Strauss Esmay Series 5000 Students

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5111 - ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS (M)

The Passaic Board of Education shall admit to its schools, free of charge, persons 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.

Eligibility to Attend School

The Board shall admit pupils eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1 et seq.

The Board shall also admit any pupil that 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 in accordance with N.J.A.C. 6A:22-3.2 et seq. A pupil is only eligible to attend school in the district pursuant to this provision if the pupil's parent(s) or legal guardian(s) files, 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 the pupil is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the pupil must file, if so required by the district, 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 time longer than the school term; will assume all personal obligations for the pupil relative to school requirements; and 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. Pursuant to N.J.S.A. 18A:38-1(c), any person who fraudulently allows a child of another person to use his or 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 or her child to a person in another district commits a disorderly persons offense.

A pupil is eligible to attend school free of charge 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 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.

A pupil is eligible to attend school free of charge if the pupil's parent(s) or legal guardian(s) temporarily resides within the district, notwithstanding the existence of a domicile elsewhere. When required by the district, the parent(s) or legal guardian(s) shall demonstrate that such temporary residence is not solely for purposes of a pupil attending school within the district of temporary residence. 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 the criteria of N.J.A.C. 6A:22-3.1(a)1.i. 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 attending school within the district.

A pupil is eligible to attend school free of charge:

- 1. 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:
- 2. If the pupil is placed in the home of a district resident by court order pursuant to N.J.S.A. 18A:38-2:
- 3. If the pupil had previously resided in the district and if the 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, resulting in the relocation of the pupil out of the district, pursuant to N.J.S.A. 18A:38-3(b); and
- 4. If the pupil resides on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

The physical condition of an applicant's housing, an applicant's compliance with local housing ordinances, or terms of lease shall not affect eligibility to attend school.

A pupil's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b).

Proof of Eligibility

The district shall accept forms of documentation from persons attempting to demonstrate a pupil's eligibility for enrollment in the district in accordance with N.J.A.C. 6A:22-3.4 et seq. 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.

The district shall not require or request any information or document protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school. However, these protected documents or information, or pertinent parts thereof, may be voluntarily disclosed by the person(s) seeking enrollment in the district. However, the district may not, directly or indirectly, require or request such disclosure as a condition of enrollment.

Initial Assessment and Enrollment

Registration, initial determinations of eligibility, and enrollment will be in accordance with N.J.A.C. 6A:22-4.1 et seq. The district shall use registration forms provided by the Commissioner

of Education or locally developed forms that are consistent with the forms provided by the Commissioner. A district level school administrator designated by the Superintendent will be available, and clearly identified to applicants, to assist persons who are experiencing difficulties with the registration/enrollment process.

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. Where an applicant has provided incomplete, unclear or questionable information, enrollment shall take place immediately, but the applicant will 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 et seq.

Where an applicant appears ineligible based on the 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. A pupil enrolled pursuant to this provision shall 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.

Where enrollment is denied and no intent to appeal is indicated, applicants shall be advised that they shall comply with compulsory education laws. In this case, the parent(s) or legal guardian(s) shall, where the pupil is between the ages of six and sixteen, be asked to complete a written statement that 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 event this written statement is not provided, the district level 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.

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.

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. 8:57-4.1 et seq.

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.

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. The Notice of Ineligibility shall be provided and shall include information as required in accordance with N.J.A.C. 6A:22-4.2 et seq.

Removal of Currently Enrolled Pupils

Nothing in N.J.A.C. 6A:22-4.3 et seq. and this policy 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.

When a pupil, enrolled and attending school in the district based on an initial determination of eligibility, is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for removal of the pupil in accordance with N.J.A.C. 6A:22-4.3(b). No pupil shall be removed from school unless the parent, legal guardian, adult pupil or resident keeping an "affidavit pupil" (as defined in N.J.A.C. 6A:22-1.2) as the case may be, has been informed of his or her entitlement to a hearing before the Board of Education. 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 the 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 et seq. The hearings required pursuant to N.J.A.C. 6A:22-4.3 et seq. may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall 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.

Appeal to the Commissioner

The district's 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 must be filed by the resident keeping the pupil.

Assessment and Calculation of Tuition

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. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. 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.

Nonresident Pupils

The admission of a nonresident child to school free of charge must be approved by the Board. No child otherwise eligible shall be denied admission on the basis of the child's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident pupil shall be contingent upon the pupil's maintenance of good standards of citizenship and discipline.

N.J.S.A. 18A:38-1 et seq.

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seg.; 6A:22-2.1 et seg.

10.1

Adopted: 21 December 1995

Revised: 30 March 2009

5113 - POSTGRADUATE PUPILS

The Board of Education will neither permit the enrollment in this district nor pay the educational costs elsewhere of persons who have been awarded a high school diploma or who have attained

the age of twenty years or, in the case of disabled persons, the age of twenty-one years.

The Superintendent may admit qualified postgraduate pupils and shall inform the Board annually

of such admissions.

The continued attendance of each admitted postgraduate pupil will be contingent upon the maintenance of a satisfactory academic performance, regular attendance, and a record of good

conduct. The Board will not be responsible for the transportation of postgraduate pupils to and

from school.

N.J.S.A. 18A:38-1; 18A:38-4; 18A:38-17

5114 - CHILDREN DISPLACED BY DOMESTIC VIOLENCE

The Board of Education will cooperate with the County Office of Education, as appropriate and feasible, in the education of children temporarily displaced by domestic violence. Any pupil attending the schools of this district, whether regularly enrolled in this or another district, who has been admitted to a shelter for victims of domestic violence will be permitted and encouraged to continue an appropriate educational program with minimal disruption.

The Board will cooperate with other educational institutions in the sharing of pertinent pupil records and in the establishment of sending-receiving relationships on behalf of displaced children. The confidentiality of all matters concerning displaced children will be strictly observed, and no information regarding the present residence of the child will be released.

N.J.S.A. 18A:38-1 et seq.

5117 - INTER-DISTRICT PUBLIC SCHOOL CHOICE

Introduction

New Jersey's Interdistrict Public School Choice Program Act provides interested New Jersey school districts an opportunity to apply to the New Jersey Department of Education to become a public school choice school district that can make available classroom seats within the school district for the Board to accept non-resident pupils. A choice district may enroll pupils across district lines in designated schools of the choice district.

For the purpose of this Policy, "choice district" means a public school district, established pursuant to Chapter 8 or Chapter 13 of Title 18A of the New Jersey Statutes, which is authorized under the Interdistrict Public School Choice Program Act to open a school or schools to pupils from sending districts. "Sending district" means the district of residence of a choice pupil. "Commissioner" shall mean the New Jersey Commissioner of Education.

Choice District Application Process

A proposed choice school district shall submit an application to the Commissioner of Education no later than April 30 in the year prior to the school year in which the choice program will be implemented. The application shall include, but not be limited to, the following information:

- 1. A description of programs, schools, and the number of pupil openings in each school identified by grade level which are available for selection;
- 2. The provision for the creation of a parent information center;
- 3. A description of the pupil application process and any criteria required for admission; and
- 4. An analysis of the potential impact of the program on pupil population diversity in all potential participating districts and a plan for maintaining diversity in all potential participating districts, which plan shall not be used to supersede a court-ordered or administrative court-ordered desegregation plan.

The Commissioner shall notify a choice district of the approval or disapproval of its application no later than July 30, and the reasons for disapproval shall be included in the notice. The Commissioner shall notify the New Jersey State Board of Education of the approval of a choice district application and the State Board shall include a public notice of the approval on the next agenda for its public monthly meeting.

The Commissioner may take appropriate action, consistent with State and Federal law, to provide that student population diversity in all districts participating in a choice district program is maintained. Student population diversity shall include, but not be limited to, the ethnic, racial, economic, and geographic diversity of a district's student population. The actions may include, but need not be limited to:

- 1. Directing a choice district to take appropriate steps to successfully implement the district's plan for maintaining student population diversity;
- 2. Restricting the number of choice pupils from a sending district or the authority of a choice district to accept choice pupils in the future; and
- 3. Revoking approval of the choice district. Any choice pupil who is attending a designated school in a choice district at the time of the Commissioner's revocation of approval shall be entitled to continue to be enrolled in that school until graduation.

Evaluation of Choice District Applications

The Commissioner shall evaluate an application submitted by a proposed choice district according to the following criteria:

- 1. The fiscal impact on the district;
- 2. The quality and variety of academic programs offered within the district;
- 3. The potential effectiveness of the pupil application process and of the admissions criteria utilized:
- 4. The impact on student population diversity in the district; and
- 5. The degree to which the program will promote or reduce educational quality in the choice district and the sending districts.

Application to a Choice District

The parent or guardian of a pupil shall notify the sending district of the pupil's intention to participate in the choice program and shall submit an application to the choice district, indicating the school the pupil wishes to attend, no later than the date specified by the Commissioner. To be eligible to participate in the program, a pupil shall be enrolled at the time of application in grades preschool through twelve in a school of the sending district and have attended school in the sending district for at least one full year immediately preceding enrollment in the choice district, provided that the sending district is the school district that a pupil in a particular district of residence is required by law to attend. This one-year requirement shall not apply to a pupil enrolling in preschool or Kindergarten in the choice district if that pupil has a sibling enrolled in the choice district. Openings in a designated school of a choice district shall be on a space-available basis and if more applications are received for a designated school than there are spaces available, a lottery shall be held to determine the selection of pupils. Preference for enrollment may be given to siblings of pupils who are enrolled in a designated school.

If there is an opening in a designated school of a choice district and there is no pupil who is enrolled in a sending district who meets the attendance requirements of the law, including a pupil who has been placed on a waiting list based on a lottery held in the choice district, then the choice district may fill that opening with a public school pupil who does not meet the attendance requirements of the law or a nonpublic school pupil.

A choice district may evaluate a prospective pupil on the pupil's interest in the program offered by a designated school. The district shall not discriminate in its admission policies or practices on the basis of athletic ability, intellectual aptitude, English language proficiency, status as a handicapped person, or any basis prohibited by State or Federal law.

A choice district shall not prohibit the enrollment of a pupil based upon a determination that the additional cost of educating the pupil would exceed the amount of additional State aid received as a result of the pupil's enrollment. A choice district may reject the application for enrollment of a pupil who has been classified as eligible for special education services pursuant to Chapter 46 of Title 18A of the New Jersey Statutes if that pupil's individualized education program could not be implemented in the district, or if the enrollment of that pupil would require the district to fundamentally alter the nature of its educational program, or would create an undue financial or administrative burden on the district.

