad y expresión de género.
- Discapacidad física, mental o sensorial.

Para que se considere como acoso, la conducta tiene que:

- Ser algo que una persona promedio en las mismas

circunstancias se daría cuenta que dicha acción tendría el efecto de lesionar física o emocionalmente a un estudiante o las pertenencias del mismo, o de causar al estudiante un temor razonable de sufrir un daño a su propia persona o a sus bienes;

- Insultar o degradar a un estudiante o un grupo de estudiantes; o
- Crear un ambiente hostil para el estudiante, al interferir con su educación o causar al alumno un daño físico o emocional.

El acoso puede ser una serie de incidentes o un incidente aislado. Los estudiantes no son las únicas personas



**La intimidación no tiene que ser sólo un acto físico, tal como golpes. También puede ser un acto que cause algún daño emocional.**

que pueden acosar a otros. Los funcionarios, el personal escolar y los profesores también pueden cometer actos de acoso.

### ***¿Tiene mi hijo que ser agredido físicamente?***

La intimidación no tiene que ser sólo un acto físico, tal como golpes. También puede ser un acto que cause algún daño emocional, dañe la propiedad o cause al estudiante el miedo de ser víctima de una lesión física o emocional.

### ***¿Tiene el acoso que suceder en la escuela?***

No. El acoso puede suceder en la escuela o en cualquier función patrocinada por la escuela, en un autobús escolar o en algunas situaciones fuera del área escolar.

### ***Mi hija asiste a una escuela incorporada, charter.***

#### ***¿La ley le protege a ella?***

Sí, la declaración de los derechos contra el acoso rige a las escuelas incorporadas. Si su hijo asiste a una escuela incorporada, la institución tiene

que obedecer las mismas reglas y requisitos.

### ***Creo que mi hijo está siendo acosado. ¿Qué debo hacer?***

A la escuela a la que asiste su hijo se le exige tener una política contra la intimidación o acoso. Esta debe estar disponible en la Internet y cada año se les debe entregar a los padres de familia copias de la misma. Usted debe revisar dicha política. La política debe incluir un procedimiento para reportar un incidente de acoso. Usted puede informar verbalmente sobre el acoso, pero también debe enviar una carta, que incluya detalles específicos sobre el incidente. Asimismo, debe indicar cuándo fue que informó del incidente y el nombre de la persona a quien le informó. De igual manera, explique lo que le preocupa y las medidas específicas que usted quiere que la escuela tome. Asegúrese de guardar una copia de la carta.

### ***Le informé a la escuela que mi hijo está siendo acosado. ¿Qué es lo que tienen que hacer?***

El mismo día después de recibir un informe verbal sobre un incidente de acoso escolar, la escuela tiene que investigar el caso. El especialista del plantel en asuntos contra el acoso escolar tiene que llevar a cabo una investigación. El especialista es un miembro del plantel responsable de prevenir, identificar y responder a los incidentes de acoso que ocurran en la institución. Esta persona puede ser el consejero académico, el psicólogo u

otro miembro del personal con una formación especializada.

### ***La escuela está investigando. ¿Qué pasa después?***

La investigación debe completarse lo antes posible, y no pasados 10 días desde el día en que se informó por escrito del acoso. Antes de que pasen dos días de la conclusión de la investigación, se le tendrá que entregar los resultados al superintendente. Este puede decidir en:

- Proporcionar servicios de intervención, como terapia o un grupo de apoyo.
- Establecer programas de capacitación.
- Disciplinar al estudiante.
- Tomar o recomendar otras medidas apropiadas.

Los resultados de la investigación tienen que ser entregados a la Junta de Educación antes de la próxima reunión de la junta justo después de la finalización de la investigación. Además, se tendrá que entregar a la junta la información sobre las medidas adoptadas o recomendadas por el superintendente. Durante la próxima reunión, la junta tendrá que emitir una decisión escrita, de acuerdo con, rechazando o cambiando la decisión del superintendente.

