



**To:** New Jersey Institutions of Higher Education

**From:** Office of the Secretary of Higher Education,  
New Jersey Office of the Attorney General

**Date:** September 4, 2025

**Subject:** Statement from Attorney General Platkin and DCR Director Melville on  
Addressing Bias in K-12 Schools, Colleges, and Universities in New Jersey

---

**TRENTON** — Attorney General Matthew J. Platkin and Yolanda N. Melville, Director of the Division on Civil Rights (DCR), have issued the statement below as students across the state in K-12 schools and on college and university campuses return to school:

“As a new school year begins, we remind students, educators, administrators, and parents of the importance of ensuring that all our students are able to learn in a safe educational environment free from discrimination and bias-based harassment. As the number of bias incidents reported in our schools and on college and university campuses has continued to increase in recent years, our educational institutions must play a critical role in addressing and preventing bias-based harassment in our K-12 schools and on our college and university campuses. To that end, we are committed to ensuring that all of our state’s educational institutions comply with their obligations under our state’s civil rights laws.

The New Jersey Law Against Discrimination (LAD) protects all students from discrimination or harassment based on actual or perceived race, color, national origin, ancestry, religion, sexual orientation, gender identity or expression, and other protected characteristics. It also requires K-12 schools, colleges, and universities to proactively address and respond to harassment, including peer-on-peer harassment, that is based on a protected characteristic. Where peer-to-peer, bias-based harassment is sufficiently severe or pervasive that it creates an intimidating or hostile school environment, the school must take immediate action to address the harassment. Ultimately, if a school knows or should know of the harassment but does not take action reasonably calculated to end the harassment and prevent it from reoccurring, the school may violate the LAD.

It is therefore incumbent on our schools to promptly address bias-based harassment and make clear to members of the school community that they do not tolerate bias-based conduct. Other

laws, including Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments Act of 1972, and New Jersey's Anti-Bullying Bill of Rights Act, also require schools to respond promptly to bias-based harassment and other bias incidents at school.

To be clear, nothing in the LAD should be construed as prohibiting educators from continuing to facilitate age-appropriate conversations that are rooted in accurate information. And nothing in the LAD limits the rights granted to students by the First Amendment. In some circumstances, the First Amendment may limit or constrain a school's authority to discipline a student who engages in protected speech. Even so, the First Amendment does not relieve schools of their obligation to respond to bias-based harassment that creates a hostile educational environment. Schools therefore should take appropriate steps to prevent, address, and remedy bias-based harassment, including by denouncing bias-based speech and reaffirming their commitment to creating a safe learning environment for all students.

Schools should also take appropriate steps to ensure that educators are appropriately trained to intervene when biased statements are made; to identify bullying or harassment that triggers a school's obligations under the LAD or the Anti-Bullying Bill of Rights; and to set classroom ground rules that draw appropriate distinctions between critiquing ideas, policies, governments, and leaders on the one hand, and making statements that stereotype, demean, or condemn people based on a protected characteristic on the other.

Combating bias and discrimination in schools and on campuses will continue to be critical in the months and years ahead. Like much of the nation, New Jersey has experienced a dramatic increase in [reported bias incidents and bias crimes](#) over the last several years. Much of that escalation has unfortunately occurred in our state's K-12 schools and on college and university campuses.

To help counter this rise, in 2024, the Division of Criminal Justice (DCJ) and DCR announced the launch of *No Hate in the Garden State*, a statewide campaign to raise public awareness about bias incidents and bias crimes. Using media advertisement and community trainings, the campaign educates the public on the importance of reporting bias and hate incidents and the resources available to victim and community members. To learn more about the campaign, visit [NoHateNJ.gov](https://NoHateNJ.gov).

Moreover, to assist educational institutions in identifying best practices for preventing bias and responding when bias occurs, the New Jersey Department of Education and DCR have [issued guidance for K-12 schools](#), and the Office of the Secretary of Higher Education and DCR have [issued guidance for colleges and universities](#). The Division on Civil Rights also provides training for K-12 school administrators, educators, and staff on [Responding to Bias Incidents in K-12 Schools](#). We encourage all educational institutions to utilize these resources.

We also strongly encourage students, staff, community members and others to report evidence of discrimination or bias-based harassment to DCR immediately. To find out more or to file a complaint, please go to [NJCivilRights.gov](https://NJCivilRights.gov) or call 1-833-NJDCR4U.

DCR enforces the LAD, which protects all people from discrimination in New Jersey. No one can retaliate against you for reporting LAD violations, filing a discrimination complaint, or exercising other rights under the LAD.”