A pupil whose application is rejected by a choice district shall be provided with a reason for the rejection in the letter of notice. The appeal of a rejection notice may be made to the Commissioner. Once a pupil is enrolled in a designated school, the pupil shall not be required to reapply each school year for enrollment in any designated school of the choice district and shall continue to be permitted to be enrolled until graduation. A pupil shall be permitted to transfer back to a school of the sending district or may apply to a different choice district during the next application period.

A choice district shall accept all of the credits earned toward graduation by a pupil in the schools of the sending district. A choice district shall notify a sending district upon the enrollment of a choice pupil resident in that district.

Enrollment Restrictions

The Board of Education of a sending district may adopt a resolution to restrict enrollment of its pupils in a choice district to a maximum of ten percent of the number of pupils per grade level per year and/or fifteen percent of the total number of pupils enrolled in the sending district. This resolution shall be subject to approval by the Commissioner upon a determination that the resolution is in the best interest of the district's pupils and that it will not adversely affect the district's programs, services, operations, or fiscal conditions, and that the resolution will not adversely affect or limit the diversity of the remainder of the student population in the district who do not participate in the choice program.

Enrollment restriction percentages adopted by the resolution shall not be compounded from year to year and shall be based upon the enrollment counts for the year preceding the sending district's initial year of participation in the choice program, except that in any year of the program in which there is an increase in enrollment, the percentage enrollment restriction may be applied to the

increase and the result added to the preceding year's count of pupils eligible to attend a choice district. If there is a decrease in enrollment at any time during the duration of the program, the number of pupils eligible to attend a choice district shall be the number of pupils enrolled in the choice program in the initial year of the district's participation in the program, provided that a pupil attending a choice district school shall be entitled to remain enrolled in that school until graduation.

The calculation of the enrollment of a sending district shall be based on the enrollment count as reported on the Application for State School Aid in October preceding the school year during which the restriction on enrollment shall be applicable.

A choice district shall not be eligible to enroll pupils on a tuition basis pursuant to N.J.S.A. 18A:38-3 while participating in the Interdistrict Public School Choice Program. Any pupil enrolled on a tuition basis prior to the establishment of the choice program shall be entitled to remain enrolled in the choice district as a choice pupil.

Transportation

Transportation, or aid in-lieu-of transportation, shall be provided to an elementary school pupil who lives more than two miles from the choice district school of attendance and to a secondary school pupil who lives more than two and one-half miles from the choice district school of attendance, provided the choice district school is not more than twenty miles from the residence of the pupil.

Transportation, or aid in-lieu-of transportation, shall be the responsibility of the sending district. The choice district and the sending district may enter into a shared service agreement in accordance with the "Uniform Shared Services and Consolidation Act," sections 1 through 35 of P.L. 2007, c.63 (C.40A:65-1 through C.40A:65-35). Notwithstanding the provisions of section 20 of P.L. 2007, c.260 (C.18A:7F-62) to the contrary, the sending district shall receive State aid for transportation calculated pursuant to section 15 of P.L. 2007, c.260 (C.18A:7F-57) for a pupil transported or receiving aid-in-lieu-of transportation pursuant to N.J.S.A. 18A:36B-22.

Parent Information Center

A choice district shall establish and maintain a parent information center. The center shall collect and disseminate information about participating programs and schools and shall assist parents and guardians in submitting applications for enrollment of pupils in an appropriate program and school. The information about participating programs and schools shall be posted on the choice district's website.

Annual Report

The Commissioner shall annually report to the State Board of Education, the Legislature, and the Joint Committee on the Public Schools on the effectiveness of the Interdistrict Public School Choice Program. The Commissioner's annual report shall be posted on the New Jersey Department of Education's website and on the website of each choice district.

N.J.S.A. 18A:36B-14 through 18A:36B-24

1st Reading 24 September 2012

5120 - ASSIGNMENT OF PUPILS

The Board of Education directs the assignment of pupils to the schools, programs, and classes of this district consistent with the best interests of pupils and the best uses of the resources of this district.

Pupils shall generally attend the school located in the attendance area of their residence. The Superintendent may assign a pupil to a school other than that designated by the attendance area when such an exception is justified by circumstances and is in the best interests of the pupil. Every effort will be made to continue a pupil in the same elementary school.

The Superintendent shall assign an incoming transfer pupil to the school that will afford the pupil the most appropriate educational opportunity. The building principal may assign pupils in his or her school to grades, classes, and groups on the basis of the needs of the pupil as well as the sound administration of the school.

The Principal in each school shall have the responsibility for assigning and scheduling pupils within a school unit. Parents have the prerogative of appealing the assignment to the Assistant Superintendent after conference with the Principal.

5130 - WITHDRAWAL FROM SCHOOL (M)

M

The Board of Education believes that the educational goals of this district are best implemented by a pupil's exposure to the entire educational program and that every pupil enrolled in this district should be encouraged to complete the program of instruction appropriate to his or her needs. No pupil below the age of sixteen will be permitted to withdraw from school.

The Superintendent shall alert teaching staff members to identify those pupils who may consider eighth grade graduation the termination of their education. Any pupil who indicates that he or she may drop out of school before entry to the ninth grade should be reported to the building principal and be provided with counseling.

The Board directs that efforts be made to determine the underlying reason for a pupil's decision to withdraw from school before the completion of the instructional program. A potential dropout pupil will be offered counseling and an opportunity to plan an instructional program appropriate to his or her career goals. No pupil under the age of eighteen will be permitted to withdraw without the written consent of the pupil's parent.

Counseling services and information regarding high school equivalency programs will be made available to any pupil sixteen years of age or older who decides to withdraw from school before completion of the requirements for a diploma. A pupil who has withdrawn from school may apply for readmission at any time prior to his or her twentieth birthday, provided application for readmission is made at the beginning of a school term.

N.J.A.C. 6:8-3.2; 6:30-1.2 et seq., 30-2.1 et seq.

*5200 - ATTENDANCE (M)

M

The Board of Education requires that the pupils enrolled in the schools of this district attend school regularly in accordance with the laws of the state. The educational program offered by this district is predicated on the presence of the pupil and requires continuity of instruction and classroom participation. The regular contact of pupils with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

Attendance at school may be excused when the demonstrated mental or physical condition of the pupil is such as to interfere with learning or prevent attendance, or by the observance of the pupil's religion on a day approved by the Board as a religious holiday, or by such circumstances as the building principal may determine constitute good cause. All other absences are unexcused.

Pupils absent from school for any reason are responsible for the completion of assignments missed because of their absence. No student excused for a religious holiday shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on the religious holiday.

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive the pupil of the classroom experience deemed essential to learning and may result in retention at grade level.

Unexcused absences from school or from classes within the school day constitute truancies and shall be subject to the disciplinary rules of the Board. Repeated truancies that interfere with efforts of this Board and its staff in the maintenance of good order and the continuity of classroom instruction may result in the suspension or expulsion of any pupil from the course of study during which absences have occurred or the suspension or expulsion from school of a pupil over sixteen years of age, in accordance with Policy Nos. 5410 and 5420. Before any such action is taken, every effort shall be made to identify the habitual truant, investigate the cause or causes of the pupil's behavior, and consider the modification of the pupil's educational program.

The Superintendent shall calculate and monitor the average daily attendance rate for the district and for each school in the district. Whenever the average daily attendance rate is below ninety percent for the district or below eighty-five percent in any one school, the Superintendent shall develop and implement an attendance improvement plan. The attendance rate shall be calculated by dividing total pupil days present for all pupils by the total possible pupil days for all pupils and multiplying the result by one hundred.

N.J.S.A. 18A:36-14 et seq.; 18A:38-25 et seq N.J.S.A. 34:2-21.1 et seq. N.J.A.C. 6:20-1.1 et seq.

*5230 - LATE ARRIVAL AND EARLY DISMISSAL

The Board of Education requires that pupils be in attendance for the full school day in order to benefit from the instructional program. That requirement will be waived only when compelling circumstances require that a pupil be late to school or dismissed from school before the end of the school day.

The principal may excuse for cause the late arrival and early dismissal of a pupil on the prior written request of the pupil's parent or guardian. Good cause may include, but need not be limited to, medical and dental appointments that cannot be scheduled outside the school day, medical disability, a motor vehicle driver's test, interviews for college entrance or employment, and court appearances.

No pupil under the age of 18 will be permitted to leave the school before the end of the school day except in the presence of the pupil's parent or an agent of the parent.

A pupil who suffers an incapacitating medical disability will be released from school only in the presence of an adult.

N.J.A.C. 6:20-1.3

*5240 - TARDINESS

The Board of Education believes that promptness is an important element of school attendance. Pupils who are late to school or to class miss essential portions of the instructional program and create disruptions in the academic process for themselves and other pupils.

Tardiness to school or class that is caused by a pupil's illness, an emergency in the pupil's family, the observance of a religious holiday, a death in the pupil's family, or by the pupil's compliance with a request or directive of an administrator will be considered justified and is excused. All other incidents of tardiness will be considered unexcused.

Five (5) instances of unexcused tardiness will equal one unexcused absence for the purpose of calculating unexcused absences for application of Board Policy No. 5410 on promotion and Policy No. 5460 on high school graduation.

A pupil who develops a pattern of tardiness, excused or unexcused, will be offered counseling with an appropriate staff member to determine the cause of the tardiness.

N.J.S.A. 18A:36-14, 36-15, 36-25 et seq. N.J.A.C. 6:20-1.3

*5250 - EXCUSAL FROM CLASS OR PROGRAM

The Board of Education directs that a pupil be excused from any part of the instructions in health education, family life education, or sex education that the parent of the pupil or the adult pupil finds morally, conscientiously, or religiously offensive. A request for excusal must be presented in a signed statement and submitted to the Principal.

An excused pupil shall be assigned to an alternate program of independent study on a substitute topic within the health education, family life education, or sex education program. The parent's right of excusal applies to any alternate program as well.

No excused pupil will be penalized by loss of credit as a result of his or her excusal, but a pupil will be held accountable for successful completion of any alternate program assigned.

N.J.S.A. 18A:35-4.7

5300 - USE OF DEFIBRILLATOR

The Board of Education is committed to providing the highest quality of care to its pupils.

Consistent with this commitment, the Board will have available a defibrillator in a central location in all schools in the district. One unit will be carried by the athletic trainer to be available at sporting events and an additional unit will be housed in the administration building.

The Supervisor of Health Services will ensure the defibrillator is tested and maintained according to the manufacturer's operational guidelines through the use of a report from each school nurse's assessment review. A visual check should be completed daily as to its state of readiness. On the fifteenth of each month, a complete check of the unit will be made by the school nurse. The school nurse will notify the Office of Health Services of any maintenance needs, if required.

