

5000 Series- Students

TABLE OF CONTENTS

Number	Title
R 5111	Admission of Nonresident Pupils
R 5112	Registration of Students
R 5112.1	Admission Affidavit
R 5130	Withdrawal From School
R 5200	Attendance (M)*
R 5230	Late Arrival and Early Dismissal*
R 5240	Tardiness*
R 5310	Health Services
R 5320	Immunization
R 5330	Administration of Medication
R 5350	Pupil Suicide
R 5410	Promotion and Retention (M)
R 5420	Reporting Pupil Progress
R 5440	Honoring Pupil Achievement
R 5460	High School Graduation Procedure*
R 5500	Expectations for Pupil Conduct
R 5511	Dress Code
R 5513	Care of School Property
R 5530	Substance Abuse
R 5550	Disaffected Pupils
R 5560	Disruptive Pupils
R 5600	Pupil Discipline
R 5610	Suspension Procedures
R 5620	Expulsion Procedures
R 5721	Distribution of Independent Publications
R 5750	Equal Educational Opportunity Complaint Procedure
R 5830	Pupil Fund Raising
R 5850	Social Events and Class Trips
R 5860	Rules for Safety Patrol Members

5111 - ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS (Regulation)

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A. Definitions

1. "Affidavit pupil" means a pupil attending, or seeking to attend, school pursuant to N.J.S.A. 18A:38-1(b) and N.J.A.C 6A:22-3.1(a)2.
2. "Commissioner" means the Commissioner of Education or his/her designee.
3. "Parent" means the natural or adoptive parent, legal guardian, foster parent, surrogate parent, and person acting in the place of a parent such as the person with whom the child legally resides or a person legally responsible for the child's welfare.

B. Eligibility to Attend School – Pupils Domiciled in the District

1. A pupil over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older pupil as is otherwise entitled by law to a free public education, is eligible to attend school in this school district if the pupil is domiciled within the district:
 - a. A pupil is domiciled in the district when he or she is living with a parent(s) or legal guardian(s) whose permanent home is located within the district. A home is permanent when the parent(s) or legal guardian(s) intends to return to it when absent and has no present intent of moving from it, notwithstanding the existence of homes or residences elsewhere.
 - (1) Where a pupil's parent(s) or legal guardian(s) are domiciled within different districts, and where there is no court order or written agreement between the parent(s) or legal guardian(s) designating the district for school attendance, the pupil's domicile is the district of the parent with whom the pupil lives for the majority of the school year, regardless of which parent has legal custody.
 - (2) Where a pupil's physical custody is shared on an equal-time, alternating week/month or other similar basis such that the pupil is not living with one parent for a majority of the school year, and where there is no court order or written agreement between the parents designating the district for school attendance, the pupil's domicile is the present domicile of the parent with whom the pupil resided on the last school day prior to October 16 preceding the date of the application.

- (a) If a pupil resided with both parents, or with neither parent, on the last school day prior to the preceding October 16, the pupil's domicile is the domicile of the parent with whom the parents indicate the pupil will be residing on the last school day prior to the ensuing October 16. Where the parents do not designate, or cannot agree upon, the pupil's likely residence as of that date, or if on that date the pupil is not residing with the parent previously indicated, the pupil will attend school in the district where the parent with whom the pupil is actually living as of the last school day prior to October 16 is domiciled.
 - (b) The district shall not be required to provide transportation for a pupil residing outside the district for part of the school year, other than that based upon the home of the parent domiciled within the district to the extent required by law, as a result of being the district of domicile for school attendance purposes pursuant to the provisions of this section.
 - b. A pupil is domiciled in the district when he or she has reached the age of eighteen or is emancipated from the care and custody of a parent or legal guardian and has established a permanent home within the district. A home is permanent when the pupil intends to return to it when absent and has no present intent of moving from it, notwithstanding the existence of homes or residences elsewhere.
 - c. A pupil is domiciled in the district when the pupil has come from outside the state and is living with a person domiciled in the district who will be applying for legal guardianship of the pupil upon expiration of the six-month "waiting period" of State residency required pursuant to N.J.S.A. 2A:34-30(e) and N.J.S.A. 2A:34-31. However, any such pupil may later be subject to removal proceedings if application for legal guardianship is not made within a reasonable period of time following expiration of the mandatory waiting period.
 - d. A pupil is domiciled in the district when his or her parent(s) or legal guardian(s) resides within the district on an all-year-round basis for one year or more, notwithstanding the existence of a domicile elsewhere.
 - e. A pupil is domiciled in the district if the Division of Youth and Family Services in the Department of Human Services is acting as the pupil's legal guardian and has placed the pupil in the district.
2. When a pupil's dwelling is located within two or more local school districts, or bears a mailing address that does not reflect the dwelling's physical location

within a municipality, the district of domicile for school attendance purposes will be that of the municipality to which the resident pays the majority of his or her property tax, or to which the majority of property tax for the dwelling in question is paid by the owner of a multi-unit dwelling.

- a. Where property tax is paid in equal amounts to two or more municipalities, and where there is no established assignment for pupils residing in the affected dwellings, the district of domicile for school attendance purposes will be determined through assessment of individual proofs as provided pursuant to N.J.A.C. 6A:22-3.4 et seq. This provision shall not preclude the attendance of currently enrolled pupils who were permitted to attend school in the district prior to the provision's initial promulgation on December 17, 2001.

C. Eligibility to Attend School – Other Pupils Eligible to Attend School

1. A pupil is entitled by law to a free public education in the district if that pupil is kept in the home of a person other than the pupil's parent(s) or legal guardian(s), where the person is domiciled in the school district and is supporting the pupil without remuneration as if the pupil were his or her own child;
 - a. A pupil is not eligible to attend school in this district pursuant to this provision unless:
 - (1) The pupil's parent(s) or legal guardian(s) has filed, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the pupil due to family or economic hardship and that the pupil is not residing with the other person solely for the purpose of receiving a free public education; and
 - (2) The person keeping the pupil has filed, when required by the district:
 - (a) A sworn statement that he or she is domiciled within the district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the pupil relative to school requirements; and
 - (b) A copy of his or her lease if a tenant, or a sworn landlord's statement if residing as a tenant without a written lease.
 - b. A pupil shall not be deemed ineligible under this section because required sworn statements(s) cannot be obtained, where evidence is presented that

the underlying requirements of the law are being met notwithstanding the inability of the resident or pupil to obtain the sworn statement(s).

- c. A pupil shall not be deemed ineligible under this section where evidence is presented that the pupil has no home or possibility of school attendance other than with a non-parent district resident who is acting as the sole caretaker and supporter of the pupil.
 - d. A pupil shall not be deemed ineligible under this section solely because a parent(s) or legal guardian(s) gives gifts or makes limited contributions, financial or otherwise, toward the welfare of the pupil, provided the resident keeping the pupil receives no payment or other remuneration from the parent(s) or legal guardian(s) for regular maintenance of the pupil.
2. A pupil is entitled by law to a free public education in the district if the pupil is kept in the home of a person domiciled in the district, other than the parent(s) or legal guardian(s), where the parent(s) or legal guardian(s) is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year upon the parent(s) or legal guardian(s) return from active military duty.
3. A pupil is entitled by law to a free public education in the district if the pupil's parent(s) or legal guardian(s) temporarily resides within the district, notwithstanding the existence of a domicile elsewhere:
 - a. The parent or legal guardian, when required by the district, shall demonstrate that such temporary residence is not solely for purposes of a pupil's attending school within the district of temporary residence;
 - b. Where one of a pupil's parents temporarily resides in the district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school will be determined in accordance with N.J.A.C. 6A:22-3.1(a)1i. However, no pupil shall be eligible to attend school based upon a parent's temporary residence in a district unless the parent(s) or legal guardian(s) demonstrates, when required by the district, that such temporary residence is not solely for purposes of a pupil's attending school within the district.
4. A pupil is entitled by law to a free public education in the district:
 - a. If the pupil's parent(s) or legal guardian(s) moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2, Education of Homeless Children;

- b. If the pupil is placed in the home of a district resident by court order pursuant to N.J.S.A. 18A:38-2;
- c. If the pupil previously residing in the district parent(s) or legal guardian(s) is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to N.J.S.A. 18A:38-3(b); and
- d. If the pupil resides on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

D. Housing and Immigration Status

- 1. The physical condition of an applicant's housing, or an applicant's compliance with local housing ordinances or terms of lease will not affect eligibility to attend school.
- 2. Immigration/visa status shall not affect eligibility to attend school for a pupil who is domiciled in the district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6:22-3.2 and the pupil shall be enrolled without regard to, or inquiry concerning, immigration status. However, the provisions of N.J.S.A. 18A:38-1 shall not apply to pupils who have obtained or are seeking to obtain a Certificate of Eligibility for Nonimmigrant Status (INS form I-20) from the district in order to apply to the INS for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1 Visa").

- E. Nothing in Policy and Regulation 5111 or N.J.A.C. 6A:22-1.1 et seq. will be construed to limit the discretion of the Board to admit nonresident pupils, or the ability of a nonresident pupil to attend school with or without payment of tuition, with the consent of the district Board pursuant to N.J.S.A. 18A:38-3(a).

F. Proof of Eligibility

- 1. The district shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a pupil's eligibility for enrollment in the district:
 - a. Property tax bills, deeds, contracts of sale, leases, mortgages, signed letters from landlords and other evidence of property ownership, tenancy or residency;
 - b. Voter registrations, licenses, permits, financial account information, utility bills, delivery receipts, and other evidence of personal attachment to a particular location;

- c. Court orders, State agency agreements and other evidence of court or agency placements or directives;
 - d. Receipts, bills, cancelled checks, insurance claims or payments, and other evidence of expenditures demonstrating personal attachment to a particular location, or, where applicable, to support of the pupil;
 - e. Medical reports, counselor or social worker assessments, employment documents, unemployment claims, benefit statements, and other evidence of circumstances demonstrating, where applicable, family or economic hardship, or temporary residency;
 - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, legal guardian, person keeping an "affidavit pupil," adult pupil, person(s) with whom a family is living, or others as appropriate;
 - g. Documents pertaining to military status and assignment; and
 - h. Any other business record or document issued by a governmental entity.
2. The district may accept forms of documentation not listed above, and shall not exclude from consideration any documentation or information presented by a person seeking to enroll a pupil.
3. The district shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form of documentation, or a particular subset of documents, without regard to other evidence presented.
4. The district shall not require or request, as a condition of enrollment in school, any information or document protected from disclosure by law, or pertaining to criteria which are not legitimate bases for determining eligibility to attend school. These include:
 - a. Income tax returns;
 - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b);
 - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
 - d. Social security numbers.

5. Documents or information of the type referenced in paragraph 4 above, or pertinent parts thereof, may be voluntarily disclosed by the person seeking enrollment. However, the district may not, directly or indirectly, require or request such disclosure as a condition of enrollment.

G. Initial Assessment and Enrollment

1. The district shall use registration forms provided by the Commissioner, or locally developed forms that:
 - a. Are consistent with the forms provided by the Commissioner;
 - b. Do not seek information prohibited by any provision of statute, Code or rule;
 - c. Summarize the criteria for attendance set forth in N.J.S.A. 18A:38-1 for applicant reference, and specify the nature and form of any sworn statements to be filed;
 - d. Clearly state the purpose, in relation to such criteria, for which requested information is being sought; and
 - e. Provide notice to applicants that any initial determination of eligibility is subject to a more thorough review and re-evaluation, and that there is a potential for assessment of tuition in the event that an initially admitted applicant is later found ineligible.
2. The district shall ensure that sufficient numbers of registration forms, and sufficient numbers of trained registration staff, are available to ensure prompt determinations of eligibility and enrollment.
 - a. If the district uses separate forms for "affidavit pupil" applications, rather than a single form for all types of application for enrollment, such forms shall comply in all respects with the provisions of G.1. above. Where such forms are used, the district shall provide them to any person attempting to register a pupil of whom he or she is not the parent(s) or legal guardian(s), whether or not they are specifically requested. The district shall not demand or suggest that legal guardianship or custody shall be obtained before enrollment will be considered for a pupil living with a person other than the parent(s) or legal guardian(s), nor shall they demand or suggest that "affidavit pupil" proofs be produced by an applicant seeking to enroll a pupil of whom the applicant has legal guardianship or custody.
 - b. The district level school administrator designated by the Superintendent shall be available, and clearly identified to applicants, to assist persons who are experiencing difficulties with the enrollment process.

3. Initial determinations of eligibility shall be made upon presentation of an application for enrollment, and enrollment shall take place immediately in all cases except those of clear, uncontested denials.
 - a. Where an applicant has provided incomplete, unclear or questionable information, enrollment shall take place immediately, but the applicant shall be placed on notice that removal will result if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.
 - b. Where an applicant appears ineligible based on information provided in the initial application, a preliminary written notice of ineligibility shall be provided, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner.
 - (1) A pupil enrolled pursuant to this provision will be notified that he or she will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.
4. Where enrollment is denied and no intent to appeal is indicated, applicants shall be advised that they shall comply with compulsory education laws and shall, where the pupil is between the ages of six and sixteen, be asked to complete a written statement indicating the pupil will be attending school in another district, attending a nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement from the parent or legal guardian, the district level school administrator designated by the Superintendent shall notify the school district of actual domicile or residence, or the Division of Youth and Family Services based on "neglect" pursuant to N.J.S.A. 9:6-1, with the pupil's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission to the district based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere, for purposes of ensuring compliance with such laws.
5. Where enrollment is denied and an intent to appeal is indicated, or where enrollment is provisional subject to further review or information, enrollment or attendance at school will not be conditioned on advance payment of tuition in whole or part.
6. The Superintendent or designee, shall ensure that information suggesting an applicant may be homeless is identified during the registration process, so that, where appropriate, procedures may ensue in accordance with N.J.A.C. 6A:17-2 - Education of Homeless Children.

7. Enrollment or attendance in the district shall not be denied based upon absence of the certified copy of birth certificate or other proof of a pupil's identity required within thirty days of initial enrollment pursuant to N.J.S.A. 18A: 36-25.1.
8. Enrollment in the district shall not be denied based upon absence of pupil medical information, although actual attendance at school may be deferred as necessitated by compliance with rules regarding immunization of pupils, N.J.A.C. 8:57-4.
9. Enrollment in the district, attendance at school, or educational services where attendance in the regular education program appears inappropriate, shall not be denied based upon absence of a pupil's prior educational record. However, the applicant shall be advised that the initial educational placement of the pupil may be subject to revision upon receipt of records or further assessment of the pupil by the district.

H. Notice of Ineligibility

1. If the district finds the applicant ineligible to attend the schools of the district pursuant to N.J.A.C. 6A:22-1.1 et seq., or the application initially submitted is found to be deficient upon subsequent review or investigation, notice shall immediately be provided to the applicant consistent with sample form(s) to be provided by the Commissioner. Notices shall be in writing, in English and in the native language of the applicant, issued by the Superintendent and directed to the address at which the applicant claims to reside.
2. Notices of ineligibility shall include:
 - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made, sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal. Such description shall identify the specific section of N.J.S.A. 18A:38-1 under which the application was decided;
 - b. In cases of provisional eligibility, a clear description of the missing documents or information that shall be provided in order to attain final eligibility status under the applicable provision of N.J.S.A. 18A:38-1;
 - c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the date of the notice, along with an informational document provided by the Commissioner describing how to file an appeal;
 - d. A clear statement that the pupil is entitled to attend school for the twenty-one day period during which an appeal can be made to the Commissioner, but that, if missing information is not provided or an appeal is not filed,

the pupil shall not be permitted to attend school beyond the 21st day following the date of the notice;

- e. A clear statement that the pupil is entitled to continue attending school during the pendency of an appeal to the Commissioner;
- f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating entitlement to attend the schools of the district, or the applicant abandons the appeal through withdrawal, failure to prosecute or any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;
- g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3, that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal;
 - (1) If removal is based on the pupil having moved from the district, the notice of ineligibility shall also provide information as to whether district policy permits continued attendance, with or without tuition, for pupils who move from the district during the course of the school year.
- h. The name of a contact person in the district who can provide assistance in explaining the contents of the notice; and
- i. Notice that, where no appeal is filed, the parent(s) or legal guardian(s) must still comply with compulsory education laws, and that, in the absence of a written statement from the parent(s) or legal guardian(s) that the pupil will be attending school in another district, attending a nonpublic school, or receiving instruction elsewhere than at a school, the district level administrator designated by the Superintendent shall notify the school district of actual domicile/residence, or the Division of Youth and Family Services based on “neglect” pursuant to N.J.S.A. 9:6-1, of the pupil’s name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission to the district based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere, for purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25).

I. Removal of Currently Enrolled Pupils

- 1. Nothing in N.J.A.C. 6A:22-1.1 et seq. and this Regulation shall preclude the Board from seeking to identify, through further investigation or periodic requests for

current validation of previously determined eligibility status, pupils enrolled in the district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances or newly discovered information.

