

Bullying has been described by the U.S. Department of Education as unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time.

Color means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

Cyberbullying: is defined by NYS Education Dept. as harassment or bullying by any form of electronic communication, and include incidents occurring off school property that create or would foreseeably create a risk of substantial disruption within the school environment.

Defamation: Demeaning or harming the reputation of a person or group of persons, including making false representation or derogatory conclusions about a person or group, may include slurs, epithets or inappropriate language.

Disability means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such impairment or (c) a condition regarded by others as such an impairment... (excerpted from §Ed. Law 11[4] and Executive Law §292[21]).

Employee means any person receiving compensation from a school district or employee of a *contracted service provider* or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).

Emotional harm that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

Ethnic Group means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

Gender means actual or perceived sex and includes a person's gender identity or expression.

Hazing includes any intentional or reckless acts directed at an individual or group for the purpose of initiation, affiliation or maintaining membership in any school sponsored club, team, organization or activity. Hazing activities produce mental or physical discomfort, embarrassment or humiliation.

Intimidation: NYS VADIR defines intimidation as repeated "threatening, stalking or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in written, verbal or physical conduct that threatens a person or group with harm, including intimidation through the use of epithets or slurs involving actual or perceived race, ethnicity, national origin, religion, religious practice, gender, sexual orientation, age or disability that substantially disrupts the educational process."

National Origin means a person's country of birth or ancestor's country of birth.

Race means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc... to describe and classify the inhabitants of the United States.

Religion means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

Religious Practice includes practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

School Bus means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities; or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

School Function is a school-sponsored or school-authorized event or activity or extra-curricular activity, regardless of where such event or activity takes place, including any event or activity that may take place in another state.

School Property means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law §11[1]).

Sex - The World Health Organization has stated that sex refers to the biological and physiological characteristics that define men and women.

Sexting has been described by the New York State Division of Criminal Justice Services as the sending, receiving or forwarding of sexually suggestive nude or nearly nude photos through text messages or email.

Sexual Orientation means actual or perceived heterosexuality, homosexuality or bisexuality.

Threats, Intimidation or Abuse shall include verbal and non-verbal actions, per Commissioner's amendment of section 100.2, effective July 1, 2013.

Weight is used in reference to a person's "size" or physical characteristics.