The Supervisor of Health Services will notify the local emergency management team or other appropriate medical personnel that defibrillator(s) is available. The defibrillator will be located in each building so it is readily accessible to designated staff members that have been trained in cardio-pulmonary resuscitation and the use of a defibrillator.

The Office of Health Services will be responsible to arrange for training/ certification in CPR and use of a defibrillator for all school nurses and staff members designated by the district's AED committee. The training will be in accordance with N.J.S.A. 2A:62A-25. Successful completion and current certification from the American Red Cross, American Heart Association or other training programs recognized by the New Jersey Department of Health and Senior Services in cardio-pulmonary resuscitation and the use of a defibrillator is required. A person will not use the defibrillator until he/she has successfully completed a recognized training program and holds a current certification.

The Office of Health Services will be notified of all incidents requiring the use of the defibrillator within a twenty-four hour period. The office of Health Services will notify the school physician and the Superintendent of all incidents.

Automated External Defibrillator (AED)

<u>NOTE:</u> If AED is not immediately available, perform CPR until AED arrives on scene. Use of the AED is authorized for emergency response personnel trained in CPR and use of the AED.

PROTOCOL:

- 1. Respond to emergency setting
- 2. Assess scene safety
- 3. Determine unresponsiveness of victim
- 4. Direct bystander to call 911 & bring AED to site/if no bystander—call 911 & bring AED to site
- 5. Begin CPR until AED is available

- 6. Turn on AED when it becomes available
- 7. Follow commands given by AED
- 8. Refrain from using cell phones or portable radios within four feet of victim while AED is in use.

<u>SPECIAL NOTE:</u> If rescuer is alone and victim is a child under eight years old or under 55, perform one minute of CPR prior to calling 911 and getting the AED. AED can be utilized **only if** child pads are available.

FOLLOW-UP PROTOCAL:

- 1. The responder will document the event using the school district's incident form and will forward a copy of the completed form by the next school day to the Supervisor of Health Services and the Assistant Superintendent.
- 2. The AED will be wiped clean.
- 3. Electrode pads must be replaced and reconnected to the device.
- 4. The CHARGEPAK charging unit must be replaced.
- 5. Replenish any used supplies from the resuscitation kit attached to the AED.
- 6. Monthly check of AED equipment must be performed by utilizing AED checklist.

Adopted: 30 March 2009

5310 - HEALTH SERVICES (M)

The Board of Education requires that all pupils enrolled in this district submit to physical examinations in accordance with law and rules of the State Board of Education and State Department of Health to insure that the learning potential of each child is not diminished by a remediable physical disability and that the school community is protected from the spread of communicable disease.

A pupil who presents a statement signed by his or her parent that required examinations interfere with the free exercise of his or her religious beliefs shall be examined only to the extent necessary to determine whether the pupil is ill or infected with a communicable disease or under the influence of a drug or is disabled or is fit to participate in any health, safety, or physical education course required by law.

The results of physical examinations and screenings shall be reported to the pupil's parent when any condition is identified that requires follow-up by a physician or family health provider.

The Superintendent shall instruct all teaching staff members to observe pupils continually for conditions that indicate a physical defect or disability and to report such conditions promptly to the school nurse.

Health examinations

An examination to determine the presence of physical defect shall be conducted annually for pupils in grades Pre-K, K, 1, 4, 8, 12, and all Special Education pupils and newly enrolled pupils by the school medical inspector or another physician licensed to practice medicine, at the option of the parent. An examination by a physician other than the medical inspector shall be at no expense to the Board; the report of any such examination shall be given to the school medical inspector on a form furnished by the Board.

Pupil health examinations shall include, in accordance with district regulations, immunizations; the pupil's health history; height, weight, hearing, and vision screenings; and physical examination of the pupil's body.

Each candidate for a place on a school athletic squad or team shall submit to a medical examination conducted in accordance with Policy No. 2431 and rules of the State Board of Education.

Pupils referred for evaluation for eligibility for special education and/or related services shall be examined in accordance with Policy No. 2460 and rules of the State Board of Education.

Pupils suspected of being under the influence of alcohol, drugs, or anabolic steroids shall be examined in accordance with Policy No. 5530 and rules of the State Board of Education.

Tuberculin screening

Tuberculin screening shall be conducted as required by the State Department of Health.

Scoliosis screening

Each pupil between the ages of ten and eighteen years shall be examined annually for scoliosis by a school employee trained in scoliosis screening. A pupil shall be exempt from the examination on the written request of the parent.

Audiometric screening

Audiometric screening will be conducted for pupils enrolled in preschool programs; pupils enrolled in grades kindergarten, 1, 2, 3, 4, 6, 8, and 10; pupils entering the district with no recent record of hearing screening; pupils at risk for hearing impairments; and pupils referred for screening by a teacher or parent or at the pupil's request.

Pupils are at risk for hearing impairments if they have communication disorders, cleft palate, allergies, frequent upper respiratory or middle ear infections; take oxotoxic medication; or are exposed to sudden or continuous loud noises.

Vision screening

Vision screening will be administered to all entering pupils and annually to all pupils, in accordance with the vision screening program developed in consultation with the school medical inspector.

N.J.S.A. 18A:35-4.8; 18A:40-4 et seq.; 18A:40-16 et seq. N.J.S.A. 44:6-2 N.J.A.C. 6:28-3.4(d); 6:29-2.1 et seq.; 6:29-5.1 et seq., 6:29-6.5 N.J.A.C. 8:52-7.1 et seq.

5320 - IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires the immunization of pupils against certain diseases in accordance with state statute and rules of the New Jersey State Department of Health.

No child shall be admitted to school unless he or she has completed required immunizations or has been granted a provisional status in accordance with rules and the regulations implementing this policy.

The Board shall not require the immunization of any pupil for whom such immunization is medically contraindicated or any pupil for whom administration of immunizing agents conflicts with bona fide religious tenets or practices.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health or by order of the New Jersey State Commissioner of Health, may be conducted in district schools without the express approval of the Board.

N.J.S.A. 18A:40-20 N.J.S.A. 26:4-6 N.J.A.C. 8:57-4.1 et seq.

5330 - ADMINISTRATION OF MEDICATION (M)

M

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of the illness of any pupil. At the same time, the Board recognizes that a pupil's attendance may be contingent upon the timely administration of medication duly prescribed by a physician. The Board will permit the dispensation of medication in school only when the pupil's health and continuing attendance in school so require and when the medication is administered in accordance with this policy.

For purposes of this policy, "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.

No medication will be administered to pupils in school except by the school nurse, another registered nurse, or the pupil's parent. Medication must be delivered to the school nurse in its original labeled container by the pupil's parent and must be accompanied by the parent's written request for its administration and by the physician's written and signed statement of the medication's name, the purpose of its administration to the specific pupil for whom it is intended, its proper timing and dosage, its possible side effects, and the time when its use will be discontinued. Medication no longer required must be promptly removed by the parent.

All pupil medications shall be appropriately maintained and secured by the school nurse. The school nurse may provide the principal and other teaching staff members concerned with the pupil's educational progress with such information about the medication and its administration as may be in the pupil's best educational interests. The school nurse may report to the school medical inspector any pupil who appears to be affected adversely by the administration of medication and may recommend to the principal the pupil's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a pupil and shall preserve records and documentation regarding the administration of medication in the pupil's health file.

N.J.S.A. 18A:6-1.1; 18A:40-6; 18A:40-7

5350 - PUPIL SHICIDE PREVENTION

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A pupil under severe stress cannot benefit fully from the educational program and may pose a threat to himself or herself or others.

The Board directs all school personnel to be alert to the pupil who exhibits signs of potential self-destruction or who threatens or attempts suicide. Any such signs or the report of such signs from another pupil or staff member should be taken with the utmost seriousness and reported immediately to the building principal, who shall notify the pupil's parent(s) or legal guardian(s) and other professional staff members in accordance with administrative regulations.

A potentially suicidal pupil shall immediately be evaluated by two members of the School Crisis Team with the appropriate follow-up in accordance with administrative regulations. In the event that the parent(s) or legal guardian(s) objects to the recommended evaluation or indicates an unwillingness to cooperate in the best interests of the pupil, the Team may contact the New Jersey Division of Youth and Family Services to request that agency's intervention on the pupil's behalf.

Adopted: 21 December 1995

Revised: 31 May 2006

5410 - PROMOTION AND RETENTION (M)

M

The Board of Education recognizes that each child develops and grows in a unique pattern and that students should be placed in the educational setting most appropriate to their social, physical, and educational needs. Each student enrolled in this district shall be moved forward in a continuous program of learning in harmony with his or her own development.

Standards for student promotion shall be based upon district goals, objectives, New Jersey Curriculum Standards and the accomplishments of students. A student in the elementary grades will be promoted to the next succeeding grade level when he or she has made satisfactory progress at the presently assigned grade and has demonstrated proficiency in the N.J. Curriculum Standards required for movement to the next grade.

The promotion and retention policy will be distributed to parents and students at the beginning of each school year. Parents and students shall be regularly informed regarding progress toward meeting promotion standards. A teacher who determines that a student's progress may not be sufficient to meet promotion standards shall notify the parent and student and offer immediate consultation. Appropriate interventions must be documented before retention is recommended. The school-based Retention Review Committee shall ensure that students in jeopardy of retention have received appropriate district-recommended interventions Consultation with the Child Study Team is required before recommending a student with an IEP for retention.

School attendance shall be a factor in the determination of a student's promotion or retention. Only extenuating circumstances should permit the promotion of a student who has been in attendance fewer than 162 days during the school year. Evidence of assigned make-up work is required whenever a student has been absent for three or more consecutive days.

Classroom teachers shall recommend to the building principal the promotion or retention of each student. Principals and the Retention Review Committee will review recommended retentions to confirm compliance with retention policy guidelines. Parents and adult students may appeal a retention decision to the Superintendent whose decision shall be final. Parents must appeal retention within the first ten (10) days of school. Demotion is not.

Students who are retained in a grade must have an instructional plan for the following year developed by the retaining teacher. The plan must be approved by the school–based Retention Review Committee.

N.J.S.A. 18A:35-4.9 N.J.A.C. 6:8-7.1

Adopted: 21 December 1995 Revision: 30 September 2013

5410.01 - PROMOCION Y RETENCION

M

La Junta de Educación reconoce que cada niño(a) se desarrolla y crece de una manera única y que los/las estudiantes deberían ser ubicados(as) en el ámbito educativo más apropiado para sus necesidades sociales, físicas y educativas. Cada estudiante registrado(a) en el distrito deberá avanzar en un programa continuo de aprendizaje en armonía con su propio desarrollo.