2. When a pupil, enrolled and attending school in the district, is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for removal of the pupil.
 - a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2. However, such notice shall also provide for a hearing before the Board prior to a final decision on removal.
3. No pupil shall be removed from school unless the parent, legal guardian, adult pupil or resident keeping an "affidavit pupil," as the case may be, has been informed of his or her entitlement to a hearing before the Board of Education.
4. Once the hearing is held, or if the parent, legal guardian, adult pupil or resident keeping an "affidavit pupil," as the case may be, does not respond to the Superintendent's notice within the designated time frame or appear for hearing, the Board shall make a prompt determination of the pupil's eligibility or ineligibility and shall immediately provide notice thereof in accordance with the requirements of N.J.A.C. 6A:22-4.2.
5. Hearings required pursuant to N.J.A.C. 6A:22-4.3 et seq. may be conducted by a committee, at the discretion of the full Board, which will make a recommendation to the full Board for action. No pupil may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

J. Appeal to the Commissioner

1. A district determination that a pupil is ineligible to attend the schools of the district may be appealed to the Commissioner by the parent, legal guardian, adult pupil or resident keeping an "affidavit pupil," as the case may be. Such appeals shall proceed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 et seq. Appeals of "affidavit pupil" eligibility determinations shall be filed by the resident keeping the pupil.

K. Assessment and Calculation of Tuition

1. If no appeal to the Commissioner is filed following notice of a determination of ineligibility, the Board may assess tuition for any period of a pupil's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner.

The district may obtain an order of the Commissioner of Education for tuition, enforceable pursuant to N.J.S.A. 2A:58-10 through recording on the judgment docket of the Superior Court, Law Division, by filing a petition of appeal pursuant to N.J.A.C. 6A:3.

2. If an appeal to the Commissioner is filed, where the appellant does not sustain the burden of demonstrating entitlement to attend the schools of the district, or abandons the appeal through withdrawal, failure to prosecute or any means other than settlement agreeing to waive or reduce tuition, the Commissioner may order assessment of tuition for any period of a pupil's ineligible attendance in a district, including the twenty-one day period for filing of an appeal and the period during which the hearing and decision on appeal were pending.

An order of the Commissioner is enforceable through recording on the judgment docket of the Superior Court, Law Division, pursuant to N.J.S.A. 2A:58-10.

3. Tuition assessed pursuant to the provisions of this section shall be calculated on a per pupil basis for the period of a pupil's ineligible enrollment, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23-3.1. The individual pupil's record of daily attendance shall not impact on such calculation.
4. Nothing in N.J.A.C. 6A:22-1.1 et seq. precludes an equitable determination, by the Board or the Commissioner, that, when the particular circumstances of a matter so warrant, tuition shall not be assessed for all or part of any period of a pupil's ineligible attendance in the district.

Adopted: 21 December 1995

Revised: 30 March 2009

5112 - REGISTRATION OF STUDENTS (Regulation)

- I. The Passaic Board of Education adopts this regulation in order to provide a uniform, district-wide procedure for the orderly registration of students in the Passaic School System.
- II. At the time of registration in all schools, the student's parent, foster parent, non-parent affiant, or legally appointed guardian must:
 1. Accompany the student to register in school.
 2. Present acceptable documentation to provide identity of the adult and student. Such proof may be, but is not limited to, driver's license, passport, social security number, etc.
 3. Provide the required proof of birth and immunization records in accordance with law.
 4. Possess a valid transfer if entering from a New Jersey public or private school. However, if the student is entering from any other school jurisdiction, and all other requirements are met, the student is to be enrolled pending receipt of official school records.
 5. Document the student's Passaic address with one or more of the following: telephone bill, utility bill, tax bill, lease, driver's license of the aforementioned adult accompanying the student and/or the student, and/or notarized statement from the landlord/owner or building manager or building superintendent.
 6. Sign Authorizations to enable the district to confirm residence with employer and/or welfare office of the aforementioned adult accompanying student and/or student.
- III. If for some reason the individual cannot produce the proof of residence because of homelessness, the district shall verify residence through its attendance officer.
- IV. All policies, rules and regulations or parts of all policies, rules and regulations of the Passaic Board of Education which are inconsistent with the contents hereof are hereby repealed and deemed null and void as to such inconsistencies only.

Adopted: 21 December 1995

5112.1 - ADMISSION AFFIDAVIT (Regulation)

The Passaic Public Schools shall be free to the following persons over 5 and under 20 years of age, except as permitted in the Pre-Kindergarten program:

- A. Any person who is domiciled within the school district
- B. Any person who is kept in the home of another person domiciled within the school district and is supported by such other person gratis as if he/she were such other person's own child upon filing by such other person with the Director of Pupil Personnel Services of the Board of Education of the district, a sworn statement that he/she is domiciled within the district and is supporting the child gratis and will assume all personal obligations for the child relative to school requirements and that he/she intends so to keep and support the child gratuitously for a longer time than merely through the school term, and a copy of his/her lease if a tenant or a sworn statement by his/her landlord acknowledging his/her tenancy if residing as a tenant without a written lease, and upon filing by the child's parent or guardian with the Director of Pupil Personnel Services of the Board of Education, a sworn statement that he/she is not supporting the child, accompanied by documentation to support the validity of the sworn statements; provided, however, that the Board of Education may contest the validity of the sworn statement in proceedings before the Commissioner, except that no child shall be denied admission during the pendency of any such proceedings before the Commissioner, and the resident shall have the burden of proving by a preponderance of the evidence before the Commissioner that the child is eligible for a free education under the criteria listed in this policy.

The required sworn statements and accompanying documentations as stated above must be filed with the Director of the Division of Pupil Personnel Services of the Board of Education of the district within three school days if the parent or guardian resides within the continental United States and ten school days if the parent or guardian resides outside the continental United States.

- C. Any person who fraudulently allows a child of another person to use his/her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his/her child to a person in another district commits a disorderly persons offense.
- D. Any person whose parent or guardian, even though not domiciled within the district, is residing temporarily, herein, but any person who has had or shall have his/her all year-around dwelling place within the district for one year or longer shall be deemed to be domiciled within the district for the purposes of this regulation.
- E. Any person for whom the Division of Youth and Family Services in the Department of Human Services is acting as guardian and who is placed in the district by said bureau.
- F. All affidavits as stated and prescribed above are to be renewed each and every year.

- G. All Policies, Rules and Regulations, or parts of all Policies, Rules and Regulations of the Passaic Board of Education which are inconsistent with the contents hereof, are hereby repealed and deemed null and void as to such inconsistencies only.

- H. If for any reason, any section, sub-section, part of a section, paragraph or provision of this policy shall be held to be unconstitutional or invalid in any court of competent jurisdiction, including but not limited to the Commissioner of Education and the State Board of Education, the same shall not be held to affect any other section, sub-section, part of a section, paragraph or provision of this policy, and the remaining section, sub-section, parts of a section, paragraph or provisions, shall remain in full force and effect.

Adopted: 21 December 1995

5130 - WITHDRAWAL FROM SCHOOL (Regulation)

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Every pupil in this district shall be encouraged to complete the program of instruction in which he or she is enrolled, in cooperation with school staff members. Although the enrollment and attendance of persons over the age of sixteen cannot be compelled by law, school personnel shall make every reasonable effort to determine whether the school is meeting the educational needs of a pupil who requests withdrawal.

A. Request for permanent withdrawal

1. The pupil must obtain a withdrawal form from the Principal to be taken home for the signature of his or her parent.
2. The pupil must meet with the Principal to discuss the reasons for the requested withdrawal.
3. The Principal will review the pupil's file to determine whether the pupil has received the educational services to which he or she is entitled.
4. The pupil will be offered an exit conference with the Principal, at which the pupil will be informed of
 - a. The desirability of continuing education at some future time toward the award of a high school diploma through an adult high school program;
 - b. The possibility of readmission until the pupil is twenty years of age (or, if the pupil is educationally disabled, until the end of the school year in which his or her twenty-first birthday occurs);
 - c. The possibility of further education in the armed forces of the United States and the application of such training toward a high school diploma pursuant to N.J.A.C. 6:27-4.1; and
 - d. The continuing availability of high school counseling services.
5. The Principal will report the withdrawal and the reasons for the withdrawal to the Superintendent to satisfy state reporting requirements.

B. Transferring pupils

1. A pupil requesting transfer to another school, public or private, must obtain a transfer form from the Principal for approval by the pupil's parent.

2. A parent who withdraws a pupil from this district shall be asked to designate the name and location of the school or school district in which he or she intends to enroll the pupil. The principal shall be alert to the receipt of a request for records from that school district, for the purpose of implementing Policy No. 8464 and Regulation No. 8464.

C. Pupil's responsibilities

A pupil who withdraws, permanently or by transfer, must

1. Return all books, uniforms, and other school property to the appropriate school staff member, who shall give a proper receipt for returned items;
2. Clear out his or her locker(s) and turn in any locks owned by the district;
3. Clear any obligations, for materials or fines, to the school library;
4. Pay any fines due for damaged or lost textbooks; and
5. Submit a properly authorized withdraw or transfer form.

D. Records

1. The records of a pupil who transfers to another school will be sent to that school in accordance with Regulation No. 8330.
2. The permanent records of a pupil who withdraws from school will be retained in accordance with Regulation No. 8330.

E. High School Dropout Readmission

The Passaic Board of Education is committed to aiding secondary students who wish to return to their educational programs.

A. Readmission to the Passaic Public Schools secondary educational programs at Passaic High or the Learning Center Programs may be attained subject to the following conditions.

1. The final decision as to class or program placement will be at the sole discretion of the Passaic High School Principal.
2. A guidance counselor will provide orientation and direction to all student applications for readmission.

B. Students seeking placement at the Passaic High School must meet these requirements:

1. The student and parent interview must be conducted by the High School Principal in consultation with the student's former Vice Principal. All other admission procedures and requirements, presently in place, will hold true for these students.
2. Eighteen years of age or under must have earned 60 or more credits.
3. Nineteen years of age or older must have earned 90 or more credits.
4. Students, regardless of age, will be permitted to re-enter Passaic High School only once. If they drop out a second time and wish to return, they must attend the Learning Center (Alternate Secondary Programs).

Students who have been readmitted to the regular high school program will be monitored closely by the assigned guidance and administrative personnel. Those students deemed not to be successful after a reasonable probationary period, will be counseled regarding the district's alternative educational programs. Readmitted students will be subject to the same attendance, academic requirements, and standards as any other students.

Adopted: 21 December 1995

***5200 - ATTENDANCE (Regulation)**

M

A. Definitions

1. "Attendance" is a pupil's presence in school and in the classroom to which he or she is assigned at the times scheduled for instruction or other school activities.
 - a. A pupil will be considered to have attended school if he or she has been present at least three hours during the school day.
 - b. A kindergarten pupil will be considered to have attended school if he or she has been present at least two hours during the kindergarten session to which the pupil is assigned.
 - c. A pupil not present in school because of his or her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.
2. "Excused absence" is a pupil's absence from school for a full day or a portion of a day for one or more of the following reasons:
 - a. The pupil's illness;
 - b. A death or critical illness in the pupil's immediate family;
 - c. Quarantine;
 - d. Observance of the pupil's religion on a day approved for that purpose by the State Board of Education;
 - e. The pupil's suspension from school;
 - f. The pupil's required attendance in court;
 - g. Interviews with a prospective employer or with an admissions officer of an institution of higher education;
 - h. Examination for a driver's license; and
 - i. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day.

3. "Truancy" is a pupil's absence from all or a part of the school day without the knowledge of the pupil's parent. A pupil will also be considered truant if he or she
 - a. Leaves school at lunch time without a pass;
 - b. Leaves school without permission when school is still in session;
 - c. Leaves class because of illness and does not report to the school nurse as directed; or
 - d. Is present in school but is absent from class without approval. Such truancy from class is a "class cut."

4. "Unexcused absence" is a pupil's absence for all or part of a school day for any reason other than those listed in paragraph A2 above.
 - a. Absence is expressly not excused for any of the following purposes (this list is intended to be illustrative and is not inclusive):
 - (1) Employment other than school-approved work assignments,
 - (2) Family travel,
 - (3) Performance of household or baby-sitting duties, and
 - (4) Hunting.
 - b. Instances of tardiness in the number established by Policy No. 5200 will constitute a single unexcused absence.

B. Notice to school of a pupil's absence

1. A parent or adult pupil is requested to call the school office the morning of the pupil's absence.
2. A parent or adult pupil who anticipates a future absence or anticipates that an absence will be prolonged should notify the Principal or his/her designee, who will assist in the arrangement of make-up work. If the absence is to be short-term the pupil's teacher will provide home assignments. If the absence is to be a long-term absence home instruction will be arranged.

C. Readmission to school after an absence

1. A pupil returning from an absence of any length must present to the Principal a written statement, dated and signed by the parent or adult pupil, of the reasons for the absence.

2. A note explaining a pupil's absence for noncommunicable illness for a period of more than five days must be accompanied by a physician's statement of the pupil's illness.
3. A pupil who has been absent by reason of having or being suspected of having a communicable disease must present to the Principal written evidence of being free of communicable disease, in accordance with Policy No. 8451.

D. Instruction

1. Teachers are expected to cooperate in the preparation of home assignments for pupils who anticipate an excused absence of three days duration. The parent or adult pupil must request such home assignments.
2. A pupil who anticipates an excused absence of more than two weeks duration may be eligible for home instruction in accordance with Policy No. 2412. The parent or adult pupil must request home instruction.
3. Pupils absent for any reason are expected to make up the work missed. In grade 7 and above, the pupil is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, pupils will be allowed two days to make up missed work for each one day of absence. Teachers shall make reasonable accommodations to extend time for pupils.
5. A pupil who missed a test because of an excused absence shall be offered an opportunity to take the test or an alternate test; in no case will a pupil who missed a test because of his or her observance of a religious holiday be denied an opportunity to make up the test.

E. Denial of course credit

1. The teacher will determine the credit to be awarded a pupil for make-up work, subject to the rules set forth in this section. Where class participation is a factor in the learning process, the teacher may consider a pupil's absences in determining a final grade, except that absences for the observance of a pupil's religious holiday or for a suspension from school cannot adversely affect the pupil's grade. The teacher may record an incomplete grade, in accordance with Regulation No. 2624, for a pupil who has not had full opportunity to make up missed work.
2. A secondary pupil will be dropped from the course and denied course credit when he or she has been absent from 10 percent or more of the class sessions, whatever the reason for the absence, except that absences for the observance of religious holidays and absences caused by a pupil's suspension will not count toward the

total. Exceptions to this rule may be made for pupils whose absences are excused and who have demonstrated through completion of home assignments and/or home instruction that they have mastered the proficiencies established for the course of study.

- a. A secondary pupil who has been dropped from a course of study will be assigned to an alternate program.
3. An elementary pupil will be retained at grade level, in accordance with Policy No. 5410, when he or she has been absent 18 or more school days, whatever the reason for the absence, except that absences for the observance of religious holidays and during a pupil's suspension will not count toward the total. Exceptions to this rule may be made for pupils whose absences are excused and who have demonstrated through completion of home assignments and/or home instruction that they have mastered the proficiencies established for the assigned courses of study.

F. Notice to pupils and parents

1. When a pupil has been absent 5 days, consecutively or cumulatively, in any one school year, the attendance officer will notify the pupil's parent or the adult pupil in writing of the number and dates of the absences. A copy of the notice will be given to the Principal for follow-up.
2. When a pupil has been absent 9 days, consecutively or cumulatively, in any one school year, the attendance officer will send second written notice to the pupil's parent or the adult pupil. The notice will warn of possible adverse academic consequences of the absences and will request a conference.
3. When a secondary pupil has been absent 18 days, the Principal will notify the pupil's parent or the adult pupil in writing that the pupil has been denied credit for the secondary courses from which he or she has been absent.
4. When an elementary pupil has been absent 18 days, the Principal will notify the pupil's parent in writing that the pupil may be retained at his or her elementary grade level.

G. Discipline

1. Pupils may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth in Policy No. 2430.
2. Pupils may be denied participation in athletic competition if their attendance fails to meet the standards set forth in Board Policy No. 2431.

3. No pupil who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.
4. Truancies will be handled as follows:
 - a. First instance: the teacher will confer with the pupil about the illegal absence and will notify the pupil and the parent that continued truancies may result in serious discipline.
 - b. Second instance: the teacher will request the parent to attend a conference with the teacher and the pupil to discuss the cause of the truancies.
 - c. Third instance: the teacher will confer with the guidance counselor. The counselor may confer with the pupil and/or parent, change the pupil's program, or refer the pupil to the Child Study Team.
5. The absence of a pupil missing from school for unexplained reasons will be handled in accordance with Regulation No. 8464.

H. Recording attendance

1. Teachers must accurately record the pupils present, tardy, and absent each day in each session or each class. Attendance records must also record pupils' attendance at out-of-school curricular events such as field trips.
2. Teachers must classify and record each absence as excused, unexcused, or truancy.
3. The attendance form will be delivered, no later than 10 a.m., to the attendance officer, who will verify pupil absences.
4. A report card will record the number of times the pupil was absent and tardy in each marking period.
5. A pupil's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

I. Appeal

1. A pupil who has been suspended or expelled for truancies may appeal that action in accordance with Policy Nos. 5610 and 5620.
2. A pupil who has been retained at grade level for excessive absences may appeal that action in accordance with Policy No. 5410.

3. A pupil who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures.
 - a. The pupil shall file a written appeal to the Principal within 5 days of receiving notice of the action. The appeal should state the reasons for admitted absences, documentation that would reduce the number of absences, and reasons why the pupil should continue to be enrolled in the course and/or receive course credit.
 - b. The Principal will respond in writing no later than 5 days after receiving the pupil's appeal.
 - c. The pupil may appeal an adverse decision of the Principal to the Assistant Superintendent, and thereafter to the Board of Education, and the Commissioner of Education, in that order and in accordance with Policy No. 5710, Pupil Grievance. Resort to the attendance review committee shall be considered to have exhausted the first step of the grievance.