### ***¿Cómo puedo saber sobre los resultados de la investigación?***

Los padres o tutores de los estudiantes que están involucrados en el incidente tienen derecho a recibir información sobre la investigación. La información deberá ser presentada por

escrito dentro de los cinco días escolares después de que la investigación se le entregó a la junta y deberá incluir:

- La naturaleza de la investigación;
- Si se encontró prueba del acoso;
- Si se impuso algún castigo disciplinario;
- Si se proporcionaron servicios.

Los padres pueden solicitar una audiencia ante la junta y esta se tiene que celebrar antes de los 10 días de la solicitud. Los padres pueden solicitar una audiencia si no están de acuerdo con los resultados de la investigación o las medidas que se tomarán. La junta podrá oír al especialista del plantel hablar sobre el incidente, las medidas disciplinarias o los servicios que este recomiende o los programas que se pondrán en marcha.

### ***¿Qué puedo hacer si no estoy de acuerdo con la decisión de la Junta de Educación?***

Todo padre puede apelar una decisión ante el Comisionado de Educación antes de los 90 días después de que la junta haya emitido una decisión. Para obtener más información sobre cómo presentar una apelación ante el Comisionado de Educación, consulte en inglés *Las preguntas más frecuentes: controversias y disputas*, <http://bit.ly/16sgvYS>.

Una escuela también puede ser responsabilizada si, de acuerdo a la Ley de Nueva Jersey contra la Discriminación, se determina que sabía o debería haber sabido del acoso escolar, pero no tomó ninguna medida razonable para resolver el problema.

## Los estudiantes no son las únicas personas que pueden acosar a otros. Los funcionarios, el personal escolar y los profesores también pueden cometer actos de acoso.


Las quejas se pueden hacer a la División de Nueva Jersey de Derechos Civiles (DCR) antes de que pasen 180 días de la fecha del incidente. Para obtener más información, consulte *Cómo presentar una queja* (de la División de Nueva Jersey de Derechos Civiles), <http://bit.ly/2sxtl92>.

Si tiene alguna pregunta acerca de la información en este artículo o si cree que sus derechos o los de su hijo han sido violados, contacte a LSNJLAW<sup>SM</sup>, la línea directa gratuita de asistencia

jurídica de los Servicios Legales de Nueva Jersey, marcando el 1-888-LSNJ-LAW (1-888-576-5529). El horario de funcionamiento de la línea directa es de lunes a viernes, desde las 8:00 de la mañana hasta las 5:30 de la tarde. Si usted no llena los requisitos para recibir asistencia de los Servicios Legales, la línea directa le enviará a otras posibles fuentes de información.

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*Este artículo fue traducido del inglés por Al Moreno, coordinador del servicio lingüístico en LSNJ.*



**LSNJLAW<sup>SM</sup>**  
**LA LÍNEA DIRECTA GRATUITA**  
Asesoramiento jurídico y recomendaciones

Para todo habitante de Nueva Jersey de bajos ingresos que reúna los requisitos

Lláme o solicite ayuda en línea si tiene problemas legales civiles.

**LSNJLAWHotline.org**

Visite nuestro sitio Web: [www.LSNJLAW.org](http://www.LSNJLAW.org), que contiene ayuda legal.

LSNJLAW<sup>SM</sup> es operada por los Servicios Legales de Nueva Jersey. **LSNJ JUSTICE**

**1-888-LSNJ-LAW**  
(1-888-576-5529)

La línea directa LSNJLAW funciona desde las 8 am hasta las 5:30 pm De lunes a viernes

**¿Si no puedo encontrar un abogado, a dónde puedo acudir?**

Llame a LSNJLAW<sup>SM</sup>, la línea directa gratuita de asistencia jurídica de los Servicios Legales de Nueva Jersey para todo el estado, al 1-888-LSNJ-LAW (1-888-576-5529) o solicite por medio de la Internet (sólo en inglés por el momento) en [www.lsnjlawhotline.org](http://www.lsnjlawhotline.org). El horario de la línea directa es de lunes a viernes, desde las 8 de la mañana hasta las 5:30 de la tarde. Si no llena los requisitos para recibir asistencia de los Servicios Legales, la línea directa le enviará a otras posibles fuentes de información.