Los estándares para la promoción del/de la estudiante deberán estar basados en las metas y objetivos del distrito, los Estándares del Currículo de New Jersey y los logros de los estudiantes. Un/una estudiante de los grados de primaria será promovido(a) al próximo nivel de grado subsiguiente cuando él o ella haya alcanzado progreso satisfactorio en el presente grado asignado y haya demostrado capacidad en los Estándares del Currículo de N.J requeridos para pasar al próximo grado.

La póliza de promoción y retención será distribuida a los padres y estudiantes a comienzas de cada año escolar. Los padres y estudiantes deberán ser informados regularmente en relación con el progreso para alcanzar estándares de promoción. Un/Una maestro(a) que determina que el progreso de un/una estudiantes puede no ser suficiente para alcanzar estándares de promoción deberá notificarlo a los padres y al/a la estudiante y ofrecer consulta inmediata. Deben ser documentadas las intervenciones apropiadas antes de que la retención sea recomendada. El Comité de Revisión de Retención basado en la escuela deberá asegurar que los/las estudiantes en peligro de retención han recibido las intervenciones apropiadas recomendadas por el distrito. Se requiere la consulta con el Child Study Team antes de recomendar a un/una estudiante con un IEP para retención.

La asistencia escolar deberá ser un factor en la determinación para la promoción o retención de un/una estudiante. Solamente circunstancias atenuantes deberían permitir la promoción de un/una estudiante con una asistencia menor de 162 días durante el año escolar. Se requiere la evidencia de la recuperación de trabajos atrasados cuando un/una estudiante ha estado ausente por tres o más días consecutivos.

Los maestros deben recomendar al/a la director(a) del edificio la promoción o retención de cada estudiante. Los/Las directores(as) y el Comité de Revisión de Retención revisarán las retenciones recomendadas para confirmar el cumplimiento de las directrices de la póliza de retención. Los padres y estudiantes adultos pueden apelar (recurrir) una decisión de retención ante el Superintendente, cuya decisión deberá ser definitiva. Los padres deben apelar una decisión de retención dentro de los primeros diez (10) días de escuela. El relegar a un(a) estudiante a un grado anterior no es una Póliza del Distrito.

Los/Las estudiantes que sean retenidos(as) en un grado deben tener un plan instructivo para el próximo año desarrollado por el/la maestro(a) de la retención. El plan debe ser aprobado por el Comité de Revisión de Retención basado en la escuela.

N.J.S.A. 18A:35-4.9 N.J.A.C. 6:8-7.1

Adoptada: 21 de deciembre del 1995

Revisida: 30 de septiembre del 2013

5411 - PROMOTION FROM EIGHTH GRADE

The Board of Education will recognize with fitting ceremonies a pupil's completion of the program of studies offered by this district in elementary school and the pupil's entrance to secondary school.

Successful completion of the program of studies in elementary school requires achievement of the instructional objectives set for each course of study, demonstration of mastery of the proficiencies established for each course, and a satisfactory attendance record. The parent of a pupil who may be prevented from graduating shall be so notified in advance and no later than six weeks prior to the close of the school year. Every effort shall be made to remediate a pupil's deficiencies before graduation is denied.

The requirements for graduation from elementary school of an educationally disabled pupil shall be set forth in the pupil's individualized education program. Completion of those specialized requirements shall qualify the pupil for graduation and entry to secondary school.

N.J.S.A. 18A:36-14, 18A:36-15, 18A:36-18; 18A:38-25 et seq. N.J.A.C. 6:8-7.1

5420 - REPORTING PUPIL PROGRESS (M)

M

The Board of Education believes that the cooperation between school and home in the interests of children is fostered by the systematic communication of pupils' educational welfare to parents. The Board directs the establishment of a program of reporting pupil progress to parents by both written reports and by parent-teacher conferences and requires the cooperation of all appropriate teaching staff members in that program as part of their professional responsibilities.

The Superintendent shall develop, in consultation with appropriate teaching staff members, procedures for reporting pupil progress to parents and guardians that utilize various methods of reporting appropriate to grade level and curriculum content; insure that the pupil and parent receive ample warning of a possible failing grade or any grade that would adversely affect the pupil's educational status; enable the scheduling of parent-teacher conferences at such times as will insure the greatest degree of participation by parents; and require the issuance of report cards at intervals of not less than four times per year.

Reports of individual achievement on state assessment tests shall be promptly made available to the pupil or the pupil's parent.

N.J.A.C. 6:8-7.1

5420.1 - DEVELOPMENT AND COMPLETION OF ISIPS

It shall be the policy of the Passaic Board of Education to develop and implement Individual Student Improvement Plans (ISIPS) for pupils performing below state minimum levels of proficiency after completion of three academic years of instruction beyond kindergarten, as required by 6:8-6.2 of the State.

LEAS may implement the following procedures for the fiscal year:

ISIPS may be developed and completed by local and/or SCE funded staff.

Staff fully funded by Chapter I may not be assigned to develop or complete ISIPS since the ISIP is a state requirement. However, staff split-funded with SCE/Chapter I and/or local funds may be assigned to accomplish this task.

5421 - STUDENTS WHO WITHDRAW FROM HIGH SCHOOL ELECTIVE COURSES

Whenever a student decides to withdraw from a course, the withdrawal will be made only after a parental conference with the teacher, the Department Chairperson and the Guidance Counselor. Students may not withdraw from courses that are required for graduation. Students may only withdraw from a course when they are taking courses which exceed a total of 30 credits (five full credit subjects plus Physical Education). The following grading procedures shall apply:

- 1. If a student is passing an elective course at the time he or she withdraws from the course, the student will receive a grade of Withdraw Passing (WP).
- 2. If a student is failing an elective course at the time he or she withdraws from the course, the student will receive a grade of Withdrawn Failing (WF).
- 3. Students who withdraw from an elective course will receive no credit for the elective course.

5430 - CLASS RANK

The Board of Education acknowledges the usefulness of a system of computing grade point averages and class ranking for secondary school graduates, both to inform pupils of their relative academic placement among their peers and to provide pupils, prospective employers, and institutions of higher learning with a predictive device so that each pupil is more likely to be placed in an environment conducive to success.

The Board authorizes a system of class ranking, by grade point average, for pupils in grades 9-12. All pupils shall be ranked together.

Class rank will be calculated by the final grade in all subjects, except those subjects for which no credit is awarded, and will not include failing grades. Weighted credit will be calculated for grades earned in an honors course, a course of independent study, and other designated courses. The class ranking of a pupil who has transferred to this district will include the grades earned in the regular program of the prior school. Grades earned in private summer school programs will not be included in the calculation of class rank.

Any two or more pupils whose computed grade point averages are identical will be given the same rank. The rank of the pupil who immediately follows a tied position will be determined by the total number of all preceding pupils not by the rank of the immediately preceding pupil.

A pupil's grade point average and rank in class will be entered on the pupil's record and will be subject to Board Policy 8330 on the release of pupil records.

5440 - HONORING PUPIL ACHIEVEMENT

The Board of Education values excellence and wishes to inculcate in pupils the desire to do their best in all things.

The Board will recognize the outstanding achievements of pupils by means appropriate to the grade level of the pupil and to the nature of the accomplishment.

The Board will maintain membership in the National Honor Society and will follow the guidelines of that organization in selecting members from the pupils in this district.

In each high school graduating class, the pupil who has earned the highest grade point average shall be named valedictorian and the pupil who has earned the next highest grade point average shall be named salutatorian, provided that any pupil so named shall have been enrolled in this district for at least one year immediately prior to high school graduation. Grade point average shall be determined in accordance with Policy No. 5430, and shall, for the purpose of this recognition, be calculated at the end of the 3rd marking period.

In the event the highest or next highest grade point average has been earned by two or more pupils, both or all the pupils who have tied for first or second place shall be named co-valedictorian or co-salutatorian, as the case may be.

The Superintendent shall develop regulations for the recognition of pupil achievement that establish fair standards for recognition, assure that all eligible pupils are offered an equal opportunity to meet those standards, and provide for appropriate recognition ceremonies and awards.

N.J.S.A. 18A:11-3 N.J.A.C. 6:39-1.6

5450 - ATHLETIC AWARDS

The Board of Education believes that interscholastic sports are an important part of the school program and its desires to recognize the achievements of students who give many hours of their time in the district athletic program.

The Board will recognize the following outstanding achievements:

Championship Teams

- 1. All members of a championship team shall receive an athletic award of either a jacket, ring or trophy. Such award shall be determined by the Supervisor or Athletic Activities. Members of the team are considered to student team players and the coaching staff.
- 2. A championship team shall receive the award if it wins either the following sanctioned titles:
 - a. State Title--Group 4, Section 1
 - b. League Title--NNJIL
 - c. Passaic County Championship
- 3. Only one athlete award shall be given to the championship team recognizing the highest earned title.

Individual Athletic Achievement

1. Any individual team player who wins a state or league sanctioned award shall receive an individual athletic award of either a jacket, ring, or trophy. Such award shall be determined by the Supervisor of Athletic Activities.

The Supervisor of Athletic Activities shall develop procedures for the recognition of student athletes that ensure the equitable selection of award recipients, the designation of appropriate awards, and the arrangements of suitable presentation ceremonies.

Adopted: 21 October 1996

*5460 - HIGH SCHOOL GRADUATION (M)

\mathbf{M}

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the pupil has met all State and local requirements for high school graduation. The Board will annually certify to the Executive County Superintendent each pupil who has been awarded a diploma has met the requirements for graduation.

A. High School Graduation Requirements

A graduating pupil must have earned a minimum of 120 credits in courses designed to meet all of the New Jersey Core Curriculum Content Standards including, but not limited to, the following credits:

- 1. At least twenty credits in language arts literacy aligned to grade nine through twelve standards, effective with the 2009-2010 grade nine class;
- 2. At least fifteen credits in mathematics, including Algebra I or the content equivalent ("content equivalent" is defined at N.J.A.C. 6A:8-1.3) effective with the 2008-2009 grade nine class, including geometry or the content equivalent effective with the 2010-2011 grade nine class, and including a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares pupils for college and 21st century careers effective with the 2012-2013 grade nine class;
- 3. At least fifteen credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2: five credits in world history, and the integration of civics, economics, geography, and global content in all course offerings;
- 4. At least fifteen credits in science, including at least five credits in laboratory biology/life science or the content equivalent effective with the 2008-2009 grade nine class, including one additional laboratory/inquiry-based science course which shall include chemistry, environmental science, or physics effective with the 2010-2011 grade nine class, and including one additional laboratory/inquiry-based science course effective with 2012-2013 grade nine class;
- 5. At least three and three-quarters credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7 and 8;
- 6. At least five credits in visual and performing arts:
- 7. At least five credits in world languages or pupil demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2);

- 8. At least two and one-half credits in financial, economic, business, and entrepreneurial literacy, effective with 2010-2011 grade nine class;
- 9. Technological literacy, consistent with the Core Curriculum Content Standards, integrated throughout the curriculum;
- 10. At least five credits in 21st century life and careers, or career-technical education and
- 11. Electives as determined by the high school program sufficient to total a minimum of one hundred twenty credits.