J. Attendance improvement plan

1. The Manager of Information Services will collect attendance data from each of the schools in the district and calculate the average daily attendance rate for the district and for each school. The attendance rate shall be calculated by dividing the total number of pupil days present for all pupils by the total possible number of pupil days present for all pupils and multiplying the result by one hundred.
2. When the average daily attendance rate is below 90% for the district or below 85% in any one school, the following attendance improvement plan shall be implemented, district-wide or in the affected school, as appropriate.
 - a. The Assistant Superintendent is responsible for implementing the attendance improvement plan district-wide. The principal is responsible for implementing the attendance improvement plan in any school.
 - b. The procedures for notifying parents and disciplining pupils, set forth in paragraph F and paragraph G, shall be strictly followed.
 - c. Classroom teachers will identify and report to the Principal or designee the pupils for whom prompt attendance is a problem. The attendance officer will confer with the parent of each identified pupil by telephone or in person to determine the causes of the pupil's poor attendance and to impress upon the parent the district's attendance expectations. Every reasonable effort shall be made to determine whether the pupil's absenteeism is caused by an inappropriate educational program; if necessary, the pupil's instructional program will be modified.

- d. At the end of the school year, the attendance officer will compile a list of pupils at risk for attendance problems at each grade level. The names, along with a record of each pupil's attendance and reasons for absences, will be forwarded to appropriate teachers at the next grade level or to the principal of the school to which pupils will transfer, as appropriate. The attendance of the identified pupils will be closely monitored. If any such identified pupil is absent more than 5 times in the month of September, the attendance officer will conduct a home visit to discuss the pupil's absenteeism and to inform the parent of his or her legal responsibility to comply with the compulsory attendance statute.
- e. The attendance officer shall conduct a follow-up visit to the parent if the pupil's attendance fails to improve.
- f. The Supervisor of Special Services will analyze attendance data to determine any patterns of absence that may occur district-wide, in individual schools, and in pupil population groups. The results of the analysis will be reported to the Superintendent.

Adopted: 21 December 1995

***5230 - LATE ARRIVAL AND EARLY DISMISSAL (Regulation)**

A. Definitions

1. "Late arrival" means the arrival of a pupil after the beginning of the pupil's school day for an excused purpose. A late arrival is not an instance of tardiness for the purpose of applying Regulation No. 5240.
2. "Early dismissal" means the release of a pupil from school prior to the end of the pupil's school day for an excused purpose; "early dismissal" includes the release of a pupil for a period of time that occurs during the pupil's school day. An early dismissal is not an absence for the purpose of applying Regulation No. 5200.
3. "Dismissal from class" means a pupil's brief absence from his or her assigned class for a reason that has been approved in advance. A "dismissal from class" is not a class "cut" for the purpose of applying Regulation No. 5200.

B. Acceptable excuses

The following circumstances justify a pupil's late arrival. The list is not meant to be exhaustive, and the Principal or his/her designee should use his or her best judgment in determining whether or not there is good cause for the pupil's late arrival.

1. The pupil's disability from illness or injury, including any necessary emergency visits to a physician or dentist;
2. A bona fide family emergency;
3. The observance of a religious holiday;
4. Religious instruction;
5. Medical or dental appointment that cannot be scheduled at a time other than during the school day;
6. Motor vehicle driver's examination that cannot be scheduled at a time other than during the school day;
7. The pupil's required attendance in court;
8. Private lessons in music, art, or dance or private practice sessions in preparation for competitive events, such as in figure skating or gymnastics; and
9. An interview with a prospective employer or with an admissions officer of an institution of higher education.

C. Late arrival

1. A pupil's late arrival in school should be approved by the Principal or designee in advance. A late arrival that is not approved at least 24 hours in advance will be considered to be an instance of tardiness.
2. The parent or adult pupil shall submit a written request for approval of a late arrival to the Principal or designee. The request must include the reason for the pupil's late arrival and a statement of why it is necessary to delay the pupil's arrival at school.
3. A pupil who arrives late at school shall report to the Principal's office and pick up a late arrival permission slip, signed by the Principal or designee. The permission slip will include the date and the time of the pupil's arrival. The pupil will proceed to his or her assigned class and present the permission slip to the teaching staff member in charge, who will verify the date and time.

D. Early dismissal generally

1. A pupil's early dismissal must be approved by the Principal or designee in advance. Except for emergencies, an early dismissal that is not approved in advance will be considered to be an absence.
2. The parent or adult pupil shall submit a written request for approval of an early dismissal to the Principal or designee. The request must include the reason for the pupil's early dismissal and a statement of why it is necessary to excuse the pupil before the end of the pupil's school day.
3. A pupil must obtain an approved early dismissal permission slip from the Principal or designee and present the slip to the teaching staff member in charge of the class or activity from which the pupil is to be dismissed. The permission slip will include the date and time of approved dismissal. The teaching staff member in charge must verify the date and time.

E. Early dismissal for illness or injury

1. A pupil who suffers a significant illness or injury during the course of the school day will be treated in accordance with Policy No. 8441 and Regulation No. 8441.
2. A pupil who suffers a minor illness or injury will be sent to the school nurse. A pupil in grades Pre-K through 8 who is sent to the school nurse must be accompanied by an adult or responsible pupil. If the nurse's office is unattended, the pupil should report to the principal's office.

3. If the school nurse determines that an elementary pupil should be sent home, the pupil's parent or the responsible adult designated by the parent will be telephoned to pick up the pupil.
4. No pupil under the age of 18 shall be released from school before the end of the school day except in the presence of the pupil's parent or an agent of the parent.

F. Early dismissal for family emergency

1. A pupil's parent or caretaker may request the pupil's early release for a bona fide family emergency. Early dismissal for family emergency must be approved by the Principal.
2. A pupil will be released to a parent who reports to the school office and explains satisfactorily to the principal that good and sufficient reason justifies the pupil's release from school before the end of the pupil's school day.
3. A pupil will be released to an agent of the parent provided the parent or a caretaker personally known to the principal has requested the pupil's release by
 - a. Written request signed by the parent or caretaker and verified by telephone call to the signer or
 - b. A telephone call that is verified by a return telephone call to the pupil's residence or, if the call does not originate in the pupil's home, by interrogation of the caller to test his or her knowledge of specific facts about the pupil.
4. The principal shall verify the identity of the agent to whom the pupil is released by examination of documents or by verification of characteristics supplied by the parent or caretaker.
5. If the principal believes that a genuine emergency may exist but cannot verify the identity of the person who requests release of the pupil, the principal shall arrange for the pupil's transportation by a school staff member directly to the custody of the parent or designated agent of the parent.
6. The principal shall maintain a record of each pupil's parent(s) or guardian. The record shall include any legally sufficient notice given the principal by a parent in sole custody that the noncustodial parent's access to the pupil has been limited. In the absence of such notice, the principal shall presume that the pupil may be released into the care of either parent.

Adopted: 21 December 1995

***5240 – TARDINESS (Regulation)**

A. Definitions

1. A pupil is tardy to school when the pupil reports to his or her assigned homeroom after the late bell rings without approval for the delay.
2. A pupil is tardy to class when the pupil reports to his or her assigned classroom or other place of instruction after the late bell rings without approval for the delay.
3. A pupil who is late to school or class for an excused purpose pursuant to Policy No. 5230 is not tardy for the purpose of this regulation.

B. Procedures for tardy arrivals

1. A pupil who is tardy to school must report to the Principal or designee's office to present a written note explaining the reason for the tardiness. The pupil must sign in and receive a late pass for admission to class.
2. No pupil who arrives at school after attendance has been taken will be admitted to class without a late pass.

C. Discipline

1. A pupil who has been tardy to school or class will be assigned to detention. An additional detention will be assigned for each instance of tardiness thereafter.
2. An elementary pupil who has been tardy from school or class 3 times in any month will be reported to the attendance officer for counseling. The pupil's parent will be notified and will be requested to attend a conference with the principal or designee in the elementary school and the Principal and the Vice Principal in the high schools.

Adopted: 21 December 1995

5310 - HEALTH SERVICES (Regulation)

M

A. Physical examination N.J.A.C. 6:29-2.1

A physical examination required by Policy No. 5310, conducted by the school medical inspector or a pupil's personal physician, will consist of the following components.

1. Review of immunizations, in accordance with Policy No. 5320.
2. Health history including allergies, past serious illnesses, injuries and/or operations, and current health problems. A pupil's health history should be obtained from the parent or the adult pupil.
3. Screenings including height, weight, hearing, and vision.
4. Examination of the pupil's
 - a. Height, weight, pulse, blood pressure;
 - b. Skin, for pallor, rashes, scalp, acne, eczema, lymphatics;
 - c. Head, for symmetry;
 - d. Eyes, for inspection of lids, conjunctiva and pupils;
 - e. Ears, nose and throat, for inspection of mucous membranes, pharynx, tonsils, sinuses; speech noted; external ear examination and otoscopic examination;
 - f. Neck, for glands, nodes, masses, thyroid;
 - g. Bony thorax, for symmetry;
 - h. Heart, for significant murmurs, arrhythmias;
 - i. Lungs, for percussion, auscultation;
 - j. Abdomen, for masses, tenderness, hernia;
 - k. Genitalia, for development, abnormalities (may be omitted for females);
 - l. Extremities, for axillary nodes, musculoskeletal function, flat feet, abnormal gait, or asymmetry, fungus disease, plantar warts; and

m. Back, for curvature, posture.

B. Scoliosis examination N.J.S.A. 18A:40-4.3

A scoliosis examination will be conducted by the school medical inspector, school nurse, or other staff member trained in scoliosis screening as follows:

1. Pupil stands with back to screener with clothing loosened or removed to expose back. Screener checks for the following:
 - a. Unequal shoulder levels,
 - b. Symmetry of scapulae,
 - c. Alignment of spinous processes,
 - d. Symmetry of flanks,
 - e. Uneven or greater crease at one side of waist, and
 - f. Unequal distance between body and the elbow when both arms are hanging straight down from shoulder.
2. Pupil faces screener and bends to 90 degrees at the waist, feet together, knees straight, and arms hanging in front with palms together. Screener may sit facing pupil and check the following:
 - a. Rib hump (one side of upper back higher than the other),
 - b. Hump in both upper and lower back, and
 - c. Levels of the back on both sides of the spine.
3. The parent of any pupil suspected of having scoliosis shall be so notified. Such notification shall include an explanation of scoliosis, the significance of treating it at an early stage, and the public services available, after diagnosis, for such treatment.
4. A pupil will be excused from scoliosis screening on the written request of his or her parent.

C. Audiometric screening N.J.A.C. 6:29-5.1 et seq.

Audiometric screening will be conducted as follows.

1. The hearing screening shall be conducted by a medical inspector, certified school nurse or school employee trained in audiometric screening and working under the supervision of the medical inspector. All screening shall be conducted in cooperation with the school nurse.
2. The screening shall be conducted with an audiometer that is calibrated annually in accordance with ANSI S3.6-1969, American National Standard Specifications for Audiometers, as amended.
3. Each pupil shall be screened individually in a 20dB HL screening room at the frequencies of 500Hz, 1000Hz, 2000Hz, 3000Hz, and 4000Hz.
4. If a pupil fails the first screening, the school nurse, using an otoscope, may look into the external ear canal and identify any condition which could interfere with the hearing. If there is a possible problem, the pupil and parent shall be notified and a recommendation made for a medical examination.
5. A pupil who fails to respond to any one frequency in either ear shall be screened again in four to six weeks.
6. If a pupil fails to respond to the same frequency or frequencies in the same ear on the second valid screening, the pupil shall be considered to have failed the screening.
7. A pupil who fails to respond at a different frequency or different frequencies on the second screening shall be screened a third time within two weeks.
8. A pupil who fails to respond at any one frequency on the third screening shall be considered to have failed the screening.
9. The school nurse shall notify in writing the parent of any pupil failing auditory or audiometric screening of the necessity for additional evaluation by a physician or family health care provider.

D. Vision screening N.J.A.C. 6:29-2.1(d)

Vision screening shall be conducted as follows:

1. The accepted method of screening will be the T.O. machine for vision screening or the Snellen Screening Chart.
2. Pupils who fail to read less than 20/40 in one or both eyes shall be retested. Pupils who fail a subsequent test shall be referred for definitive diagnosis and treatment, following notification of parent.

3. All pupils in grade 5 and all pupils admitted to this district after grade 5 will be tested for color blindness.

E. Tuberculosis screening N.J.A.C. 6:29-2.3

Screening for tuberculosis infection will be conducted as follows.

1. The only pupils who shall be tested are those in grades and schools identified or under circumstances specified by the State Department of Health based upon the high incidence of tuberculosis or reactor rates in the communities or population groups concerned.
2. The Mantoux intradermal tuberculin test using five T.U. (Tuberculin Units) of PPD tuberculin shall be the only skin test used to detect evidence of tuberculosis infection.
3. Any pupil shall be exempt from these requirements upon presentation of documentation of from a licensed physician showing a significant tuberculin reaction and a subsequent negative chest X-ray.
4. Procedures for the administration of the Mantoux test, interpretation of tuberculin reactions, follow-up procedures (including a chest X-ray and medical evaluation) and reporting shall be conducted in accordance with the Department of Health's Reference Guide for Physicians and Nurses.
5. All pupils referred for the necessary chest X-ray and medical examination shall submit a physician's report. If the physician's report is not received by the school medical inspector within four weeks, or if the school medical inspector is unwilling to accept the findings, the pupil shall have a chest X-ray examination in the manner prescribed by the Board of Education.

F. Athletic examinations

Athletic examinations will be conducted in accordance with Regulation No. 2431.1 and N.J.A.C 6:29-3.4.

G. Substance abuse examinations

Examination of pupils suspected of substance abuse will be conducted in accordance with Regulation No. 5530 and N.J.A.C. 6:29-6.5.

H. Child study team evaluations

Examination of pupils identified as potentially educationally disabled will be conducted in accordance with Regulation No. 2460 and N.J.A.C. 6:28-3.4.

I. Pediculosis examinations

Pediculosis (head lice) examinations will be conducted in accordance with Regulation No. 8541.

J. Records

Records of all physical and health examinations will be kept as follows:

1. The results of examinations will be recorded on a record form recommended by the Commissioner of Education. Such form shall be kept in a permanent file and shall be the property of the Board. The original health record shall be forwarded with other school records of pupils who transfer to another school district; a photocopy will be retained in this district. If a pupil leaves for any other reason, the record shall remain the property of the school.
2. The maintenance of health records is primarily the responsibility of the school nurse.
3. Pupil health records are subject to N.J.A.C. 6:3-6.1 et seq. and Policy No. 8330 on pupil records generally and must be kept confidential. Access is permitted only to the pupil's parent, the adult pupil and professional staff members charged with educational responsibility for the pupil. Aides and school office personnel may have access to health records only under direct supervision of a professional staff member and only to the extent necessary to enter and record data.

K. Notification of parents

The results of physical and health examinations shall be reported to the parent of the pupil examined, along with any recommendation of the school medical inspector or school nurse regarding possible treatment.

Adopted: 21 December 1995

5320 – IMMUNIZATION (Regulation)

A. Immunization on admission

1. No principal shall knowingly admit or retain any pupil who has not submitted acceptable evidence of immunization according to the schedule set forth at paragraph E, unless the pupil is provisionally admitted as provided at paragraph A2 or exempted as provided at paragraph B N.J.A.C. 6:29-2.1
2. A pupil may be admitted to school on a provisional basis if a physician can document that at least one dose of each of the required vaccine(s) or antigen(s) which are age appropriate has been administered and that the pupil is in the process of receiving the remaining immunizations.
 - a. Such provisional admission shall be for a reasonable length of time that is consistent with the immunization schedule set forth in paragraph E, but all requirements must be completed within one year for pupils five years of age or older and within seventeen months for pupils under the age of five
 - b. Provisional status shall be granted only one time to pupils entering or transferring into this district. If a pupil on provisional status transfers from this district, information on his or her status will be sent to the new school.
 - c. Pupils transferring into this district from another state shall be allowed a thirty day grace period before provisional status begins.
 - d. The principal shall insure that the provisionally admitted pupil is receiving required immunizations on schedule. If the pupil has not completed the immunizations at the end of the provisional period, the principal shall exclude the pupil from school until appropriate documentation of completion has been presented.
 - e. Pupils on provisional status may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the Commissioner of Health.

B. Exemptions from immunization

1. A pupil shall not be required to have any specific immunization(s) that are medically contraindicated.
 - a. A written statement from any physician licensed to practice medicine or osteopathy in any jurisdiction in the United States indicating that an immunization is medically contraindicated for a specified period of time, and the reasons for the medical contraindication, will exempt a pupil from

the specific immunization requirements of law for the period of time specified in the physician's statement.

- b. The physician's statement shall be maintained by the school as part of the immunization record of the pupil and shall be reviewed annually.
 - c. When the pupil's medical condition permits immunization, this exemption shall thereupon terminate, and the pupil will be required to obtain the immunizations from which he or she has been exempted.
2. A pupil shall be exempted from mandatory immunization if the parent submits a signed statement that explains how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.
- a. The written statement signed by the parent will be kept by the school as part of the pupil's immunization record.
 - b. This exemption may be suspended by the Commissioner of Health during the existence of an emergency as determined by the Commissioner of Health.
 - c. Pupils enrolled in school before September 1991 and granted a religious exemption to immunization before May 1990 shall not be required to reapply for a new religious exemption.
3. Pupils exempted on medical or religious grounds may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the Commissioner of Health.