Credit means the award for the equivalent of a class period of instruction which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2.

The high school graduation credit requirement may be met in whole or in part through program completion of a range of experiences that enable pupils to pursue a variety of personalized learning opportunities, as follows:

- 1. The district shall establish a process to approve individualized pupil learning opportunities that meet or exceed the Core Curriculum Content Standards.
 - a. Individualized pupil learning opportunities in all Core Curriculum Content Standards areas include, but are not limited, to the following:
 - (1) Independent study:
 - (2) Online learning:
 - (3) Work-based programs, internships, apprenticeships:
 - (4) Study abroad programs:
 - (5) Pupil exchange programs:
 - (6) Service learning experiences; and
 - (7) Structured learning experiences.
 - b. Individualized pupil learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall:
 - (1) Be based on pupil interest and career goals as reflected in the Personalized Pupil Learning Plans as they are phased in according

- to the schedule of implementation set forth at N.J.A.C. 6A:8-3.2(a)1;
- (2) Include demonstration of pupil competency:
- (3) Be certified for completion based on the district process adopted according to 2. below; and
- (4) Be on file in the school district and subject to review by the Commissioner or his/her designee.
- c. Group programs based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall be permitted and shall be approved in the same manner as other approved courses.
- 2. The district shall establish a process for granting of credits through successful completion of assessments that verify pupil achievement in meeting or exceeding the Core Curriculum Content Standards at the high school level, including those occurring by means of the individualized pupil learning opportunities enumerated as outlined in N.J.A.C. 6A:8-5.1(a)2. Such programs or assessments may occur all or in part prior to a pupil's high school enrollment; no such locally administered assessments shall preclude or exempt pupil participation in applicable Statewide assessments at grades three through twelve.
 - a. The district shall choose assessments that are aligned with or exceed the Core Curriculum Content Standards and may include locally designed assessments.
 - b. The district shall choose from among the following assessment options to determine if pupils have achieved the level of language proficiency designated as Novice-High as defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the Core Curriculum Content Standards:
 - (1) The Standards-based Measurement of Proficiency (STAMP) online assessment:
 - (2) The ACTFL Oral Proficiency Interview (OPI) or Modified Oral Proficiency Interview (MOPI); or
 - (3) Department-approved locally designed competency-based assessments.
- 3. The district shall establish a process to approve post-secondary learning opportunities that consist of: (select one or more options)

Advanced Placement (AP) courses;
College-Level Examination Program (CLEP); or
Concurrent/dual enrollment at accredited higher education institutions

a. The district shall award credit for successful completion of an approved accredited college course that assures achievement of knowledge and skills that meets or exceeds the Core Curriculum Content Standards

B. Additional Graduation Requirements

- 1. Attendance requirements as indicated in Policy No. 5200.
- Any statutorily mandated requirements for earning a high school diploma;
- 3. Demonstrated proficiency in all sections of the High School Proficiency Assessment (HSPA), Competency Assessments, or Alternative High School Assessment process applicable to the class graduating in the year they meet all other graduation requirements, based on a schedule prescribed by the Commissioner in accordance with N.J.A.C. 6A:8-4.1(b) through (d); and
- 4. Those pupils graduating from an adult high school shall demonstrate proficiency in all sections of the HSPA, applicable Competency Assessments, or designated Alternative High School Assessment (AHSA) process for any subjects not yet passed on a previously approved Statewide assessment required for graduation.
- High School Proficiency Assessment (HSPA) and Alternative High School Assessment (AHSA)
 - 1. The district will provide pupils who have not demonstrated proficiency on one or more sections of the HSPA following the 11th grade, or applicable Competency Assessments, with the opportunity to demonstrate such competence through both repeated administrations of the HSPA and the AHSA process conducted in accordance with rules of the State Board of Education.
 - a. The Superintendent of Schools shall submit the results of the AHSA process to the Executive County Superintendent of Schools by March 31 of each year, or as otherwise determined by the Commissioner of Education, for approval for graduation in June of the same year. Such results shall include information, as prescribed by the Commissioner, pertaining to pupils successfully completing the AHSA process, and to those who fail to complete the AHSA process successfully.

- b. The Executive County Superintendent, as the Commissioner's designee, shall review the results of each pupil's AHSA and recommend to the Commissioner either approval or disapproval for graduation.
- c. All English Language Learners (ELLs) shall satisfy the school district's requirements for high school graduation, except that any ELLs may through:
 - (1) Passage of the AHSA process in their native language, when available, and passage of an English fluency assessment approved by the Department of Education; or
 - (2) Passage of the AHSA process in English with appropriate accommodations
- d. Pupils with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act and who participate in the AHSA process are not required to participate in repeated administrations of the HSPA.

D. Attendance

Regular attendance is required for the successful completion of a course of study and graduation. Pupils are expected to be present in every scheduled class except as their attendance is excused in accordance with Board Policy 5200.

E. Pupils with Disabilities

- 1. The district, through the IEP process and pursuant to N.J.A.C. 6A:14-4.11 Graduation, may, for individual pupils with disabilities as defined in N.J.A.C. 6A:14-1.3, specify alternate requirements for a State-endorsed diploma.
- 2. The district shall specifically address any alternate requirements for graduation in a pupil's IEP, in accordance with N.J.A.C. 6A:14-4.11.
- 3. The district shall develop and implement procedures for assessing whether a pupil has met any alternate requirements for graduation individually determined in an IEP.
- 4. If a pupil with a disability attends a school other than that of the school district of residence, which is empowered to grant a diploma, the pupil shall have the choice of receiving a diploma of the school attended or a diploma of the school district of residence.
 - a. If the school the pupil is attending declines to issue a diploma to the pupil, the district of residence Board of Education shall issue the pupil a diploma

if the pupil has satisfied all State and local graduation requirements, as specified in the pupil's IEP.

- 5. Pupils with disabilities who meet the standards for graduation according to the school district's graduation requirements shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.
- 6. A pupil with a disability whose individualized education program prescribes continued special education programs beyond the fourth year of high school shall be permitted to participate in commencement ceremonies with his/her graduating class and shall receive a certificate of attendance, provided the pupil has attended four years of high school.
- 7. When a pupil with a disability graduates or exceeds the age of eligibility, the pupil shall be provided a written summary of his or her academic achievement and functional performance prior to the date of the pupil's graduation or the conclusion of the school year in which he or she exceeds the age of eligibility. The summary shall include recommendations to assist the child in meeting his or her postsecondary goals.

F. High School Diploma

- 1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with State and local requirements.
- 2. The Board of Education shall not issue a high school diploma to any pupil not meeting the criteria specified in State and local requirements.
 - a. The district shall provide pupils exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty, or until the requirements for a State-endorsed diploma have been met, whichever comes first.
 - b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements, but has failed to pass the HSPA or applicable Competency Assessments to return to school at scheduled times for the purpose of taking the necessary test. Upon certification of passing the test applicable to the pupil's class in accordance with N.J.A.C. 6A:8-5.1(a)8, a State-endorsed diploma shall be granted by the high school of record.
- 3. The Commissioner of Education shall award a State-issued high school diploma ir accordance with the provisions of N.J.A.C. 6A:8-5.2(c) and (d).

4. The Board of Education shall award a State-endorsed high school diploma to any currently enrolled pupil formally requesting an early award of the diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(e) and Board Policy 5465.

G. Notification

Each pupil who enters or transfers into the high school and the pupil's parent(s) or legal guardian(s) will be provided a copy of the school district's requirements for a State-endorsed diploma, and those programs available to assist pupils in attaining the State-endorsed diploma.

H. Reporting

The Superintendent, in accordance with N.J.S.A. 18A:7C-7 and 18A:7E-3, shall report annually at a public meeting not later than September 30, to the Board of Education and the Commissioner:

- 1. The total number of pupils graduated;
- 2. The number of pupils graduated under the AHSA process:
- 3. The number of pupils receiving State-endorsed high school diplomas as a result of meeting any alternative requirements for graduation as specified in their IEPs;
- 4. The total number of pupils denied graduation from the 12th grade class; and
- 5. The total number of pupils denied graduation from the 12th grade class solely because of failure to pass the HSPA or AHSA, based on the provisions of N.J.A.C. 6A:8-5.1(a)3.
- I. The Superintendent shall provide the district's graduation requirements each year they are evaluated through the Quality Single Accountability Continuum (QSAC) to the Executive County Superintendent and update this filed copy each time the graduation policy and requirements are revised.

N.J.S.A. 18A:7C-1 et seq.; 18A:35-1; 18A:35-4.9; 18A:35-7; 18A:36-17 N.J.A.C. 6A:8-1 et seq.; 6A:8-5.1; 6A:8-5.2; 6A:14-4.11 et seq.

Cross reference: Policy Guide Nos. 5200, 5240, 5410, 5465

Adopted: 21 December 1995

Revised: 20 June 2013

*5465 - EARLY GRADUATION (M)

The Board of Education may grant a high school diploma to a pupil who has not completed the twelfth grade. Each request for early graduation will be considered individually by the Board, which shall be guided by the recommendation of the Superintendent and the high school principal.

A pupil will be permitted early graduation from high school only if he or she has satisfied all requirements for graduation established by Board Policy No. 5460, including accumulation of the number of credits required by this Board for graduation; demonstration of pupil proficiencies; a satisfactory attendance record; and completion of the courses necessary for graduation.

A pupil permitted to graduate before the end of the twelfth grade will be issued a state-endorsed diploma certifying that he or she has met all state and local requirements for graduation. The diploma will bear the date of its issuance. The pupil may be permitted to participate in graduation ceremonies with his or her classmates without formal readmission to the school district on application to and approval of the high school principal.

N.J.S.A. 18A:4-15; 18A:7C-1 et seq.

Adopted: 21 December 1995

Revised: 30 March 2009

5500 - EXPECTATIONS FOR PUPIL CONDUCT (M)

M

The Board of Education believes that pupils should commit themselves to learning and to the development of their unique potential. Pupils should know that their attitudes and acts affect both their own and their classmates' learning and should accept responsibility for helping to create a positive school environment. With the support and assistance of school staff members and parents.

all punils can contribute to the effectiveness of the schools and the value of their education

The Board expects all pupils in this school district, commensurate with their age and ability, to:

1. Prepare themselves mentally and physically for the process of learning;

2. Respect the person, property, and intellectual and creative products of others;

3. Take responsibility for their own behavior:

4. Use time and other resources responsibly;

5. Share responsibilities when working with others;

6. Meet the requirements of each course of study;

7. Monitor their own progress toward school objectives; and

8 Communicate with parents and appropriate school staff matters

The Superintendent shall, in consultation with staff members, parents, and, where appropriate, pupils, develop a statement of specific pupil behaviors that exemplify these expectations and shall publish both this policy and the statement of behaviors to all pupils, parents, and professional staff

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N.J.S.A. 18A:11-1

Adopted:

21 December 1995

5505 - PRIVILEGES AND RESPONSIBILITIES OF 18 YEAR OLDS

Students 18 years of age or older may:

- 1. Sign their own report cards and absence excuses.
- 2. Sign their own permission slips to participate in athletic programs, field trips, and other school events.
- 3. Review their own official school records.
- 4. Students 18 years of age or older must still obey all school rules and regulations.

The administrator of the building can make the parents aware that the student is signing the records.

Adopted: 21 December 1995

5511 - DRESS AND GROOMING - SCHOOL UNIFORM PROVISION

The Board of Education believes school dress can influence pupil behaviors and a school uniform policy will enhance a school's learning environment. In accordance with N.J.S.A. 18A:11-7 AND N.J.S.A. 18A:11-8, the Board adopts a school uniform provision of its Dress and Grooming Policy Code to require pupils at all pre-schools, elementary schools, the middle school and the high school to wear a school uniform.

- 1. The board believes the cost of school uniforms will result in less expense for each pupil. However, each school, working with the school's parent organization, will develop fundraising opportunities, community donation programs, and corporate sponsorships to defray the cost of the school uniforms for economically disadvantaged pupils.
- 2. The school uniform to be worn in each of the district's public schools shall consist of:

A. Male Students

Navy Pants Flat Front Pants – Pre-Kindergarten – 6thGrades Beige Khaki Flat Front Pants – 7th – 12th Grades

All male students will be required to wear pants of the appropriate size and color. *No skinny jeans or leggings will be allowed.*

Shirts

All male students will be required to wear the following:

<u>Pre-Kindergarten through 6th Graders</u> – will wear a light blue button front collar, golf (polo) sport shirt, or a white short or long sleeve dress shirt with matching tie of the appropriate size.

<u>Grades 7 through 8</u> – will wear a dark blue front collar, golf (polo) shirt or a white short or long sleeve dress shirt with matching tie of the appropriate size.

Grades Pre-Kindergarten through 8 may also have the option of wearing a long sleeve turtleneck and/or sweater vest or cardigan of the appropriate size and color. All shirts, sweaters, and vests will be required to be free of logos, insignias, slits, holes, tears, and cuts.

<u>Grades 9 – 12</u> will wear *a short or long sleeve white front collar, golf (polo) shirt with a red PHS logo* of the appropriate size. There will also be the option of wearing a dark gray Cardigan, V-Neck Sweater or sweatshirt with the red PHS logo.

Absolutely no hoodies will be permitted.

Polo shirts and sweaters can be embroidered or purchased at Phoenix Embroidery, All Court (sneaker store), or Yo-Yo (clothing store) all located in Passaic.

All male students will be required to tuck shirts into their pants.

Shoes or sneakers must be solid color – black, white, brown or grey.

B. Female Students

Navy Flat Front Bottoms Pre-Kindergarten – 6th Grades Beige Khaki Flat Front Bottoms – 7th – 12th Grades

All female students will be required to wear pants, skirts, skorts, or jumpers of the appropriate size and color. The jumpers, skirts and skorts must be worn no higher than the maximum of two inches above the knee. *No skinny jeans or leggings will be allowed*.

All female students will be required to wear their bottom clothing properly at the waist. All bottom clothing will be required to be hemmed and free of logos, insignias, cargo pockets, slits, holes, tears, and cuts.

Shirts

All female students will be required the following:

<u>Pre-Kindergarten through 6th Graders</u> – will wear *a light blue button front collar*, *golf (polo) sport shirt or a white short or long sleeve dress shirt* or of the appropriate size.

<u>Grades 7 through 8</u> – *a dark blue front collar, golf (polo) shirt* of the appropriate size.

Grades Pre-Kindergarten through 8 may also have the options of wearing a long sleeve turtleneck and/or sweater vest or cardigan of the appropriate size and color. All shirts, sweaters, and vests will be required to be free of logos, insignias, slits, holes, tears, and cuts.

<u>Grades 9 – 12</u> will wear *a short or long sleeve white front collar*, *golf (polo) shirt with a red PHS logo* of the appropriate size. There will also be the option of wearing a dark gray Cardigan, V-Neck Sweater or sweatshirt with the red PHS logo.

Absolutely no hoodies will be permitted.

Polo shirts and sweaters can be embroidered or purchased at Phoenix Embroidery, All Court (sneaker store), or Yo-Yo (clothing store) all located in Passaic.

All female students will be required to tuck their shirts into their bottoms.

Shoes or sneakers must be solid color – black, white, brown or grey.

C. Exceptions

Upon the recommendation of the Principal and approval by the Superintendent of Schools, students may be permitted to attend school dressed in appropriate clothing other than a school uniform in order to participate in *School Spirit Day, Dress Down Day, or some other recognized school event*. At such times, the Principal shall be responsible for providing detailed information to students and parents/guardians describing the event or activity and the appropriate attire for the event or activity.

- 3. All students can wear white, black or brown shoes or sneakers. Footwear exceptions will be made during inclement weather.
- 4. A description of the required school uniform shall be maintained in the Principal's Office at each school.
- 5. The school uniform to be worn to school may be purchased by the parents/guardians directly from the vendors who have been determined to provide the approved uniform clothing.
- 6. A parent/legal guardian may request an exemption for their child wearing the school uniform by completing the Application for School Uniform Policy Exemption stating a bona fide religious objection to wearing the school uniform.
 - a. The application requires the applicant to indicate the objection with specificity and to provide the alternate dress the pupil will wear to school to be in compliance with the bona fide objection.
 - b. The principal will designate a committee of school staff members to consider all exemption requests and the committee will grant exemptions based on deeply held religious beliefs.
 - c. The Passaic Board of Education recognizes that a student shall not be penalized academically or otherwise discriminated against nor denied admittance to school if the student's parent or guardian chooses not to comply.
 - d. The Passaic Board of Education recognizes that a school uniform policy will not preclude students who participate in a nationally recognized youth organization from wearing organization uniforms to school on days that the organization has a scheduled meeting;
 - e. Cases of hardship will be reviewed on an individual basis.
- 7. Each school should develop incentives and positive reinforcement measures to encourage compliance with a requirement for wearing school uniforms.

A pupil found in violation of the school uniform policy shall be *subject to the following:*

Incident

Parental/guardian notification phone call will be made by the parent liaison or a designee of the Principal.

- 2nd The school will contact parent/guardian to fact find the reason why the student was inappropriately dressed. All extenuating circumstances will be reviewed. Due to safety and security issues, students not conforming to the policy will not be included in field trips, local excursions, and other school sponsored outdoor activities.
- 3rd Principal or designee will meet with parent/guardian regarding the dress code regulation, and if families do not wish to participate, the case will be reviewed and consequences will apply due to breach in security jeopardizing the safety of students and teachers.

Consequences may include:

- · Loss of privileges
- · Self contained room assignments/in school suspension
- · Exclusion from activities/events
- · After School or Saturday detention
- · Exclusion from graduation ceremonies
- · Denied attendance at Summer School
- 8. The Board of Education will evaluate the effectiveness of this policy on an annual basis before the end of each school year. Principals will compile a report to the Assistant Superintendent to be presented to the Board. The report shall indicate the influence school uniforms had on the school's learning environment. This report shall be presented to the Board at its June meeting. The Board will review the report and if advisable make any necessary revisions to the policy.
- 9. On or before the last day of each school year, the Principal will distribute a copy of this policy, and the policy will be included on the district's website.
 - a. To all parents/legal guardians of all pupils in the school
 - b. To all parents/legal guardians of all pupils entering the school from another school in the district, and or
 - c. To all parents/legal guardians of all pupils entering the school during the school year from another school district.

Enforcement

Pupils not conforming to the Dress and Grooming – School Uniform Provision Policy shall be disciplined by building administration in accordance with other Board policies.

The School Leadership Councils at the middle and high school will develop, respectively, a list of appropriate consequences for those students in violation of the Dress and Grooming – School Uniform Provision Policy.

Adopted: 21 December 1995

Revised: 21 August 2013

5512 - HARASSMENT, INTIMIDATION BULLYING

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A. Policy Statement

The Board of Education prohibits acts of harassment, intimidation, or bullying of a Student. A safe and civil environment in school is necessary for Students to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a Student's ability to learn and a school's ability to educate its Students in a safe and disciplined environment. Since Students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a Student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the Student, as well as the natural or adoptive parent(s) of the Student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

B. Harassment, Intimidation, and Bullying Definition

"Harassment, intimidation, or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

- 1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or by any other distinguishing characteristic;
- 2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3, that substantially disrupts or interferes with the orderly operation of the school or the rights of other Students; and that
 - a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a Student or damaging the Student's property, or placing a Student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
 - Has the effect of insulting or demeaning any Student or group of Students;
 or

 Creates a hostile educational environment for the Student by interfering with a Student's education or by severely or pervasively causing physical or emotional harm to the Student

Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).

"Electronic communication" means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager.

C. Student Expectations

The Board expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with proper regard for the rights and welfare of other Students and school staff, the educational purpose underlying all school activities and the care of school facilities and equipment consistent with the Code of Student Conduct

The Board believes that standards for Student behavior must be set cooperatively through interaction among the Students, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages Students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of Students, staff, and community members.

Students are expected to behave in a way that creates a supportive learning environment. The Board believes the best discipline is self-imposed, and it is the responsibility of staff to use instances of violations of the Code of Student Conduct as opportunities to help Students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with Students shall apply best practices designed to prevent Student conduct problems and foster Students' abilities to grow in self-discipline.