C. Documentation of immunization

1. Any of the following documents will be accepted as evidence of a pupil's immunization history, provided that the document lists the type of immunization and the date when each immunization was administered.
 - a. An official school record from any school or preschool indicating compliance with immunization requirements,
 - b. A record from any public health department indicating compliance with immunization requirements, or
 - c. A certificate signed by a physician licensed to practice medicine or osteopathy in any jurisdiction in the United States indicating compliance with immunization requirements.

2. All immunization records submitted by a parent in a language other than English shall be accompanied by a translation sufficient to determine compliance with the immunization requirements of this regulation.

D. Immunization records

1. Each school shall maintain an official State of New Jersey Immunization Record for every pupil which shall include the date of each individual immunization.
 - a. The immunization record shall be kept separate and apart from the pupil's other medical records for the purpose of immunization record audit.
 - b. If a pupil withdraws, is promoted, or transfers to another school, the record, including statements pertaining to medical or religious exemptions, or certified copies thereof, shall be sent to the new school or be given to the parent on request, within twenty-four hours of the request.
 - c. When a pupil graduates from high school, the record or a certified copy thereof shall be sent to an institution of higher education or may be given to the parent on request.
 - d. Each pupil's immunization record or a copy thereof shall be retained by the high school for a minimum of four years after the pupil has left the school and shall be retained by the elementary school for a minimum of one year after the pupil has left the school.
 - e. Any computer-generated document or list developed to record immunization information will be considered a supplement to, not a replacement of, the official New Jersey Immunization Record.
2. A report of the immunization status of the pupils in each school shall be sent each year to the State Department of Health by the principal or other person in charge of a school. The form for the report will be provided by the State Department of Health. The report shall include all pupils and shall be submitted by December 1 of the respective academic year. A copy of this report shall be sent to the local board of health in whose jurisdiction the school is located.
3. The principal in charge of a school shall make immunization records available for inspection by authorized representatives of the State Department of Health or the local board of health in whose jurisdiction the school is located, within twenty-four hours of notification.

E. Immunization requirements

1. Every nonexempt pupil born on or after 1 January 1986 shall have received a minimum of four doses of diphtheria and tetanus toxoids and pertussis vaccine (DTP), one dose of which shall have been given on or after the fourth birthday.
 - a. Pupils enrolled in preschool who are too young to meet this requirement shall be considered to be in compliance if they are appropriately immunized for their age.
 - b. Pediatric diphtheria-tetanus (DT) shall be accepted in lieu of DTP for pupils under age seven if a physician's written medical contraindication to further pertussis vaccine has been presented.
 - c. Pupils seven years of age and older who have not completed this requirement shall receive a tetanus and diphtheria toxoid, (adult Td) instead of DTP. Any appropriately spaced combination of three doses of DTP or Td in a pupil over seven shall be acceptable as adequate immunization for this vaccine series.
 - d. Those pupils born on or after 1 January 1986 who have received five or more doses of DTP shall have satisfied the DTP requirements.
2. Every nonexempt pupil born on or after 1 January 1986 shall have received at least three doses of live, trivalent, oral poliovirus vaccine (OPV), one dose of which shall have been given on or after the fourth birthday.
 - a. Pupils enrolled in preschool who are too young to meet this requirement shall be considered to be in compliance if they are appropriately immunized for their age.
 - b. Any appropriately spaced combination of four doses of conventional or enhanced inactivated poliovirus vaccine (IPV) and OPV will satisfy the poliovirus vaccine requirement.
 - c. For pupils seven years of age and older, any appropriately spaced combination of three doses of enhanced IPV and OPV will satisfy the poliovirus vaccine requirement.
3. Every nonexempt pupil shall have received one dose of measles virus vaccine, live, attenuated, or any vaccine combination containing live measles vaccine, administered on or after the first birthday.
 - a. Pupils who present documented laboratory evidence of measles immunity shall not be required to receive measles vaccine.

- b. Pupils enrolled in school before 1 September 1991 who have a current immunization record with physician diagnosed and documented measles disease shall not be required to receive measles vaccine.
- 4. Every nonexempt pupil shall have received one dose of live rubella virus vaccine or any vaccine combination containing live rubella virus vaccine, administered on or after the first birthday. Rubella virus vaccine shall not be required of pupils who present documented laboratory evidence of rubella immunity.
- 5. Every nonexempt pupil shall have received one dose of live mumps virus vaccine, or any vaccine combination containing live mumps vaccine, administered on or after the first birthday. Pupils who present written certification from the diagnosing physician that the pupil had mumps disease shall not be required to receive mumps vaccine. Pupils who present documented laboratory evidence of mumps immunity shall not be required to receive mumps vaccine.

Adopted: 21 December 1995

5330 - ADMINISTRATION OF MEDICATION (Regulation)

M

A. Definitions

1. "Medication" means any prescription drug or prescribed over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. "Administration" means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. "Self-administration" means the administration of any medication by a pupil with asthma or other life threatening illness to him/herself.

B. Permission for administration by a school nurse or registered nurse

1. Permission for the administration of medication in school or at school-related events will be given only when the pupil's attendance depends upon the timely administration of medication in school or at school-related events.
2. Medication will not be administered to a pupil who is physically unfit to attend school or has a contagious disease. Any such pupil should not be permitted to attend school and may be excluded in accordance with Policy No. 8451.
3. Parent or guardian's request for the administration of medication in school must be made in writing and signed by the parent or guardian.
4. The parents or guardians must submit a statement written and signed by the pupil's physician. The statement must include:
 - a. The pupil's name,
 - b. The name of the medication,
 - c. The purpose of its administration to the pupil for whom the medication is intended,
 - d. The proper timing and dosage of medication,
 - e. Any possible side effects of the medication,
 - f. The time when the medication will be discontinued,

- g. A statement that the pupil is physically fit to attend school and is free of contagious disease, and
 - h. A statement that the pupil would not be able to attend school if the medication is not administered during school hours.
5. A request for the administration of medication should be made to the principal, who may grant or deny the request. The principal may consult with the school nurse and school medical inspector in making his or her determination.
- a. An approved request will be signed by the principal and given to the school nurse.
 - b. The parents or guardians will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.

C. Permission for self-administration of medication

Permission for self-administration of medication of a pupil with asthma or another potentially life threatening illness may be granted under the following conditions:

- 1. Parents or guardians of the pupil must provide the Board written authorization for the self-administration of medication. The request must be a signed written statement by the pupil's parents or guardians;
- 2. The parents or guardians of the pupil must provide the Board with a signed written certification from the physician of the pupil that the pupil has asthma or another potentially life threatening illness and is capable of, and has been instructed in, the proper method of self-administration of medication. The statement must include:
 - a. The pupil's name,
 - b. The name of the medication,
 - c. The purpose of its administration to the pupil for whom the medication is intended,
 - d. The proper timing and dosage of medication,
 - e. Any possible side effects of the medication,
 - f. The time when the medication will be discontinued,
 - g. A statement that the pupil is physically fit to attend school and is free of contagious disease, and

- h. A statement that the pupil would not be able to attend school if the medication is not administered during school hours.
- 3. The Board shall inform the parents or guardians of the pupil in writing that the school district, the Board, and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil.
- 4. The parents or guardians of the pupil have signed a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents or guardians shall indemnify and hold harmless the school district, the Board, and its employees or agents from any and all claims arising out of the self-administration of medication.
- 5. Requests for the self-administration of medication should be made to the principal, who may grant or deny the request. The principal may consult with the school nurse and school medical inspector in making his or her determination.
 - a. An approved request will be signed by the principal and given to the school nurse and the pupil's parents or guardians.
 - b. The parents or guardians will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.
- 6. Permission to self-administer one medication shall not be construed as permission to self-administer other medication.
- 7. Permission shall be effective on the school year for which it is granted only. The conditions cited in subsection 1 to 6 above must be fulfilled in order for the permission to be renewed.

D. Custodianship of medication

- 1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent or guardian except in the case of high school pupils who may personally deliver medication to the school nurse.
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of pupils' medication, which will be secured under lock and key under appropriate conditions.

- d. Any unused medication must be picked up by the pupil's parent or guardian.
 - e. After reasonable efforts to have the parent retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or 4 weeks after the pupil stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a pupil:
- a. Time being of the essence in cases of asthma and other potentially life threatening illness, all medications to be self-administered by a pupil must be kept in the pupil's possession.
 - b. No pupil may possess medication for self-administration unless the proper permission has been granted by the principal and a record of the medication is on file in the office of the school nurse.
 - c. Pupils who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other pupils.
3. When medication must be routinely administered to a pupil at a time when the school nurse cannot be present in the school building and the parent cannot be present, the medication may be administered directly by the affected pupil, provided that:
- a. The principal, the pupil's parent, the pupil's physician, and the school medical inspector all agree in writing that
 - (1) The pupil is sufficiently mature and responsible to self-administer the medication and
 - (2) The risk of improper administration is minimal; and
 - b. When practical, the self-administration is observed and supervised by a teaching staff member trained by the school nurse in the proper administration of the medication.

E. Administration of medication

- 1. No medication shall be administered to or taken by a pupil in school or at a school-sponsored event except as permitted by Board policy and this regulation.

2. Medication may be administered only by the school nurse, a registered nurse, the pupil's parent or guardian, or in the case of the pupils with asthma or other potentially life threatening illness by the pupil when proper permission has been granted.
3. When practicable, self-administration of medication should be observed by the school nurse or another school official.
4. Pupils self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the pupil during school activities. Such a individual shall report all administrations and any side effects reported or observed to the school nurse within 24 hours.
5. When a pupil attends a school-sponsored event at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse or a parent or guardian cannot be in attendance, the pupil's parent or guardian will be invited to attend. If neither the school nurse nor the parent or guardian can attend and the pupil does not have permission to self administer medication and there is a risk that the pupil may suffer significant injury from lack of medication is substantial, the pupil may be excused from the event.

F. Emergencies

Any medical emergency requiring medication of pupils will be handled in accordance with Policy No. 8441 and implementing regulations on first aid and, as appropriate, the school medical inspector's standing orders for school nurses.

G. Records

The school nurse shall include the following in a pupil's health record

1. The approved written request for the administration of medication.
2. A record of each instance of the administration of the medication by the school nurse or a registered nurse.
3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report student self administration of medication.
4. Any side effects that resulted from the administration of medication.
5. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent or guardian removed the medication or, if the parent failed to remove the medication, the medication was destroyed and the date on which that occurred.

H. Notification

1. The school nurse may provide the principal and other teaching staff members concerned with the pupil's educational progress with information about the medication and administration when such release of information is in the pupil's best educational interest.
2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of pupils who have been in charge of school activities with a list of pupil who have been granted permission to self administer medication.
3. The school nurse will inform the pupil's parent or guardian of any difficulty in the administration of medication or any untoward side effects.
4. The school nurse will report to the school medical inspector any pupil who appears to be adversely affected by the medication.

Adopted: 21 December 1995

5350 - PUPIL SUICIDE (Regulation)

Level I - At-Risk Behaviors

It is important that school personnel and the population in general be aware of warning signs so that the appropriate steps can be taken.

Warning signs may include:

1. Indications of depression
2. Changes in "personality"
3. Inability to concentrate
4. A downward trend in school performance
5. Preoccupation
6. Risk taking behavior or appearing to be "accident prone"
7. Quietness
8. Indications that the person is making final arrangements
9. Withdrawn appearance
10. A sense of not belonging in school
11. A sense of having a restricted future because of doing poorly in school
12. Isolation
13. Low level of family support
14. Substance abuse

A number of warning signs are characteristic of the turmoil of adolescence, making it difficult for adults to know by observation whether a young person is suicidal or not. However, it is critical to be on guard when several warning signs occur together or when a key sign persists over time.

School personnel, because of their extensive contact with young people, are an especially important resource in identifying potentially suicidal youngsters. Once warning signs have been identified and there is suspicion that a given individual may be suicidal, the following steps must be taken:

1. Staff member shall notify the building administrator or designee.
2. Administrator assembles at least 2 members of the Crisis Team.

A Crises Team can consist of:

- Guidance Counselor
 - Social Worker
 - SAC
 - CST Member
 - SBYS personnel
 - Administrator
 - Nurse
3. Team members will assess the level of risk by interviewing the student, interviewing the referral source and using a district prepared Suicide Questionnaire. The Team will also contact the parent and, if the student is classified, the CST case manager.
 4. If the team determines that the student is suicidal, St. Mary's Crisis Unit will be called immediately. The Suicide Questionnaire will provide the necessary information for St. Mary's. If the student is not at risk for self-harm, the team may decide that a referral to a school based support program or a community resource is appropriate.
 5. A designated team member shall document the incident.

Level II - Written or Verbal Intent

Student has voiced or written intent to engage in a suicidal act.

As with Level I, the following steps must be taken:

1. Staff member shall notify the building administrator or designee.
2. Administrator assembles at least 2 members of the Crisis Team.

3. Team members will assess the level of risk by interviewing the student, interviewing the referral source and using the Suicide Questionnaire. The Team will also contact the parent and, if the student is classified, the CST case manager.
4. If the team determines that the student is suicidal, St. Mary's Crisis Unit will be called immediately. The Suicide Questionnaire will provide the necessary information for St. Mary's. The parent/guardian will be asked to sign a Release of Records form to provide feedback to the school. If the student is not at risk for self-harm, the team may decide that a referral to a school based support program or a community resource is appropriate.
5. A designated team member shall document the incident.

The student is to be kept under continuous adult supervision as assigned by the building Principal until the interviews and Suicide Questionnaire have been completed and the appropriate action taken.

Level III - Attempted Suicide

Suicidal act - any self-inflicted act with the intent to terminate one's life

1. Staff member shall immediately notify the building administrator or designee.
2. The building administrator shall notify the police and call for an ambulance. The school nurse shall be called to monitor and provide first aid until the police and ambulance arrive.
3. The parent/guardian shall be notified to report to the school or hospital. If the parent is not available at the time the student is transported to the hospital, a staff member must accompany the student and remain until the parent arrives.
4. If the parent/guardian is contacted and refuses to follow the recommendation for medical assistance, the administrator or designated staff member shall contact DYFS.
5. If the student is not classified, the administrator will appoint a case manager to follow-up and act as a liaison between the family and the school. The parent/guardian will be asked to sign a Release of Records form to provide feedback to the school.
6. A discharge plan must be presented to the school nurse for re-admittance to school.
7. The school will make every effort to work with the family and the student in identifying and providing follow-up support services upon return to school.

“Contact the Assistant's Superintendent's Office or Health Services Department for SUICIDE PREVENTION/INTERVENTION COMMUNICATIONS CHART”

Adopted: 21 December 1995

Revised: 31 May 2005

5420 - REPORTING PUPIL PROGRESS (Regulation)

M

A. Purpose

The purpose of reporting the educational progress of pupils is to

1. Inform parents of the progress children have made in school;
2. Apprise pupils of their progress in school;
3. Prompt teachers to make periodic, formal assessments of each pupil's progress;
4. Provide a cumulative record of a pupil's progress through the educational system; and
5. Enable each pupil to gain a positive sense of his or her intellectual, social, emotional, and physical abilities and growth toward effective citizenship.

B. Frequency

1. Report cards will be issued quarterly.
2. The schedule of dates on which report cards will be issued will be published in the parent and student handbooks distributed by each school so that parents can anticipate the receipt of a report card.
3. Parents and pupils will be notified in writing of the possibility of a failing grade at least three weeks prior to the end of a marking period.
4. Parents and pupils will be notified in writing of the possibility of a pupil's retention at grade level in accordance with Policy No. 5410.
5. Notices given pursuant to paragraph B2 and paragraph B3 will be sent home with the pupil in grades to 6 and will be mailed to the parent in grades 7 to 12.
6. Nothing in this regulation should discourage teachers from implementing various forms of communication, as frequently as the circumstances dictate, to keep parents informed of the educational progress of their children.

C. Report card form

1. The form of report cards will be periodically reviewed by the Instructional Council in order to insure that report cards effectively and accurately report pupil progress.

2. Grades will be determined in accordance with Regulation No. 2624.
3. At the elementary level, report cards will report individual academic, personal, and social growth as well as work and study habits.
 - a. The kindergarten report card will stress the degree of mastery of skill achieved.
 - b. The primary report card will record a specific symbol for both effort and degree of mastery of specific skills.
 - c. The intermediate report card will record both effort and degree of mastery of specific skills and will include the instructional level achieved by the pupil in reading, spelling, and mathematics.
4. At the middle school and high school levels, report cards will record pupil achievement in academic subjects in comparison with their peers, as well as the pupil's personal growth and development.
5. Report cards at all levels will record the pupil's absences and tardiness.
6. Report card forms will include space for the classroom or homeroom teacher's personal comments on the pupil's personal growth and development.
7. Report card forms will include space for the parent's signature, comments, and request for a conference with the teacher.

D. Distribution and return

1. Report cards will be sent home with pupils.
 - a. The report card of a pupil who is absent on the day report cards are issued may be held and sent home with the pupil on the following school day.
 - b. The report card of a pupil who is absent for an extended period of time will be mailed to the parent.
2. Report cards must be signed by the pupil's parent and returned within seven school days of the date on which they were issued.
3. Teachers will maintain a check list to determine which report cards, if any, have not been returned within the allotted time. If a report card is overdue, the Principal's office will call the parent.

E. Parent teacher conferences

Parent teacher conferences will be conducted in accordance with Policy No. 9280.