The Board expects that students will act in accordance with the student behavioral expectations and standards regarding harassment, intimidation, and bullying, including:

- 1. Student responsibilities (e.g., requirements for Students to conform to reasonable standards of socially accepted behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority);
- 2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;

- 3. Student rights; and
- 4. Sanctions and due process for violations of the Code of Student Conduct

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, Students, instructional staff, Student support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human service, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1(a)2, the Board must develop guidelines for Student conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for Student conduct will take into consideration the developmental ages of Students, the severity of the offenses and Students' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all Students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the Superintendent must annually provide to students and their parents or guardians the rules of the district regarding student conduct. Provisions shall be made for informing parents or guardians whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Students are encouraged to support other Students who:

- 1. Walk away from acts of harassment, intimidation, and bullying when they see them
- 2. Constructively attempt to stop acts of harassment intimidation or bullying
- 3. Provide support to Students who have been subjected to harassment, intimidation, or bullying; and
- 4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

D. Consequences and Appropriate Remedial Actions

Consequences and Appropriate Remedial Actions - Students

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the

implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by Students. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the Student offenders and Students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.

Factors for Determining Consequences – Student Considerations

- 1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;
- 2. Degrees of harm;
- 3. Surrounding circumstances;
- 4. Nature and severity of the behavior(s):
- 5. Incidences of past or continuing patterns of behavior;
- 6. Relationships between the parties involved; and
- 7. Context in which the alleged incidents occurred.

Factors for Determining Consequences – School Considerations

- 1. School culture, climate, and general staff management of the learning environment
- Social, emotional, and behavioral supports;
- 3. Student-staff relationships and staff behavior toward the student
- 4. Family, community, and neighborhood situation; and
- 5. Alignment with Board policy and regulations/procedures

Factors for Determining Remedial Measures

Personal

- 1. Life skill deficiencies;
- Social relationships:
- 3. Strengths
- 4. Talents:
- 5 Traits:
- 6. Interests:
- 7. Hobbies;
- Extra-curricular activities:
- 9 Classroom participation:
- 10. Academic performance; and
- 11. Relationship to Students and the school district.

Environmental

- School culture:
- 2. School climate:
- 3. Student-staff relationships and staff behavior toward the student;

- 4. General staff management of classrooms or other educational environments;
- 5. Staff ability to prevent and manage difficult or inflammatory situations;
- Social-emotional and behavioral supports;
- 7. Social relationships:
- 8. Community activities;
- 9. Neighborhood situation; and
- 10. Family situation.

Consequences for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board's approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation, or bullying are those that are graded according to the severity of the offenses, consider the developmental age of the student offenders and the students' histories of inappropriate behaviors consistent with the Board's approved Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

- 1. Admonishment:
- 2. Temporary removal from the classroom:
- 3. Deprivation of privileges:
- 4. Classroom or administrative detention:
- 5. Referral to disciplinarian;
- 6. In-school suspension during the school week or the weekend:
- 7. Out-of-school suspension (short-term or long-term);
- 8. Reports to law enforcement or other legal action; or
- 9. Expulsion.

Examples of Remedial Measures

Personal – Student Exhibiting Bullying Behavior

- 1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors:
- 2. Meet with parents to develop a family agreement to ensure the parent and the student understands school rules and expectations;

- 3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved:
- 4. Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;
- 5. Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);
- 6. Develop a learning plan that includes consequences and skill building;
- 7. Consider wrap-around support services or after-school programs or services
- 8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
- 9. Arrange for an apology, preferably written:
- 10. Require a reflective essay to ensure the student understands the impact of his or her actions on others:
- 11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;
- 12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;
- 13. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices; and
- 14. Schedule a follow-up conference with the student.

Personal – Target/Victim

- 1. Meet with a trusted staff member to explore the student's feelings about the incident:
- 2. Develop a plan to ensure the student's emotional and physical safety at school;
- 3. Have the student meet with the school counselor or school social worker to ensure he or she does not feel responsible for the bullying behavior;
- 4. Ask students to log behaviors in the future;
- 5. Help the student develop skills and strategies for resisting bullying; and
- 6. Schedule a follow-up conference with the student.

Parents, Family, and Community

- 1. Develop a family agreement:
- 2. Refer the family for family counseling; and
- 3. Offer parent education workshops related to bullying and social-emotional learning.

Examples of Remedial Measures – Environmental (Classroom, School Building or School District)

- 1. Analysis of existing data to identify bullying issues and concerns;
- 2. Use of findings from school surveys (e.g. school climate surveys):
- 3. Focus groups:
- 4. Mailings postal and email:

- 5. Cable access television:
- 6. School culture change:
- 7. School climate improvement;
- 8. Increased supervision in "hot spots" (e.g. locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
- 9. Adoption of evidence-based systemic bullying prevention practices and programs;
- 10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
- 11. Professional development plans for involved staff;
- 12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;
- 13. Formation of professional learning communities to address bullying problems;
- 14. Small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;
- 15. School policy and procedure revisions;
- 16. Modifications of schedules:
- 17. Adjustments in hallway traffic;
- 18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;
- 19. Modifications in student routes or patterns traveling to and from school;
- 20. Supervision of student victims before and after school, including school transportation;
- 21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- 22. Targeted use of teacher aides;
- 23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
- 24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- 25. Parent conferences:
- 26. Family counseling:
- 27. Development of a general harassment, intimidation, and bullying response plan:
- 28. Behavioral expectations communicated to students and parents:
- 29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
- 30. Recommendations of a student behavior or ethics council;
- 31. Participation in peer support groups:
- 32. School transfers: and
- 33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

Consequences and Appropriate Remedial Actions – Adults

The district will also impose appropriate consequences and remedial actions to an adult who commits an act of harassment, intimidation, or bullying of a student. The

consequences may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

Target/Victim Support

Districts should identify a range of strategies and resources that will be available to individual victims of harassment, intimidation, and bullying, and respond in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution. The type, diversity, location, and degree of support are directly related to the student's perception of safety.

Sufficient safety measures should be undertaken to ensure the victims' physical and socialemotional well-being and their ability to learn in a safe, supportive, and civil educational environment.

Examples of support for student victims of harassment, intimidation, and bullying include

- 1. Teacher aides;
- 2. Hallway and playground monitors
- 3. Partnering with a school leader:
- 4 Provision of an adult mentor
- 5. Assignment of an adult "shadow" to help protect the student.
- 6. Seating changes:
- 7. Schedule changes
- 8. School transfers
- 9 Refore- and after-school supervisions
- 10. School transportation supervision:
- 11. Counseling; and
- 12. Treatment or therapy.

E. Harassment, Intimidation, and Bullying Off School Grounds

This Policy and the Code of Student Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds when:

- The alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other Students; and either
- 2. A reasonable person should know, under the circumstances, that the alleged behavior will have the effect of physically or emotionally harming a Student or

damaging the Student's property, or placing a Student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or

- 3. The alleged behavior has the effect of insulting or demeaning any Student or group of Students; or
- 4. The alleged behavior creates a hostile educational environment for the Student by interfering with a Student's education or by severely or pervasively causing physical or emotional harm to the Student.

F. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with Students are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with Students, also shall submit a report in writing to the Principal within two school days of the verbal report. The Principal will inform the parents of all Students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parents, and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident. Students, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.

A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

In accordance with the provisions of N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

A school administrator who receives a report of harassment, intimidation, and bullying from a district employee, and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action.

- G. Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety Team(s)
 - 1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

- Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of Students;
- b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of Students in the district;
- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of Students;
- d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
- e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.
- 2. The Principal in each school shall appoint a school Anti-Bullying Specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the Principal shall appoint that individual to be the school Anti-Bullying Specialist. If no individual meeting this criteria is currently employed in the school, the Principal shall appoint a school Anti-Bullying Specialist from currently employed school personnel.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety Team as provided in N.J.S.A. 18A:37-21;
- b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and

- c. Act as the primary school official responsible for preventing, identifying and addressing incidents of harassment, intimidation, or bullying in the school
- 3. A School Safety Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school, and to address school climate issues such as harassment, intimidation, or bullying. Each School Safety Team shall meet at least two times per school year. The School Safety Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a Student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety Team.

The School Safety Team shall

- a. Receive any complaints of harassment, intimidation, or bullying of Students that have been reported to the Principal;
- b. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- Identify and address patterns of harassment, intimidation, or bullying of Students in the school;
- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of Students;
- e. Educate the community, including Students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of Students:
- f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request;
- g. Collaborate with the district Anti-Bullying Coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of Students; and
- h. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

The members of a School Safety Team shall be provided professional development opportunities that address effective practices of successful school climate programs or

approaches. Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a Student.

H. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation, or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist the school Anti-Bullying Specialist in the investigation.

The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the alleged incident of harassment, intimidation, or bullying. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist or the Principal shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, or take or recommend other appropriate action, as necessary.

The Superintendent shall report the results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation. The Superintendent's report also shall include information on any consequences imposed under the Code of Student Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Superintendent.

Parents of the Students who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents or guardians shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether consequences were 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

A parent or guardian may request a hearing before the Board of Education after receiving the information. When a request for a hearing is granted, the hearing shall be held within ten school days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the Students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the alleged incident, the findings from the investigation of the alleged incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Education meeting following its receipt of the report 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 N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

A parent, Student, legal guardian, 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.).

I. Range of Responses to an Incident of Harassment, Intimidation, or Bullying

The Board authorizes the Principal of each school, in conjunction with the Anti-Bullying Specialist, to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building or school district level or by law enforcement officials.

Consequences and appropriate remedial actions for a Student who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, school officials shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and

community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation or bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable Student and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The Board is encouraged to set the parameters for the range of responses to be established by the Principal and for the Superintendent to follow. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

- 1. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report, or other legal action).
- 2. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
- 3. School responses can include theme days, learning station programs, parent programs, and information disseminated to Students and parents or guardians, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected Student behavior.
- 4. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations), and disseminating information on the core ethical values adopted by the district Board of Education's Code of Student Conduct, per N.J.A.C. 6A:16-7.1(a)2.

The district will identify a range of strategies and resources, which could include, but not be limited to, the following actions for individual victims: counseling; teacher aides; hallway and playground monitors; schedule changes; before and after school supervision; school transportation supervision; school transfers; and therapy.

J. Reprisal or Retaliation Prohibited

The Board prohibits a Board member, school employee, contracted service provider who has contact with Students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, one with reliable information, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures. All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances.

Examples of consequences and remedial measures for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

Examples of consequences for a school employee or a contracted service provider who has contact with students who engage in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

Examples of consequences for a Board member who engages in reprisal or retaliation may include, but not be limited to: reprimand, legal action, and other action authorized by statute or administrative code. Remedial measures may include, but not be limited to: counseling and professional development.

K. Consequences and Appropriate Remedial Action for False Accusation

The Board prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying.