Adopted: 21 December 1995

5440 - HONORING PUPIL ACHIEVEMENT (Regulation)

A. Honor rolls

1. Pupils in grades Kindergarten through 6 who distinguish themselves by high academic achievement will be listed on an honor roll at the end of each marking period. Two rolls will be published: honors and high honors.
 - a. The high honor roll will include all pupils who have achieved a grade of not less than A in all subjects in that marking period.
 - b. The honor roll will include all pupils who have a grade of A or B or better in all subjects, excluding those pupils named to the high honor roll in that marking period.
 - c. A pupil who has been given a grade of incomplete in any subject will be ineligible for an honor roll in that marking period.
 - d. A pupil who has dropped a course after the mid-point of the marking period will be ineligible for an honor roll in that marking period.
2. Pupils in grades Kindergarten through 6 who have achieved academic distinction for the school year will be listed on an honor roll at the end of the school year. Two year-end rolls will be published: honors and high honors.
 - a. The high honor roll will include all pupils who have achieved a final grade of at least A in all subjects.
 - b. The honor roll will include all pupils who have a final grade of B or better in all subjects, excluding those pupils named to the high honor roll.
 - c. A pupil who has been given a final grade of incomplete in any subject will be ineligible for a year-end honor roll.
 - d. A pupil who has dropped a course after the mid-point of the last marking period will be ineligible for a year-end honor roll.

HONOR AND MERIT ROLL GUIDELINES

Principal's Honor Roll - For all students in grades K-6

In order to be placed on the Principal's Honor Roll students must;

- be working at grade level
- have all A's in academic subjects

- have “satisfactory” in Social Development/Work Habits (excluding penmanship)
- * Kindergarten students must have a “satisfactory” rating in designated areas.

Honor Roll - For all students in grades K-6

In order to be placed on the Honor Roll students must;

- be working at grade level
- have A’s and B’s in all academic subjects
- have “satisfactory” in Social Development/Work Habits (excluding penmanship)
- * For Kindergarten students see above note.

Merit Roll - For all students in grades K-6

In order to be placed on the Merit Roll students must;

- have A’s, B’s, and C’s in all academic subjects
- have “satisfactory” in Social Development/Work Habits (excluding penmanship)
- show great effort and good behavior (no more than 5 warnings allowed per marking period as recorded on Daily Documentation Sheet.

THE HONOR SOCIETY

In order to create uniformity in the district with regard to student achievement awards, our Honor Society will be composed of students falling into four categories.

- (A) First Honor Roll
- (B) Second Honor Roll
- (C) Achievement Award
- (D) Good Conduct Award

First, to be on the First Honor Roll, a student must be a good citizen of the school, (in grades 3-6), working at grade level in reading and math, and have all A’s in academic subjects, excluding penmanship.

Second, to be on the Second Honor Roll, a student must be a good citizen of the school, (in grades 3-6), working at grade level in reading and math, and have A’s and B’s in all academic areas, excluding penmanship.

Third, to receive the Achievement Award, a student must be a good citizen of the school, (in grades 3-6), have demonstrated significant improvement, and achieved passing grades in all academic subjects, excluding penmanship - nothing lower than a C. This is a highly subjective award and is based also on the teacher's judgment. Special Area teachers (ESL, BSI, and Resource Room) input is also considered in giving this award to the student. One or more students may receive this award simultaneously.

Fourth, to receive the Good Conduct Award, a student must be a good citizen of the school, (in grades 3-6), well behaved in the lunch room and special areas, "kind and gentle", and thoughtful.

The names of students in all categories will be placed in the front hall at the end of every marking period. All students who have met the above criteria in any of the categories will receive certificates at the end of each marking period, and students who have achieved any of the above honor rolls for four consecutive marking periods will receive a special pin at the end of the year. A student can be considered for only one area per marking period.

Adopted: 21 December 1995

***5460 - HIGH SCHOOL GRADUATION PROCEDURE (Regulation)**

M

In keeping with its obligation under N.J.A.C. 6:8-7.1, the Board sets forth the following as its procedure for pupil promotion and high school graduation:

BASIC SKILLS

1. Prior to graduation from high school, all students must demonstrate a minimum level of competency in reading, writing and computation.
2. The Board will administer state Early Warning Test in grade eight and the High School Proficiency Test in grade 10 N.J.A.C. 6:8-7.1.
3. Passage of these examinations is a prerequisite to graduation with a state-endorsed diploma. Those Students who have not reached such a level of competency by the ninth grade will have the succeeding high school years to reach the required competency level.
4. All students will be assessed on these basic skills annually, and upon their entry into the district school system. Students who are not meeting these standards will receive, under N.J.A.C. 6:8-6.1, an individual assessment. An Individual Student Improvement Plan (ISIP) will be developed for those students progressing inadequately. (N.J.A.C. 6:8-6.2)
 - a. The Individual Student Improvement Plan (ISIP) is a written instructional plan designed to identify the student's skill weaknesses, and to establish exit criteria which must be met before the student has adequately demonstrated proficiency in these skills.
 - b. Parents will be provided with a written student improvement plan for each of their children requiring one. They will be notified of the reasons the plan is needed in their child's case, and of their child's progress therein.
 - c. Individual comprehensive assessment procedures shall include teacher observation, parental or guardian interview, formal and informal evaluation techniques, and evaluation of cumulative pupil records and student performance data.
 - d. Parents dissatisfied with their child's ISIP may discuss changes they would support with educational staff, district administrators and the Board of Education.

- e. A teaching staff member will be designated as being responsible for the development, implementation and evaluation of the Individual Student Improvement Plan.
- f. For each pupil who performs below state standards on any of these tests by the end of the eleventh grade, an additional evaluation shall be provided during the twelfth year based on the Individual Student Improvement Plan. This evaluation shall include but not be limited to:
 - (1) Performance on state tests (including all re-tests)
 - (2) Performance on locally selected examinations
 - (3) Performance in course work
 - (4) Formal interview with pupil
 - (5) Formal interview with parent(s)/guardian(s)
 - (6) Formal interview with teaching staff
 - (7) Examination of pupil's transcripts noting the pupil's strengths in other related areas
 - (8) Guidance counselor;psychologist review as appropriate
 - (9) Visual, auditory and/or medical examinations and data as appropriate
 - (10) Examination of credit and curriculum performance
 - (11) Examination of pupil proficiencies in other areas, and
 - (12) Examination of pupil proficiencies for pupils with limited English proficiency who enter New Jersey Schools in grade nine or later in their native language.
- g. Twelfth Grade Special Review Assessment
 - (1) This is designed for students who have met other graduation requirements (attendance, curriculum, etc.) but repeatedly fail the statewide examination because they do not perform well on traditional tests.
 - (2) Under this clause, a special review panel will further assess the student's level of competency. The review panel comprised of

three teaching staff members who have not instructed the student, will make a recommendation based on criteria in (f) above.

- (3) The recommendation of this panel must be endorsed by the building Principal, District Superintendent and County Superintendent before the local board may award a state-endorsed diploma.
- (4) Parents may appeal the decision of the Board and review panel that their child has not met minimum graduation requirements through the regular review process (i.e. Commissioner, State Board).

Course Proficiency

- a. The following are the curriculum requirements for graduation from high school with a state-endorsed diploma:
 - (1) One credit year of English for each year of enrollment, up to four credit years
 - (2) Two credit years of Mathematics
 - (3) Two credit years of United States History as required by N.J.S.A. 18A:35-1 et seq.
 - (4) Two credit years of Social Studies/U.S. History as required by N.J.S.A. 18A:35-1
 - (5) One credit year of natural or physical science
 - (6) One credit year of physical education, health and safety for each year of enrollment as required by N.J.S.A. 18A:35-5 et seq.
 - (7) One credit year of fine, practical, and/or performing arts
 - (8) One half year credit in fine, practical or performing arts Career Education which may be satisfied by infusion in other courses.
- b. Students must demonstrate proficiency in these areas. These expectations will be clearly set forth in core course proficiencies and be provided to the student in writing before taking any course required for graduation and a copy will be forwarded to the parent or guardian upon request. Additionally, students will be advised of all alternatives for fulfilling curriculum requirements before they plan each year's schedule.

- c. Pupils achieving below the district-established standards must enroll in compensatory reading and/or math classes.
- d. Classified special education students must meet all state and local graduation requirements unless exempted in their individualized education program (IEP). The IEP must specifically address state and local requirements. In these cases, fulfillment of the IEP requirements would qualify the handicapped student for a state endorsed high school diploma.

Attendance

Pupils are expected to be in attendance on all days that school is in session. The interruption of the instructional process caused by frequent and/or repeated absence or lateness is a major concern of all involved. It is with this concern in mind that the following regulations are established

A. General Requirements

In addition to fulfilling academic requirements in order to pass a course, the pupil must

- 1. Satisfy minimum attendance requirements.
- 2. Not exceed unexcused absence requirements.

B. Minimum Attendance Requirements

A minimum number of days in attendance must be met in order to receive a passing grade in a course. If the student exceeds the following number of absences, whether excused or unexcused, the requirements for a passing grade have not been met.

- | | | |
|----|--|-------------|
| 1. | Full year course | 20 absences |
| 2. | Half year course | 10 absences |
| 3. | Quarter year course | 5 absences |
| 4. | Full year course, meeting
3 days per week | 11 absences |

C. Definitions

- 1. Attendance-the presence of a pupil in school, or the participation of a pupil in a school sanctioned activity.
- 2. Absence-the non-attendance of a student enrolled in the school district.

3. Excused absence-the following may be considered as reasons for non-attendance:
 - Personal illness or accident verified by a doctor's note
 - Serious illness or death in the immediate family
 - Attendance required in court (evidence submitted)
 - Religious holidays
 - Other reasons with permission of the Principal or his/her designee
 - School sponsored educational activities, sanctioned or approved by the Principal.
4. Unexcused absences-the non-attendance in school for reasons other than those listed under "Excused Absences".

D. Absence from School/Class and Lateness to Class

1. Absence is defined as neither being present in the classroom nor in attendance at any school sponsored activity.

Adopted: 21 December 1995

5500 - EXPECTATIONS FOR PUPIL CONDUCT (Regulation)

The following specific behaviors exemplify the conduct expected of pupils, in accordance with Policy No. 5500.

- A. Pupils will prepare themselves mentally and physically for the process of learning by
 - 1. Being well-nourished, rested, clean, and properly dressed and groomed;
 - 2. Being free of drugs and alcohol and refraining from smoking; and
 - 3. Developing attitudes that will prepare them for listening, participating, and learning.

- B. Pupils will respect the person, property, and intellectual and creative products of others by
 - 1. Being always honest, forthcoming, and courteous;
 - 2. Displaying care for the property of others;
 - 3. Acknowledging the intellectual work of others when it is incorporated into their work;
 - 4. Accepting the rights of others to their own opinions and beliefs;
 - 5. Resolving disputes and differences peacefully;
 - 6. Displaying loyalty and good sportsmanship; and
 - 7. Helping to maintain school facilities that are neat and clean.

- C. Pupils will take responsibility for their own behavior and learning by
 - 1. Recognizing that academic endeavor is the primary purpose of school attendance;
 - 2. Completing all homework, classwork, and assigned projects on time;
 - 3. Preparing for each class by bringing necessary supplies and equipment;
 - 4. Making personal choices that are based on sound reasoning and decision-making;
 - 5. Accepting constructive criticism; and
 - 6. Acknowledging and accepting the consequences of their own actions.

- D. Pupils will use time and other resources responsibly by
1. Attending school regularly and promptly and striving for a perfect attendance record;
 2. Using study periods and library time for school work; and
 3. Using books and other equipment appropriately.
- E. Pupils will share responsibilities when working with others by
1. Cooperating with others in the work of the group;
 2. Contributing talents and services as appropriate;
 3. Accepting leadership when appropriate; and
 4. Respecting the rights and opinions of others in a group setting.
- F. Pupils will meet the requirements of each course of study by
1. Participating actively and appropriately in the scheduled class;
 2. Following the rules and procedures established for the class by the teacher;
 3. Bringing to class the textbook, clothing, and other materials necessary for participation; and
 4. Observing school rules for the safe handling of class equipment and materials.
- G. Pupils will monitor their own progress toward school objectives by
1. Carefully planning courses of study and schedules;
 2. Promptly seeking staff assistance as required; and
 3. Maintaining records of progress.
- H. Pupils will communicate with parents and appropriate school staff members about school matters by
1. Discussing progress in school with parents and relaying necessary information to parents;
 2. Transmitting school letters, forms, and notices to parents and returning required responses to school staff members;

3. Conferring with appropriate staff members when a problem occurs; and
4. Developing with parents a clear idea of their educational goals.

Adopted: 21 December 1995

5511 - DRESS CODE (Regulation)

The following dress code has been developed in accordance with Policy No. 5511 and in consultation with staff members, parents, and pupils of this district.

A. General rules

1. Pupils are expected to be clean and well groomed in their appearance.
2. Pupils are expected to avoid extremes in appearance that are so disruptive or distracting that the reaction of other pupils is beyond normal control.
3. Dress or grooming that jeopardizes the health or safety of the pupil or of other pupils or is injurious to school property will not be tolerated.

B. Prohibited clothing and articles

The following garments and articles are prohibited in school and at school-sponsored indoor events:

1. Extremely low-cut, tight fitting or transparent clothes, bare midriffs, and suggestive clothing;
2. Skirts, dresses, and pants that end higher than mid-thigh;
3. Pin curlers and other hair curling aids;
4. Outdoor jackets, coats, or hats except when entering or leaving the building and when there is a defect in the heating system;
5. Bare feet, unsafe footwear, cleated shoes, and footwear intended for the beach;
6. Patches and decorations that are offensive or obscene;
7. Undershirts (underwear) worn without an outer shirt;
8. Shorts after a designated date;
9. In the classroom, clothing required for physical education classes;
10. Clothing that is overly soiled, torn, worn, or defaced;
11. Nonprescription sunglasses, glazed, and tinted glasses, except as prescribed by the pupil's doctor;
12. Portable audio receivers; and

13. Beepers and other summoning devices.

C. Physical education

1. Pupils are encouraged to wear the official school gym suit, which is available for purchase at the school store.
2. In lieu of the official school gym suit, pupils may wear:
 - a. Athletic type boxer shorts without pockets or fringes and marked on the outside of the lower right leg with the pupil's first initial and last name.
 - b. Plain tee shirt marked on the outside of the right shoulder with the pupil's first initial and last name.
 - c. A sweat shirt for outdoor activities in cool weather.
3. Boys are required to wear an athletic supporter.
4. Snug belts, cut-offs, jeans, loose jewelry, and dirty or torn clothing and accessories are prohibited.
5. Pupils must wear sneakers or rubber-soled athletic shoes; slip-on shoes, hard-soled shoes, and bare feet are prohibited in gym class.
6. Pupils are required to shower after any gym class that involves strenuous physical activity.

D. Enforcement

1. Teaching staff members will report perceived violations of the dress code to the building principal, who will interpret and apply the code.
2. Pupils who publicly represent the school or a school organization at an activity away from this district are required to dress in full accordance with the reasonable expectations of the staff member in charge of the activity. Pupils unwilling to comply with this requirement will disqualify themselves from participation.
3. Pupils will not be permitted to attend a school-related function, such as a field trip, school dance, after-school activity unless they are attired and groomed in accordance with this dress code.
4. The principal may waive application of the dress code on a day especially scheduled for pupils' free expression in dress and grooming.

5. A pupil whose dress or grooming has been found by the principal to violate this regulation may appeal the principal's determination to the Superintendent, whose decision will be final.

Adopted: 21 December 1995

5512 - HARASSMENT, INTIMIDATION, OR BULLYING INVESTIGATION PROCEDURE (Regulation)

M

The Board of Education authorizes a prompt investigation of reports and violations and complaints of harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:37-15(b)6.

The following investigation procedure shall be used for all allegations of harassment, intimidation, or bullying:

1. An investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident and shall be conducted by a school's Anti-Bullying Specialist, in coordination with the Principal.
 - a. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist in the investigation.
2. The investigation shall be completed as soon as possible, but not later than ten school days from the date of the written report of the incident of harassment, intimidation, or bullying.
 - a. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the ten-day period, the school Anti-Bullying Specialist may amend the original report of the results of the investigation to reflect the information.
3. The results of the investigation shall be reported to the Superintendent of Schools within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).
4. The Superintendent of Schools may decide to provide intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
5. The results of each investigation shall be reported to the Board of Education no later than the date of the next Board of Education Meeting following the completion of the investigation, along with information on any services provided, training established, discipline imposed, or other action taken or recommended by the Superintendent.
6. Parents of individual student offenders and targets/victims shall be entitled to receive information about the investigation, in accordance with Federal and State

law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

7. A parent may request a hearing before the Board of Education after receiving the information.
 - a. This hearing shall be held within ten school days of the request;
 - b. The Board shall meet in executive session for the hearing to protect the confidentiality of the students; and
 - c. At the hearing the Board may hear from the school Anti-Bullying Specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.
8. At the next regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of each investigation to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with the procedures set forth in law and regulation, no later than ninety days after the issuance of the Board's decision.
9. A parent, student, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

Adopted: 23 February 2009

Revised: 30 September 2013

5513 - CARE OF SCHOOL PROPERTY (Regulation)

M

A. Teachers' responsibilities

1. Teachers will exercise judgment in the entrustment of school property to pupils.
2. Teachers will impress upon all pupils the importance of the proper care of school property and instruct pupils in the proper use of school facilities, equipment, instructional materials, and textbooks.
3. Teachers will keep an accurate inventory of textbooks and other materials assigned to their classrooms.

B. General rules governing the use of school property

1. Pupils shall not deface the school building, furnishings, or equipment in any manner.
2. Pupils shall not use school furnishings or equipment for purposes other than those for which the furnishing or equipment was designed and intended.
3. Pupils will care for school textbooks in accordance with paragraph D.

C. Distribution and collection of textbooks and materials

1. Each textbook will be stamped as the property of the Board of Education and marked with a number unique to that book.
2. A label will be affixed to the inside of the front cover or stamped on the edges of the pages of the textbook of each textbook and will include
 - a. The name of the Board of Education,
 - b. The name of the school,
 - c. The year in which the book was purchased, and
 - d. The number assigned to the book.
3. The following information will also be entered on the label each time the book is issued to a pupil:
 - a. The name of the pupil to whom the book is issued,

- b. The date on which the book is issued to the pupil,
 - c. The condition of the book when it is issued, and
 - d. The condition of the book when it is returned.
4. Each classroom teacher will keep a permanent record of the textbooks used in his or her classroom. The record will include all the information listed in paragraph C2 and paragraph C3.
 5. A lost textbook must be promptly reported to the teacher who issued the book. A replacement textbook will be issued upon payment for the lost book.
 6. Textbooks will be collected and inspected no later than one week before the end of the school year or marking period, as appropriate. Once inspected, a textbook will be returned to inventory until it is again distributed to a pupil.
 7. Pupils must remove covers, loose papers, and markings before returning any textbook.
 8. Fines will be assessed for lost and damaged textbooks in accordance with paragraph E.

D. Care of textbooks by pupils

1. Pupils shall take care not to lose or misplace a textbook or expose a textbook to conditions or circumstances likely to destroy, damage, or degrade it.
2. All textbooks that will be taken home by pupils must be protected with an appropriate cover to be supplied by the pupil.
3. Pupils should not
 - a. Use pens, pencils, or other implements to mark a place in a textbook;
 - b. Use a textbook to file bulky papers and notes;
 - c. Write in textbooks, or
 - d. Soil textbooks beyond normal use.

E. Fines and penalties

1. Fines will be assessed as follows for any lost textbook or textbook damaged beyond normal wear.

Loss or damage	Fine
Lost book issued in new condition	100% of list price
Lost book issued in good condition	75% of list price
Lost book issued in fair condition	50% of list price
Lost book issued in poor condition	25% of list price
Broken bindings	\$1
Defaced cover	50 cents
Missing pages	25 cents per page
Loose or torn pages	10 cents per page
Marks not damaging to text	5 cents per page
Marks damaging to text	25 cents per page
Dog-eared pages	10 cents per page
Soil not damaging to text	5 cents per page
Soil damaging to text	25 cents per page
Book so damaged (by water or otherwise) as to be unusable	as for lost books

2. The teacher will inspect each textbook returned and will assess a fine for each lost or damaged book. The teacher will prepare a form in triplicate that includes
 - a. The name and number of the textbook damaged or lost,
 - b. The name of the pupil,
 - c. The loss or damage to the textbook, and

- d. The amount of the fine.
3. In setting fines the teacher may take into account verified extenuating circumstances.
4. The pupil will take the form to the office and make payment of the fine assessed. The office secretary will sign the form when payment is made.
5. Teachers will not collect fines.
6. Copies of the form will be distributed as follows:
 - a. The office will retain one copy for office records.
 - b. The pupil will be given one copy as receipt for the fine.
 - c. The teacher will be given one copy as evidence that the fine has been paid.
7. A pupil who finds a lost textbook will be reimbursed any fine paid for the lost textbook but will be assessed a fine for any damage done to the book.
8. A pupil who has not paid a fine owed will not receive a diploma, transcript, transfer card, or report card until the fine has been duly paid and acknowledged. A high school senior who has unpaid fines may participate in the graduation ceremony but will receive a blank diploma.
9. If fines remain unpaid, the Principal may request payment from the parent, notify the pupil's employer, or take such other steps as may be appropriate to insure that moneys due the district are paid and that the importance of taking responsibility for the consequence of one's acts is instilled.

Adopted: 21 December 1995

5530 - SUBSTANCE ABUSE (Regulation)

M

The following procedures are established in implementation of Policy No. 5530, Substance Abuse.

A. Definitions

1. "Evaluation" means those procedures used to determine a pupil's needs for an educational program or treatment that extends beyond the regular school program by virtue of the use of substances by the pupil or a member of the pupil's family.
2. "Intervention and referral to treatment" means those programs and services offered to help a pupil because of the use of substances by the pupil or a member of the pupil's family.
3. "Involved with substances" means that the pupil is influenced by the use of substances by the pupil or a member of his or her family, whether or not on school premises or during the school day. A suspicion or determination that a pupil is involved with substances does not depend on a finding that the pupil is immediately under the influence of a substance or possesses or distributes a substance on school premises.
4. "Parent" means the parent or parents or legal guardian having legal custody and control of a pupil.
5. "Substance" means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2, anabolic steroids, or any chemical or chemical compound that releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2A:170-25.9.
6. "Substance abuse" means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.
7. "Under the influence" of substances means that the pupil is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.

B. Discipline

Any violation of Board rules prohibiting the use, possession and/or distribution of a substance is a serious offense, and the pupil who violates a substance abuse rule will be

disciplined accordingly. Repeated violations are more severe offenses and warrant stricter disciplinary measures. Pupils who violate the substance abuse rules will be disciplined as follows:

1. Following an informal hearing, the student will be disciplined according to the provisions of Board Policy 5610 Suspension and 5620 Expulsion. Notification of such discipline shall be made to the Substance Awareness Coordinator before the student resumes classes.
2. Students who have been suspended for drug or alcohol use shall have an evaluation made of their overall academic and social performance. This evaluation will be initiated by the Substance Awareness Coordinator. The process will include, but not be limited to, the use of a student behavioral check-list. The result of this evaluation may require further evaluation by the Child Study Team to determine a student's eligibility and need for special services: additional medical evaluation, referral to a substance abuse assessment agency and/or treatment program and continued monitoring by the school staff for substance use/abuse.
3. Students with repetitive violations of the school policy regarding drugs and alcohol shall be referred to the Child Study Team prior to any recommendation for expulsion to the Board of Education.
4. In cases involving voluntary monitoring of a student through urine tests, the Substance Awareness Coordinator will review the results and make a recommendation to the administration.
5. In meeting the obligation to protect the health and welfare of the student body from potentially dangerous influences, the regular classes consistent with Passaic Board of Education policy.

C. Identification and remediation of pupils involved with substances.

1. Teaching staff members shall be alert to the signs of a pupil's involvement with substances, in accordance with the training offered in in-service training sessions.
2. A teaching staff member who suspects that a pupil is involved with substances should bring the symptoms to the pupil's attention. If substance involvement is confirmed, the member should counsel the pupil. The member may refer the pupil to the school nurse, the substance awareness coordinator, a guidance counselor, the child study team, or another professional staff member or trained resource person, as appropriate. The member shall notify the principal of the referral; if appropriate, the principal should notify the pupil's parent of the referral and discuss with the parent the possibility of medical or therapeutic treatment.

3. When a pupil involved with substances has discussed his or her involvement with a teaching staff member with an expectation of confidentiality, the member may respect that confidence in order to assist the pupil toward remediation. The teaching staff member should encourage the pupil to seek aid from a professional trained in counseling and to confide in his or her parent. When the member believes that the pupil requires professional counseling or intervention that the pupil will not seek on his or her own, the member may report the pupil to the principal, who shall determine whether to notify the pupil's parent and may report the pupil to an appropriate district professional or trained resource person or to an appropriate agency for evaluation and possible treatment.

D. Reporting and examination of pupils under the influence of anabolic steroids

1. Any teaching staff member who has reason to believe that a pupil has used or may be using anabolic steroids shall report the matter as soon as possible to the school nurse or the school medical inspector or a substance awareness coordinator and to the principal (or, in the principal's absence, to a person designated by the principal).
2. The principal or his or her designee shall immediately notify the pupil's parent and the Superintendent.
3. The principal shall arrange for the prompt examination of the pupil by a doctor selected by the parent or by the school medical inspector. An examination conducted, at parental request, by a physician other than the school medical inspector shall not be at district expense.
4. The pupil shall be examined as soon as possible for the purpose of diagnosing whether or not he or she has been using anabolic steroids.
5. A written report of the examination of the pupil shall be furnished by the examining physician to the pupil's parent and to the Superintendent.
6. If it is determined that the pupil has been using anabolic steroids, the pupil shall be evaluated by a substance awareness coordinator or other appropriately trained teaching staff member for the purpose of determining the extent of the pupil's involvement with steroids and the possible need for treatment. In order to make this determination, the staff member may interview the pupil's parent and teachers, consult appropriate experts in the fields, and conduct other reasonable investigations.
7. If it is determined that the pupil's use of steroids represents a danger to the pupil's health and well-being, the evaluating staff member shall refer the pupil to an appropriate treatment program approved by the Commissioner of Health.

E. Evaluation and treatment of pupils under the influence of a substance other than anabolic steroids

1. Any teaching staff member to whom it appears that a pupil may be under the influence of a substance other than anabolic steroids on school property or at a school function shall report the matter as soon as possible to the school nurse or the school medical inspector and the school principal (or, in the principal's absence, to a person designated by the principal). If neither the school nurse or school medical inspector is available, the staff member responsible for the function shall be notified.
2. The principal or his or her designee shall immediately notify the pupil's parent and the Superintendent.
3. The principal shall arrange for the immediate examination of the pupil by a doctor selected by the parent or, if the parent's doctor is not immediately available, by the school medical inspector. If neither the parent's doctor nor the school medical inspector is immediately available, the pupil shall be taken to the emergency room of the nearest hospital for examination. The pupil shall be accompanied by the pupil's parent if possible and by a member of the school staff appointed by the principal. An examination conducted, at parental request, by a physician other than the school medical inspector shall not be at district expense.
4. The pupil shall be examined as soon as possible for the purpose of diagnosing whether or not he or she is under the influence of a substance other than anabolic steroids.
5. A written report of the examination of the pupil shall be furnished by the examining physician to the pupil's parent, the principal, and to the Superintendent within twenty-four hours.
6. If the written report of the examination is not so submitted within twenty-four hours, the pupil shall be allowed to return to school until a positive diagnosis of substance use is received.
7. A pupil found to be under the influence of a substance shall be returned to his or her home as soon as possible. The pupil shall not be readmitted to school until a written report, signed by an examining physician and certifying that the pupil is physically and mentally able to perform in school, has been submitted to the parent, the principal, and the Superintendent.
8. A parent whose refusal to comply with N.J.S.A. 18A:40A-12 frustrates the operation of these regulations and the return of the pupil to school shall be deemed to have violated the compulsory attendance statute, N.J.S.A. 18A:38-25 and 18A:38-31, and/or the child abuse and neglect statutes, N.J.S.A. 9:6-1 et seq., and may be subject to prosecution.

9. Additional evaluations may be required of a pupil once found to have been under the influence of a substance, in order to determine the extent of the pupil's substance use and its effect on his or her school performance.

F. Presence of substances on school premises

1. A pupil's person, effects, or school storage places may be searched for substances in accordance with Policy No. 5770.
2. The principal or other school officer conducting the search shall confiscate as evidence any substance found in the pupil's possession.
 - a. Any controlled dangerous substance as defined in N.J.S.A. 24:21-1 or at N.J.S.A. 2C:35-2, including controlled dangerous analogs and drug paraphernalia, shall be handled in accordance with Policy No. 9322 and implementing regulations.
 - b. Any substance or evidence of the use of a substance other than a controlled dangerous substance shall be sealed in an appropriate container and labeled with the date, name of the pupil, and name of the school official who conducted the search and found the drug. The evidence shall be locked in a secure place until it is no longer required for a determination of the pupil's involvement with a substance other than a controlled dangerous substance.

G. Outreach to parents

1. An outreach program will be provided for the parents of pupils enrolled in the district. The program will be conducted at times, including evenings and weekends, convenient to parents and on school premises or at suitable facilities closer to pupil's residences or parents' workplaces.
2. The parents' outreach program will include:
 - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year;
 - b. Recommendations as to the ways in which parents may enhance, reinforce, and supplement substance abuse instruction;
 - c. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;

- d. Instruction on the identification of the symptoms and behavioral patterns that might indicate a substance abuser;
- e. Information on the state and local organizations available to assist in the prevention of substance abuse and the early intervention, treatment, and rehabilitation of substance abusers; and
- f. Review of Board policy and administrative regulations on substance abuse with attention to the role of parents.

H. Records

- 1. Notations concerning a pupil's involvement with substances may be entered on his or her records, subject to Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the pupil or when the pupil leaves school.
- 2. Information regarding a pupil's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 21 U.S.C. 1175, and implementing regulations, 42 CFR Part 2.
- 3. Each incident of substance abuse shall be reported to the Commissioner on the Violence, Vandalism and Substance Abuse Incident Report form.

Adopted: 21 December 1995

5550 - DISAFFECTED PUPILS (Regulation)

M

A. Grades kindergarten through 6

1. Each pupil's work habits, behavior, products, and records will be continually monitored for signs of disaffection by teaching staff members responsible for the pupil's instructional program. Such signs of disaffection might include, but need not be limited to, the pupil's
 - a. Working below potential set by IQ indicators;
 - b. Depressed standard test scores;
 - c. Excessive absenteeism or truancy;
 - d. Change in personality or work habits;
 - e. Marked irritability, lassitude, or hypersensitivity.
2. The teacher or other professional staff member who observes signs that a pupil may be disaffected will confer with the Principal. If it is determined that concern about the pupil's welfare is warranted, the pupil's parent will be called in and made aware of the problems, and steps to deal with the pupil's disabling attitude will be proposed.
3. Once a pupil is identified as disaffected, steps to offset the effects of disaffection may be initiated. Such steps may include:
 - a. A meeting with the learning disabilities teacher consultant to help teachers shape classroom strategies that might reduce disaffection;
 - b. Building on the pupil's strengths to help bolster his or her sense of self-worth;
 - c. Providing instructional alternatives to stimulate the pupil's interest by utilizing such devices as calculators, computers, educational games, and teaching machines;
 - d. Assigning the pupil to another teacher;
 - e. Transferring the pupil to another school in the district; and/or
 - f. Referring the pupil to the child study team.

B. Grades 7 and 8

1. A disaffected pupil in the middle school may be identified by one or more of the following signs:
 - a. Argumentative behavior and truculence,
 - b. Willful disregard of school rules and lack of concern for others,
 - c. Disrespect for authority figures,
 - d. Excessive absenteeism or truancy,
 - e. Acting-out and/or aggressive behavior, and
 - f. Working below his or her potential.
2. The teacher or other professional staff member who observes signs that a pupil may be disaffected will confer with the Principal. If it is determined that concern about the pupil's welfare is warranted, the pupil's parent will be called in and made aware of the problems, and steps to deal with the pupil's disabling attitude will be proposed.
3. Once a pupil is identified as disaffected, the following steps will be taken:
 - a. The pupil will be referred to the school guidance office for counseling where
 - (1) The parent may be asked to seek outside support services and/or
 - (2) The teaching staff members responsible for the pupil may be asked to observe the pupil, formally monitor his or her progress, and report regularly to the guidance counselor;
 - b. The pupil's schedule may be modified as necessary;
 - c. The learning disabilities teacher-consultant may be consulted; and
 - d. The pupil may be referred to the child study team.

C. Grades 9 - 12

1. The disaffected high school pupil may be identified by the following signs:
 - a. A drop in school performance;

- b. Decreased attentiveness and disinterest in school work;
 - c. Marked irritability, lassitude, and hypersensitivity;
 - d. Evidence of class cutting, excessive absence, and/or truancy;
 - e. An inability to articulate occupational or educational goals; and
 - f. Hostility towards authority figures.
2. The teaching staff member who observes a disaffected pupil will alert the guidance counselor to a possible problem.
 3. The guidance counselor will confer with the pupil's teacher, review the pupil's record, and meet with the pupil and his or her parent.
 4. A remedial program will be recommended by the counselor. If such a program can not be defined, the pupil shall be referred to the Child Study Team.

Adopted: 21 December 1995

5560 - DISRUPTIVE PUPILS (Regulation)

M

A. Grades kindergarten through 6

1. Any of the following signs may indicate a disruptive pupil in the elementary grades:
 - a. Unsatisfactory grades in citizenship or work habits,
 - b. A worsening negative attitude,
 - c. Disobedience and willful disregard of rules,
 - d. Lack of concern for the rights of others,
 - e. Argumentative behavior and truculence,
 - f. Disregard for authority, or
 - g. Fighting with classmates.
2. Any of the following steps may be followed, singly or in combination, to deal with the elementary pupil who has been identified as disruptive:
 - a. After-school detention,
 - b. Use of behavior modification as well as other techniques designed to change disruptive classroom displays,
 - c. Intervention by the principal,
 - d. Parent-teacher conference,
 - e. Suspension, in accordance with Policy No. 5610, and
 - f. Referral to the child study team.

B. Grades 7 and 8

1. Any of the following signs may indicate a disruptive pupil in the middle school:
 - a. Argumentative behavior and truculence,
 - b. Willful disregard of school rules and lack of concern for others,

- c. Disrespect for authority figures,
 - d. Excessive absence or truancy,
 - e. Acting-out and/or aggressive behavior, or
 - f. Difficulty with community or law enforcement agencies.
2. Any of the following steps may be used singly or in combination to deal with the disruptive pupil in the middle school:
- a. Detention after school during which time the pupil may be admonished about his or her conduct in the classroom;
 - b. Referral to the school's guidance counselor for counseling;
 - c. Conference among the teacher, guidance counselor, and parent;
 - d. Referral to the vice principal when the pupil is constantly disruptive or causes major infractions of the school rules;
 - e. In-school suspension during which the pupil is placed under the supervision of a teacher, isolated from the mainstream, and assigned school work to complete;
 - f. Home suspension, in accordance with Policy No. 5610, when other alternatives fail to curb the pupil's disruptiveness; and
 - g. Referral to the child study team.

C. Grades 9 - 12

1. Any of the following signs may indicate a disruptive pupil in the high school:
- a. Argumentative behavior and truculence,
 - b. Willful disregard of school rules and lack of concern for others,
 - c. Disrespect for authority figures,
 - d. Excessive absence or truancy,
 - e. Acting-out and/or aggressive behavior, and
 - f. Difficulty with community or law enforcement agencies.

2. Any of the following steps may be used singly or in combination to deal with the disruptive pupil in high school:
 - a. Detention after school during which time the pupil may be admonished about his or her conduct in the classroom;
 - b. Referral to the guidance counselor for counseling;
 - c. Conference among the teacher, guidance counselor, and parent;
 - d. Referral to the vice principal when the pupil is constantly disruptive or causes major infractions of the school rules;
 - e. In-school suspension during which the pupil is placed under the supervision of a teacher, isolated from the mainstream, and assigned school work to complete;
 - f. Suspension from school, in accordance with Policy No. 5610, when other alternatives fail to curb the pupil's disruptiveness; and
 - g. Referral to the child study team.

Adopted: 21 December 1995

5600 - PUPIL DISCIPLINE/CODE OF CONDUCT (Regulation)

M

A. Purpose

The purpose of these regulations is to provide

1. Pupils, parents, and staff members with a clear description of behavior that is unacceptable because it interferes with the maintenance of a school environment conducive to learning and protective of members of the school community;
2. Pupils with an opportunity to modify unacceptable behavior;
3. Consistency and predictability in the administration of pupil discipline; and
4. A program of sequential discipline.

B. Rules of conduct

1. All pupils are bound by law, policies of the Board of Education, and the administrative regulations of this school district.
2. In addition, pupils shall not
 - a. Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority;
 - b. Create disorder or disruptions on school premises;
 - c. Use, threaten, or incite the use of physical force against other pupils, staff members, or visitors to the school;
 - d. Steal, damage, or deface the property of other pupils, staff members, or the district;
 - e. Engage in the sexual harassment of pupils or staff members;
 - f. Violate codes of conduct adopted for organizations of pupils;
 - g. Possess or use weapons or any implement intended to harm others;
 - h. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;

- i. Convey information about other pupils or staff members known to be false;
 - j. Act so recklessly as to endanger the safety of others;
 - k. Procure the property of others by threat or intimidation;
 - l. Enter school premises or any specific portion of the premises without permission and without authority;
 - m. Vandalize school property, real or personal;
 - n. Create litter on school property;
 - o. Be truant from school or class;
 - p. Cheat or otherwise engage in academic dishonesty;
 - q. Persistently refuse to complete homework and other assignments;
 - r. Engage in illegal gambling;
 - s. Smoke on school premises;
 - t. Falsify an excuse or any school document;
 - u. Set fire to or cause a fire in any way on school premises;
 - v. Possess or explode a firecracker or other explosive device on school premises;
 - w. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
 - x. Possess, use, or distribute a substance in violation of Policy No. 5530;
 - y. Join a secret society prohibited by law; or
 - z. Engage in any other activity expressly prohibited by a school staff member in authority.
3. Pupils assigned to a school bus must obey all school rules and
- a. Show respect for the driver at all times;
 - b. Enter and leave the bus in an orderly manner;

- c. Ride only the bus to which they have been assigned;
 - d. Be and remain seated while the bus is in motion;
 - e. Avoid reckless and boisterous activity at all times, including during waits at pickup points;
 - f. Talk in a reasonable tone of voice and avoid loud noises;
 - g. Extend no portion of the body or other object out a bus window;
 - h. Keep aisles clear at all times;
 - i. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;
 - j. Refrain from smoking, eating, and drinking on the bus; and
 - k. Possess, use, or distribute no substance in violation of Policy No. 5530.
4. Pupils may be disciplined for misconduct away from school premises and school-sponsored events when that conduct interferes with the administration of the instructional program or jeopardizes the maintenance of order in the school.

C. Disciplinary measures

The following disciplinary measures may be applied as appropriate to the pupil's violation of school rules. The measures are sequential and are organized in order of severity.

1. Admonishment

A school staff member in authority will admonish the pupil for his or her unacceptable conduct and warn the pupil that additional misconduct may warrant a more severe penalty.

2. Temporary removal from classroom

a. The classroom teacher will direct the pupil to report to the office of the administrator in charge of pupil discipline.

b. The teacher will complete a form that indicates the pupil's name, homeroom, and the conduct that has caused the pupil's removal from the room.

- c. The administrator in charge of discipline will interview the pupil and determine which, if any, additional disciplinary steps are indicated.

3. Deprivation of privileges

The pupil will be deprived of the privilege of

- a. Moving freely about the school building,
- b. Participation in co-curricular or inter/intrascholastic activities,
- c. Attendance at a school-related social or sports activity,
- d. Participation in a graduation ceremony, or
- e. Transportation by school bus.

4. Detention

- a. The pupil will be required to report before or after the school day to a detention room for a period of supervised study.
- b. Transportation will be the responsibility of the pupil's parent.
- c. The pupil may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

5. Grading

A pupil who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence (B2p and B2q) may suffer a reduced grade by virtue of the disqualified work. In no other instance may a pupil's grade be lowered as a direct penalty for misconduct.

6. In-school suspension

- a. The pupil will be removed from his or her regular classes and required to report to an in-school suspension program for supervised study.
- b. In-school suspension is a deprivation of the pupil's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy No. 5610.

7. Suspension from school

- a. The pupil will be denied the right to attend school for a period of time pursuant to Policy No. 5610.
- b. Suspension from school is a deprivation of the pupil's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy No. 5610.

8. Expulsion

- a. The pupil will be required to withdraw permanently from school pursuant to Policy No. 5620.
- b. Expulsion is an extremely serious disciplinary measure; it deprives the pupil of his or her right to a thorough and efficient education and will not be imposed without the due process set forth in Policy No. 5620.

D. Remedial measures

The following remedial measures may be taken to aid in correcting pupil conduct and to insure that the pupil is properly placed in an appropriate educational environment and is not in need of special education and/or related services.

1. Restitution and restoration

- a. The pupil will be required to
 - (1) Make restitution, in kind or cost or labor, for any loss he or she has caused or
 - (2) Restore to its former condition, by his or her own labor, any property the pupil has damaged or defaced.
- b. A pupil who refuses to make restitution or restoration as directed may be disciplined by one or more of the measures included at paragraph C.

2. Counseling

- a. The pupil will be required to consult with school guidance counselors to determine the causes of his or her misconduct and to assess the need for a change in educational placement.
- b. The counselor will explain
 - (1) Why the pupil's conduct is unacceptable to the school and damaging to the pupil,

- (2) What the consequences of continued misconduct are likely to be, and
 - (3) Appropriate alternate behaviors.
 - c. The counselor may refer the pupil, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to
 - (1) The child study team,
 - (2) A public or private social agency, or
 - (3) A legal agency.

3. Parent conferences

The pupil will be required to attend a meeting with his or her parent and appropriate staff members to discuss the causes of the pupil's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

E. Disciplinary procedures

1. Pupils and parents will be given notice of the rules of conduct and disciplinary procedures by copy of Policy No. 5600, this regulation, and any other school rules binding on pupil conduct. Principals will distribute these documents to all pupils on the first day of each school year and to transferring pupils on the first day of their enrollment in this district.
2. Teachers and administrators in charge of pupil discipline shall make every effort to administer these rules consistently and fairly.
3. The staff member who disciplines a pupil for conduct shall, however minimal the offense or the discipline,
 - a. Orally inform the pupil of the conduct for which he or she is being disciplined and
 - b. Offer the pupil an opportunity to deny the charge or to present extenuating circumstances.
4. Educationally disabled pupils may be disciplined only in accordance with paragraph G. Unless the circumstances pose an imminent peril to the pupil and/or others or cause a substantial disruption to the educational program, the

disciplining staff member will ascertain whether a misbehaving pupil is classified as educationally disabled before any discipline is imposed.

5. Where the discipline is greater than an admonishment, the pupil's parent will be notified of the offense and of the discipline imposed and will be offered an opportunity to confer with the Principal or designee.
6. Where the offense is serious and the discipline greater than detention, every effort will be made to notify the parent prior to the informal hearing conducted in accordance with paragraph F3.
7. An in-school suspension, suspension from school, or expulsion will be conducted in strict accordance with law and Policy Nos. 5610 and 5620.

F. Educationally disabled pupils

1. Educationally disabled pupils are subject to this regulation except that no educationally disabled pupil may be disciplined if
 - a. The pupil's behavior is primarily caused by his or her educational disability or
 - b. The program that is being provided does not meet the pupil's educational needs.
2. Before an educationally disabled pupil is disciplined, the disciplining staff member must consider the nature of the pupil's offending behavior in the light of his or her disabling condition and educational needs, except that
 - a. The pupil may be temporarily removed or disciplined only as necessary to abate the peril of physical harm to the pupil or others or to quell a substantial disruption to the educational process and
 - b. The pupil may be disciplined in accordance with any disciplinary component in his or her individualized program.
3. The suspension of an educationally disabled pupil will be processed in accordance with Regulation No. 5610, paragraph E.

G. Records

Instances of pupil discipline will be recorded in the pupil's file in strict compliance with N.J.A.C. 6:3-2 and Policy No. 8330.

Adopted: 21 December 1995

5610 - SUSPENSION PROCEDURES (Regulation)

A. Definition

"Suspension" means the loss of the right to attend the regular instructional sessions and includes assignment to an in-school suspension room.

B. Preliminary hearing

1. No pupil may be suspended without an immediate preliminary hearing except when the continued presence of the pupil threatens the safety of the pupil or others or when it is otherwise impossible or unreasonably difficult to hold an immediate hearing. A necessarily delayed hearing will be conducted as soon as practicable after the suspension.
2. The principal or a teaching staff member designated by the principal shall provide a pupil who has been recommended for suspension with oral or written notice of the charge or charges and shall provide the pupil with an opportunity to respond to the charge(s) and state why he or she should not be suspended. The preliminary hearing shall be informal and shall be held as soon as possible after the alleged infraction.
3. If the principal or teaching staff member who conducts the preliminary hearing determines that the pupil is not deserving of suspension, the matter is concluded. No record will be created of a preliminary hearing that does not result in a suspension.
4. If, after the preliminary hearing, the principal determines that the pupil should be suspended, the pupil will be given notification of his or her suspension. Notice of suspension will include the reason or reasons for the suspension, the dates on which the suspension will begin and end, and any other conditions appropriate to the suspension.

C. Short term suspension

1. The principal may impose a short term suspension of up to 10 days duration.
 - a. The principal shall notify the parent of a pupil under the age of eighteen years of the suspension by telephone and by regular mail and shall send a copy of the notification home with the pupil.
 - b. Notification shall be given directly to an adult pupil.
 - c. When an educationally disabled pupil of any age is suspended, the principal shall give notice to the parent pursuant to C1a and forward a copy of the notice to the child study team.

2. Unless the pupil poses an immediate threat to the safety of the school community, he or she should remain on in-school suspension until school is dismissed for the day. If the principal determines that the pupil should be removed from the school premises, he or she shall attempt to summon the pupil's parent to the school. If the parent is unavailable or unable to come to the school, the principal shall arrange transportation home; in the case of pupil in grades K through 10, a responsible adult must be present to receive the pupil.
3. The principal may waive the procedure set forth in C2 in the event of mass violations of school rules or where it is not possible to keep pupils on school grounds and restore order or protect people on school property. Even in such an emergency situation, the principal shall take into account such factors as the distance to home and the age of the individual pupils involved and shall take whatever action is necessary and possible.
4. During the period of a short term suspension, the suspended pupil is responsible for the completion of his or her class assignments. A suspended pupil shall not be refused the opportunity to take or make up a test nor shall he or she be given a failing mark as a result of any absence caused by the suspension.
5. A record of the pupil's short term suspension shall be kept until the end of the school year and will not be made part of his or her permanent school record. Absences attributable to suspension will be entered on the pupil's permanent attendance record without explanation.
6. The principal shall promptly notify the Superintendent in writing of the suspension, the reason for the suspension, and the dates on which the suspension will begin and end.
7. The suspended pupil and his or her parents shall be informed of their right to appeal the matter to the Superintendent.
8. The principal may assign a suspended pupil to in-school suspension for up to 20 days during which time the pupil will be responsible for completing written classwork material under direct supervision of the staff.

D. Extended suspension

1. If in the principal's opinion the alleged infraction warrants a penalty of more than 10 days suspension, the principal shall recommend an extended suspension to the Superintendent, who may suspend the pupil for a period of time that does not extend beyond the second regularly scheduled meeting of the Board following the suspension or four weeks beyond the suspension, whichever occurs later.

2. When the Superintendent determines to place a pupil on extended suspension, he or she shall immediately convene a hearing on the matter and send a notice to an adult pupil or to the parent of a minor pupil. Such notice shall include
 - a. The acts alleged to have been committed and the rule alleged to have been violated;
 - b. A summary of the evidence against the pupil and the names of those persons who have supplied the evidence;
 - c. The penalty that has been recommended;
 - d. The date, time, and place at which the Superintendent will hear the pupil, which must be within twenty-one days of the initial suspension;
 - e. A statement that the adult pupil or the parent of a minor pupil is entitled to review the written evidence that will be relied upon, to review the pupil's records, and to request a delay in the hearing of up to 10 days; and
 - f. A statement that the pupil is entitled to representation by counsel, to a translator, to appear in his or her own behalf, to produce witnesses and present evidence, to confront and cross examine anyone who presents evidence against him or her, to a transcript of the hearing, and to appeal the decision to the Board of Education and to the Commissioner of Education.
3. A pupil who has requested a formal hearing before the Superintendent shall be reinstated in his or her regular program pending the outcome of the hearing, except when, in the judgment of the child study team, the pupil should be placed in an alternate program of instruction, except that no pupil suspended for allegedly having assaulted a person in authority may be reinstated before the hearing.
4. A hearing panel shall be convened by order of the Superintendent. The panel may consist of three to five persons and may be composed of administrators, teachers, and such educational services personnel as the Superintendent may determine. The Superintendent will appoint the convener, who will preside at the hearing. The hearing panel will adopt a set of written procedures and present a copy to an adult pupil or the parent of a minor pupil.
5. The hearing panel shall conduct the hearing in accordance with its procedures and shall base its decisions solely upon the evidence heard. If the pupil is found to have violated district rules, the panel may refer to his or her past record for guidance in determining the appropriateness of suspension, but may recommend no penalty more stringent than that initially recommended by the principal. The recommendation of the hearing panel shall include a full account of the panel's

finding of facts and the reasons supporting the recommendation. If the pupil is found innocent, no record will be maintained of the charges.

6. In the event the suspension extends beyond the second regularly scheduled meeting of the Board of Education or four weeks beyond the date of suspension, whichever occurs last, the Board shall be notified of the recommendation in writing and receive a verbatim transcript of the hearing or a full account of all testimony not more than five school days after the hearing. The Board will then render a final decision in writing within five school days after the Board's receipt of the hearing panel's recommendation. The Board's decision will be sent to the adult pupil or the parent of minor pupil by certified mail.
7. A pupil on extended suspension will be offered home instruction and every reasonable opportunity to keep up with his or her school work, in accordance with Policy No. 2412. A suspended pupil will be permitted to make up work and to take tests. No pupil will be given a failing grade because of absence caused by suspension.
8. A record of the pupil's suspension and a full account of the hearing will be kept at least until the end of the school year or for ninety days after the Board's decision, whichever occurs later, and will not be entered in the pupil's permanent record. A record of the suspension may be retained during the pupil's remaining enrollment in the district only if such retention is in the pupil's best interest. Absences will be recorded in the pupil's permanent attendance record without explanation.
9. The suspended pupil and his or her parents shall be informed of their right to appeal to the Board of Education within thirty days of the decision of the Superintendent.

Adopted: 21 December 1995

5620 - EXPULSION PROCEDURES (Regulation)

A. Notice of recommended expulsion

1. A recommendation for the expulsion of a pupil will be made in strict compliance with law and Policy No. 5620 and only when all other means of discipline have been exhausted.
2. Any recommendation for expulsion will be made by the principal to the Superintendent.
3. The pupil for whom expulsion is recommended shall be notified within ten days of the Superintendent's receipt of the recommendation. Notice will be in writing and will include
 - a. The recommendation for expulsion and a statement that expulsion means the termination of the pupil's right to a free public education,
 - b. The reason(s) for the recommendation,
 - c. The pupil's right to request, within ten days, a formal hearing before the Board of Education, and
 - d. A directive that the pupil report to the child study team for evaluation, at the time and place arranged by the Principal.

B. Child study team report

1. A pupil whose conduct has resulted in a recommendation for expulsion must be referred to the child study team for a determination of the pupil's eligibility for special education and/or related services.
2. The report of the child study team will be considered by the Board before it renders an expulsion decision.

C. Request for hearing

1. A pupil's request for a formal expulsion hearing will be granted.
 - a. The hearing will be scheduled at a time and place convenient to the pupil and his or her parent.
 - b. The hearing shall be held no fewer than five school days nor more than twenty school days after it has been granted by the Board, except that a hearing

- (1) May be held sooner if circumstances warrant and the interests of the pupil would not be unduly prejudiced by such haste or
 - (2) Shall be delayed pending the Board's receipt of the child study team report.
2. The pupil may decline to request a hearing.
 - a. A pupil's decision to decline a formal Board hearing should be in writing and signed by both the pupil and parents. The signatures should be witnessed.
 - b. A pupil who does not avail him or herself of the opportunity to request a formal hearing will be construed to have waived his or her right to the hearing. Constructive waiver will not be presumed before the passage of a considerable period of time, to be determined on a case by case basis, since it operates to foreclose the pupil's rights.

D. Notice

The pupil and his or her parent shall be given written notice of a pending hearing as soon as possible after the time and place have been set by the Board. Notice will include

1. The time and place of the hearing;
2. The rule alleged to have been violated;
3. The charges against the pupil;
4. A summary of the evidence against the pupil;
5. The names of the accusers;
6. If the pupil cannot be readmitted to school pending the hearing, a full description of the proposed alternative educational program pending the hearing;
7. A statement of the pupil's and parents' right to review the pupil's records and written statements about the alleged misconduct;
8. A statement of the pupil's and parents' right to request a delay in the hearing of up to five school days;
9. A statement of the pupil's entitlement to the following hearing rights:
 - a. Right to counsel,

- b. Right to a translator provided by the Board,
- c. Right to appear in his or her own behalf and to permit his or her parent to appear,
- d. Right to produce witnesses and present evidence on his or her behalf,
- e. Right to confront and to cross examine anyone who may have evidence against him or her, and
- f. Right to a transcript or tape recording of the hearing.

E. Conduct of hearing

1. The pupil who has requested a Board hearing shall notify the Board within a reasonable time after receipt of the notice of his or her intention to attend. The pupil shall submit to the Board
 - a. The names of those staff members the pupil may wish to call as witnesses and
 - b. The pupil's need, if any, for a translator.
2. Hearings will be held privately, except that the Board may grant the request of the pupil for a public hearing.
3. Any hearing in progress may be adjourned and continued within a reasonable period of time.
4. The Board may sit as a committee of the whole to hear the pupil or may appoint a committee of Board members to constitute a hearing panel.
5. The Board shall appoint a presiding officer who will serve as hearing examiner. The presiding officer may be a member or employee of the Board or another person qualified to serve. The presiding officer
 - a. Shall call the hearing to order and recognize the parties before the Board and their representatives, if any;
 - b. May appoint a recorder and direct the recording of the proceedings;
 - c. Shall state the charges set forth in the notice to the party who requested a hearing;
 - d. Shall summarize the action taken on the matter at preliminary hearings, if any;

- e. Shall require the Superintendent or other administrative officer to substantiate the charges made by introducing evidence and witnesses;
- f. Where the truth of any allegation important to sustain the charge is at issue, shall require the testimony of one or more witness and/or the submission of evidence regarding those allegations;
- g. Shall permit the pupil to cross-examine any witness so testifying and examine any evidence so submitted;
- h. Shall offer the pupil a full and fair opportunity to submit evidence and present witnesses to refute or explain the charges brought against him or her;
- i. May limit or exclude evidence or testimony that is not relevant or material to the issue or where its probative value is outweighed by its tendency to be confusing or prejudicial or overly time consuming;
- j. May elicit such evidence and testimony as the presiding officer believes may be useful or necessary to find facts;
- k. May permit questioning of witnesses by panel members;
- l. Shall permit the testimony of child study team members and/or the entry of the report of the child study team;
- m. Shall prepare a report of the hearing which includes
 - (1) The notice of the hearing,
 - (2) The charges considered and the authority of the Board to conduct the hearing, and
 - (3) A full summary of the evidence and testimony brought forward by each party; and
- n. May adjourn the hearing where fairness or exigent circumstances dictate and set a time and place for the continued hearing.

F. Board's determination

- 1. The pupil shall have an opportunity to review the presiding officer's report and append to it his or her objections, if any, before the report is distributed to absent Board members or is used to document the hearing in an appeal.

2. A Board member who has not participated in the hearing may not participate in the decision unless he or she has received and read the report of the presiding officer.
3. Where all members of the Board have been present at the hearing or after all absent members have been fully informed of the proceedings, the Board may render a decision on the issues presented at the hearing. No official action may be taken at any meeting other than a public meeting. The Board's finding of fact shall be based on a preponderance of the evidence offered.
4. The decision of the Board will be rendered in writing and will set forth
 - a. The Board's jurisdiction;
 - b. The issues presented;
 - c. The charges made and sustained or dismissed;
 - d. The finding of fact on which the Board's decision was based;
 - e. The report and recommendation of the child study team;
 - f. If the pupil is educationally disabled, a statement that his or her offensive behavior was not caused by the pupil's disabling condition or by a program inappropriate to the pupil's needs;
 - g. The alternate educational program offered the pupil, if any, and the pupil's refusal to participate in the program so offered, and
 - h. The Board's final order.
5. Copies of the decision will be provided to the pupil, the pupil's parent, and the pupil's representative.

G. Appeal

The pupil shall be informed of his or her right to appeal the Board's decision to the Commissioner of Education within ninety days of the meeting at which the decision was made.

Adopted: 21 December 1995

District Regulation

5721 - DISTRIBUTION OF INDEPENDENT PUBLICATIONS

A. Definition

"Independent publications" are written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and other documents prepared and distributed by pupils, independent of any curricular or co-curricular activity sponsored by the Board of Education.

B. Distribution

1. Independent publications may be distributed on school premises only by the pupils enrolled in that school.
2. Distribution may be conducted during periods of time when the activity will not interrupt the instructional program or interfere with an exercise necessary for pupil safety, such as a fire drill.
3. Distribution may be conducted in places in which the activity will not obstruct the passage of persons, cause a safety hazard, or interfere with the orderly operation of the school.
4. The principal will establish, in consultation with recognized pupil organizations, rules setting specific times and places for the distribution of independent publications on the school premises.

C. Littering

1. Distribution will be conducted in a manner that reduces the possibility of litter.
2. Pupils who distribute independent publications are responsible for policing the area in which the distribution takes place and assuring that all litter is promptly removed.

D. Enforcement

1. The principal will enforce these regulations and will determine whether distribution violates the standards set forth in B2 and B3.
2. A decision of the principal may be appealed to the Superintendent.

Adopted: 21 December 1995

5750 - EQUAL EDUCATIONAL OPPORTUNITY COMPLAINT PROCEDURE (M)

M

A. Purpose and application

1. The purpose of this procedure is to give any pupil or the parent of a pupil the opportunity to appeal an allegedly discriminatory practice in the program of this district or an alleged denial of equal educational opportunity.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual pupils.

B. Definitions

1. "Board of Education" means the Board of Education of the City of Passaic School District.
2. "Complaint" means an unresolved problem concerning the interpretation or application by an officer or employee of the school district relating to compliance with law, regulations, or policies regarding equal educational opportunities.
3. "Complainant" means a pupil or a parent of a pupil who alleges a complaint.
4. "Day" means a calendar day.
5. "Pupil" means an individual enrolled in any formal educational program provided by the school district.
6. "School district" means the City of Passaic School District.

C. Procedure

1. A complainant shall discuss his or her complaint with the staff member most closely involved, within 10 days of its occurrence, in an attempt to resolve the matter informally.

2. If the matter is not resolved to the satisfaction of the complainant within ten days, the complainant may submit a written complaint to the Principal. The complaint will include
 - a. The pupil's name and, in the complaint of a person acting on behalf of the pupil, the name and address of the complainant;
 - b. The specific act or practice that the complainant complains of;
 - c. The school employee, if any, responsible for the allegedly discriminatory act;
 - d. The results of discussions conducted in accordance with C1; and
 - e. The reasons why those results are not satisfactory.
3. The Assistant Superintendent will investigate the matter informally and will respond to the complainant in writing no later than ten days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Assistant Superintendent may be appealed to the Superintendent in writing within _____ days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.
5. On his or her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than ten days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of.
6. The Superintendent will render a written decision in the matter no later than ten days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board of Education.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary/School Business Administrator no later than ten days after receipt of the Superintendent's decision. The appeal will include
 - a. The original complaint;

- b. The response to the complaint;
 - c. The Superintendent's decision;
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
- 8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.
 - 9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
 - 10. The Board will render a written decision no later than 30 days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
 - 11. The complainant will be informed of his or her right to appeal the Board's decision to the Commissioner of Education or to the New Jersey Division on Civil Rights.

D. Record

The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the pupil's cumulative file. A notation shall be made in the pupil's file of the existence of the record in the separate file.

5830 - PUPIL FUND RAISING (Regulation)

A. Approval of fund raising activities

1. Requests for approval of fund raising activities must be submitted in writing to the school officer designated by Policy No. 5830 no later than ten days prior to the scheduled beginning of the activity.
2. The request must include the name of the requestor, the name of the organization that will receive the funds collected, the purpose of the collection, and the name of a responsible adult member of the collecting organization.
3. Approval will not ordinarily be granted for the collection of funds for essential supplies or equipment to be used in regularly scheduled curricular or co-curricular activities. Such activities should be funded through regular district budgeting and purchasing procedures.
4. Approval will be granted only for fund raising that is carefully planned and dedicated to specific objectives.
5. Approval will not be granted for the collection of funds.
 - a. Without a specified purpose,
 - b. For the purpose of qualifying pupils for membership in an organization,
 - c. For the purpose of selling raffle tickets or conducting any activity that is based upon gain by chance, or
 - d. When the activity requires pupils to collect funds or conduct sales door-to-door.
6. In general, each school organization will be permitted no more than one fund raising activity(ies) in any one school year and each non-school organization will be permitted no more than one fund raising activity(ies) in any one school year.

B. Time and place of fund raising

1. The principal of each school will determine the times and places in which fund raising may take place, in accordance with these regulations.
2. Fund raising activities cannot interfere with the orderly operation of the instructional program. A class should not be interrupted for the sale of items.
3. No food, candy, soft drinks, or the like may be sold while classes are in session.

4. Fund raising activities should be coordinated to the greatest extent possible in order to control and limit the potential disruption to school operations.

C. Accounting for funds

1. All funds collected by pupils must be promptly turned over to the adult responsible for the fund raising activity.
2. Funds collected for school organizations must be promptly deposited and reported to the custodian of the General Activities Fund. The report must include any New Jersey sales tax collected.
3. Neither the Board of Education nor any of its employees is responsible for the protection of or the accounting for funds collected by pupils for organizations not affiliated with the school district.

D. Infractions

A pupil who collects money for an organization without having first secured approval in accordance with Policy No. 5830 or who misrepresents a fund raising activity in order to gain approval or who collects money for his or her own benefit must be reported to the principal and will be subject to discipline in accordance with Policy No. 5600.

Adopted: 21 December 1995

5850 - SOCIAL EVENTS AND CLASS TRIPS (Regulation)

A. Approval

1. Requests for approval of a social event or class trip must be submitted in writing to the Principal not less than 60 days before the activity is scheduled to occur.
2. Each request must include
 - a. The name of the sponsoring organization;
 - b. The name of an adult representative of the organization who will assume responsibility for the activity (such as a club's faculty advisor);
 - c. The date on which the activity is to occur;
 - d. For a social event, the place in which it is to occur (if on school premises, the specific room or facility; if off school premises, the specific location with directions and a telephone number);
 - e. For a class trip, the proposed itinerary, with specific locations of any proposed stops, including telephone numbers, and the planned means of transportation;
 - f. The group of pupils who will participate in the activity and the anticipated number of pupils;
 - g. The cost of the activity and the manner in which costs will be assessed or funds will be raised;
 - h. If appropriate, the insurance coverage for the activity; and
 - i. The number and names, to the extent they are known, of the chaperones appointed to the activity.
3. The Principal will consult the school calendar to determine whether the proposed activity will interfere with the instructional program or a social event or class trip given earlier approval. He or she will grant or deny the request within 3 days of its receipt.
4. The Principal will appoint a teaching staff member as responsible adult for each approved activity. In the absence of formal appointment, the adult designated on the request for approval will serve as responsible adult.

B. Pupil participation

1. Social events and class trips are not directly related to the curriculum and pupils are permitted to participate only in accordance with Policy No. 5850. Pupils on suspension are not eligible for participation.
2. No minor pupil may participate in a social event or class trip that extends beyond the school day or takes place away from school premises without the written, signed permission of the pupil's parent. Permission slips will be distributed by the sponsoring organization not less than 20 days before the scheduled activity and signed slips will be delivered to the Principal no later than the day of the activity. Permission slips must include the following information:
 - a. The nature of the activity;
 - b. The date, time, and location of the activity;
 - c. The name of the sponsoring organization and the responsible adult;
 - d. The fee, if any, charged to the pupil for participation; and
 - e. Such information about the activity as may be necessary for the parent to evaluate the risk to his or her child (such as exposure to potential allergens).

C. Pupil Conduct

1. Pupils who elect to participate in social events and class trips and their guests are subject to district rules for pupil conduct, including rules for conduct on buses. Infractions of rules will be subject to discipline in the same manner as are infractions of rules during the regular school program. Pupils shall obey the approved chaperones; disobedience to a chaperone will be tantamount to disobedience of a teaching staff member.
2. The school dress code will apply to all social events and class trips unless expressly waived by the Principal.
3. Pupils who violate rules of conduct in the course of a class trip away from school may be dismissed from the trip and sent home in accordance with procedures established for the dismissal of pupils from field trips, in accordance with Policy No. 2340.
4. Pupils who elect to attend a social event or class trip are expected to participate; pupils who attend merely to loiter on the perimeter of the activity (such as outside the facility or in parked cars or the like) will be dismissed from the school premises.

5. The possession, use, and/or distribution of alcohol and/or drugs by any person and the presence of any person under the influence of alcohol or drugs are absolutely prohibited at any school sponsored social event or class trip, regardless of the location of the activity. Violators of this rule will be disciplined in strict accordance with Policy No. 5530.

D. Chaperones

1. Each social event and class trip must be properly chaperoned by responsible adults [Optional:] under the supervision of at least one teaching staff member.
2. The organization sponsoring the activity is responsible for appointing and securing proper chaperonage, subject to the approval of the Principal. In general, chaperones should be appointed in a ratio of 1 to 8.
3. Chaperones who are not district employees serve as volunteers subject to Policy No. 9180 and will not be compensated by the Board for their services. The expenses incurred by chaperones in the course of the activity will be the responsibility of the sponsoring organization.
4. Chaperones should
 - a. Arrive promptly at scheduled activity and, if possible, well in advance of the pupil participants;
 - b. Acquaint themselves with school rules of conduct and with the distinctions between minor and serious rule infractions (minor infractions are punishable by reprimands, conferences, and/or detention; serious rule infractions may involve the imposition of suspension);
 - c. Circulate freely among the participants in order to detect any infractions of rules;
 - d. Frequently check lavatories, entrances, hallways and the like;
 - e. Correct pupils who engage in minor infractions of rules;
 - f. Report to a teaching staff member any serious infraction of rules that may require school discipline or the dismissal of a pupil from the activity;
 - g. Report immediately to a teaching staff member any person who may be under the influence of alcohol or drugs so that the teaching staff member can implement Regulation No. 5530; and

- h. Report immediately to a teaching staff member or police officer any person who may have alcohol, drugs, contraband, or a weapon in his or her possession.

E. Post-activity requirements

1. The sponsoring organization is responsible for cleaning up any decorations and debris caused by the activity and left on school premises.
2. The responsible adult will submit to the Principal a brief but reasonably detailed report of the activity, including the names of chaperones. The report should include a description of any event that resulted in a pupil's dismissal from the activity.
3. Any funds collected will be deposited in the General Activities Fund and accounted for in accordance with Policy No. 6660.

Adopted: 21 December 1995

5860 - RULES FOR SAFETY PATROL MEMBERS (Regulation)

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Members of the school safety patrol render an important service to the school district and to the pupils they assist. As Role models and representatives of the district, school safety patrol members shall be bound by the following rules. Violations of these rules may result in the member's removal from the safety patrol.

1. A member in training shall attend all training sessions and pay close attention to training instruction.
2. Members shall at all times maintain proper decorum and demonstrate respect for authority.
3. A member shall obey the directives of the police officer, crossing guard, or school staff member supervising him or her.
4. A member shall not step off the curb or into a roadway in performance of his or her duties, except as directed to do so by a supervising police officer, crossing guard, or school staff member.
5. A member shall never attempt to direct vehicular traffic.
6. A member shall report to his or her appointed station on time and, if assigned outdoors, appropriately dressed for the weather.
7. A member shall report to his or her classroom promptly at the end of any patrol period that precedes classes.
8. A member who will be absent from school or cannot report to his or her appointed station must notify the school office to report his or her absence so that a substitute may be assigned.
9. A member shall take proper care of his/her belt, badge, brassard, or other insignia of office distributed to him or her, wear it at all times when on duty and only when on duty, and return it to the school at the end of his or her service.
10. A member shall report to the program supervisor any serious misconduct or dangerous practices of other pupils.
11. A member shall maintain passing grades in all subjects.
12. A member shall serve as an example to others in the prevention of accidents.

Adopted: 21 December 1995