- 1. Students Consequences and appropriate remedial action for a Student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5 Expulsions.
- 2. School Employees Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with Students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies,

procedures, and agreements which may include, but not be limited to, reprimand, suspension, increment withholding, or termination.

3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with Students or the provision of Student services.

L. Harassment, Intimidation, and Bullying Policy Publication and Dissemination

This Policy will be disseminated annually by the Superintendent to all school employees, contracted service providers who have contact with Students, school volunteers, Students, and parents who have children enrolled in a school in the district, along with a statement explaining the Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14 that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall ensure that notice of this Policy appears in the Student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post a link to the district's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school district's website. The district will notify Students and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti-Bullying Coordinator on the home page of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the home page of each school's website.

M. Harassment, Intimidation, and Bullying Training and Prevention Programs

The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to school employees, contracted service providers, and volunteers who have significant contact with Students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district's Policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-

time staff members, contracted service providers, and school volunteers who have significant contact with Students.

Each public school teacher shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention in each professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d.

The required two hours of suicide prevention instruction for teaching staff members shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:6-112

Board members shall be required to complete a training program on harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

The school district will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, Students, administrators, volunteers, parents or guardians, law enforcement, and community members in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

N. Harassment, Intimidation, and Bullving Policy Reevaluation, Reassessment and Review

The Superintendent shall develop and implement a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with Students.

The Superintendent and the Principal(s) shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the schools' Anti-Bullying Specialists, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment and review.

O. Reports to Board of Education and New Jersey Department of Education

The Superintendent shall report two times each school year at a public hearing all acts of harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of

Education in accordance with N.J.S.A. 18A:17-46. The information reported shall be used to grade each school and each district in accordance with the provisions of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et seq. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

Q. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

R. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.

S Students with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a Student with a disability with regard to disciplinary actions or to general or special education services and supports. N.J.S.A. 18A:37-32.

The school district shall submit all subsequent amended Harassment, Intimidation, and Bullying Policies to the appropriate Executive County Superintendent of Schools within thirty days of Board adoption.

N.J.S.A. 18A:37-13 through 18A:37-32 N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq. Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011

Adopted: 21 December 1995

Revised: 30 September 2013

5512.01 - HARASSMENT, INTIMIDATION, AND BULLYING (M)

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Policy Statement

The Board of Education prohibits acts of harassment, intimidation, or bullying of a pupil. A safe and civil environment in school is necessary for pupils to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil's ability to learn and a school's ability to educate its pupils in a safe and disciplined environment. Since pupils learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

"Harassment, intimidation, or bullying" means any gesture, written, verbal or physical act, or any electronic communication, that takes place on school property, at any school-sponsored function or on a school bus and that

- 1. Is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or
- 2. By any other distinguishing characteristic; and
- 3. A reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of harm to his/her person or damage to his/her property; or
- 4. Has the effect of insulting or demeaning any pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

"Electronic communication" means communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager.

Acts of harassment, intimidation, or bullying may also be a pupil exercising power and control over another pupil, either in isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

This Policy may impose consequences for acts of harassment, intimidation, or bullying that occur off school grounds, such as cyber-bullying (e.g., the use of electronic or wireless devices to harass, intimidate, or bully), to the extent this Policy complies with the provisions of N.J.A.C. 6A:16-7.6, Conduct Away from School Grounds, and the district's code of pupil conduct, pursuant to N.J.A.C.6A:16-7.1. In all instances of harassment, intimidation, or bullying behavior occurring off school grounds, the consequences only may be exercised when it is reasonably necessary for the

pupil's physical or emotional safety and well-being or for reasons relating to the safety and well-being of other pupils, staff or school grounds, pursuant toN.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of a proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. All acts of harassment, intimidation, or bullying that include the use of school property (e.g., school computers, other electronic or wireless communication devices) apply to the provisions of N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.9, harassment, intimidation, and bullying, whether the subject or recipient of the bullying is on or off school property.

Expected Behavior

The Board expects pupils to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with proper regard for the rights and welfare of other pupils and school staff, the educational purpose underlying all school activities and the care of school facilities and equipment consistent with the code of pupil conduct.

The Board believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parent(s) or legal guardian(s), staff and community members, producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of pupils, staff and community members.

The Board believes the best discipline is self-imposed, and it is the responsibility of school district staff to use instances of violations of the code of pupil conduct as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent pupil conduct problems and foster pupils' abilities to grow in self-discipline.

General guidelines for pupil conduct will be developed by the Superintendent in conjunction with school staff, and approved by the Board. These guidelines will be developed based on accepted core ethical values from a broad community involvement with input from parent(s) or legal guardian(s) and other community representatives, school employees, volunteers, pupils and administrators. These guidelines for pupil conduct will be suited to the developmental ages of pupils, the severity of the offenses and pupils' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all pupils in the district to adhere to these rules and guidelines and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules and guidelines.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Pupils are encouraged to support other pupils who walk away from these acts when they see them, constructively attempt to stop them, and report these acts to the Building Principal or designee.

Pupils are required to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to school district teaching, support and administrative staff. Each Building Principal will develop and provide a

school-based program for appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success.

Consequences and Appropriate Remedial Actions

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for pupils and staff members who commit one or more acts of harassment, intimidation, or bullying, consistent with the code of pupil conduct. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by pupils. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), and consider the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors, per the code of pupil conduct.

Factors for Determining Consequences

- 1. Age, developmental and maturity levels of the parties involved:
- 2. Degrees of harm:
- 3. Surrounding circumstances:
- 4. Nature and severity of the behavior(s):
- 5. Incidences of past or continuing patterns of behavior:
- 6. Relationships between the parties involved; and
- 7. Context in which the alleged incidents occurred.

Factors for Determining Remedial Measures

Personal

- 1. Life skill deficiencies;
- 2. Social relationships:
- Strengths:
- Talents:
- Traits
- 6. Interests:

- 7. Hobbies:
- 8. Extra-curricular activities:
- 9. Classroom participation; and
- 10. Academic performance.

Environmental

- 1. School culture;
- 2. School climate:
- 3. Pupil-staff relationships and staff behavior toward the pupil;
- 4. General staff management of classrooms or other educational environments;
- 5. Staff ability to prevent and manage difficult or inflammatory situations:
- 6. Social-emotional and behavioral supports;
- 7. Social relationships:
- 8. Community activities;
- 9. Neighborhood situation; and
- 10. Family situation.

Consequences and appropriate remedial action for pupils who commit acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as set forth in the Board adopted Pupil Discipline/Code of Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil and the pupil's history of problem behaviors and performance, and must be consistent with the district's code of pupil conduct. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, and bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

1. Admonishment

- 2. Temporary removal from the classroom;
- 3. Deprivation of privileges:
- 4. Classroom or administrative detention:
- 5. Referral to disciplinarian:
- 6. In-school suspension during the school week or the weekend:
- 7. After-school programs:
- 8. Out-of-school suspension (short-term or long-term);
- 9. Legal action; and
- 10. Expulsion.

Examples of Remedial Measures - Personal

- 1. Restitution and restoration:
- 2. Mediation;
- 3. Peer support group:
- 4. Recommendations of a pupil behavior or ethics council;
- 5. Corrective instruction or other relevant learning or service experience;
- 6. Supportive pupil interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- 7. Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
- 8 Rehavioral management plan, with benchmarks that are closely monitored:
- 9. Assignment of leadership responsibilities (e.g., hallway or bus monitor):
- 10. Involvement of school disciplinarian:
- 11. Pupil counseling:
- 12. Parent conferences:

- 13. Pupil treatment; or
- Pupil therapy.

Examples of Remedial Measures – Environmental (Classroom, SchoolBuilding or School District)

- 1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
- 2. School culture change:
- 3. School climate improvement:
- 4. Adoption of research-based, systemic bullying prevention programs;
- 5. School policy and procedures revisions:
- 6. Modifications of schedules
- 7. Adjustments in hallway traffic
- 8. Modifications in pupil routes or patterns traveling to and from school;
- 9. Targeted use of monitors (e.g., hallway, cafeteria, bus);
- 10. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- 11. General professional development programs for certificated and non-certificated staff;
- 12. Professional development plans for involved staff:
- 13. Disciplinary action for school staff who contributed to the problem:
- 14. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8:
- 15. Parent conferences:
- 16. Family counseling;
- 17. Involvement of parent-teacher organizations:
- 18. Involvement of community-based organizations:

- 19. Development of a general bullying response plan;
- 20. Recommendations of a pupil behavior or ethics council;
- 21. Peer support groups;
- 22. School transfers; and
- 23. Law enforcement (e.g., school resource office, juvenile officer) involvement.

N.J.A.C. 6A:16-7.9(a)2.vi requires appropriate consequences and remedial actions for any staff member who commits an act of harassment, intimidation, or bullying. The consequences may include, but not be limited to, verbal or written reprimand, increment withholding, legal action, disciplinary action, and/or termination. Remedial measures may include, but not be limited to, in or out—of-school counseling, professional development programs, and work environment modifications.

Reporting Procedure

Complaints alleging violations of this Policy shall be reported to the Principal or designee. All school employees as well as all other members of the school community including pupils, parent(s) or legal guardian(s), volunteers, and visitors are required to report alleged violations of this Policy to the Principal or designee. While submission of an Incident Report Form to the Principal or designee is not required, the reporting party is encouraged to use the Incident Report Form available from the Building Principal or available at the school district's administrative offices or the reporting party may use a district's web-based reporting system. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

A school employee who promptly reports an incident of harassment, intimidation, or bullying in accordance with this Policy, and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident, as set forth in N.J.S.A. 18A:37-16.c.

Investigation

The Principal or designee is responsible for determining whether an alleged act constitutes a violation of this Policy. The Principal or designee shall conduct a prompt, thorough and complete investigation of the alleged incident. The Principal or designee will maintain a record of each investigation regarding allegations of harassment, intimidation, or bullying.

Response to an Incident of Harassment, Intimidation, or Bullying

An appropriate response will be provided to the individual who commits any incident of harassment, intimidation, or bullying. Some acts of harassment, intimidation, or bullying may be

isolated incidents requiring the school respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that require a response either at the classroom, school building or school district level or by law enforcement officials.

Consequences and appropriate remedial actions for pupils who commit an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. The school district's responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff. The district's responses may also include participation of parent(s) or legal guardian(s) and other community members and organizations, small or large group presentations for fully addressing the actions and the school district's response to the actions, in the context of acceptable pupil and staff member behavior and the consequences of such actions, and the involvement of law enforcement officers, including school resource officers. The district will also make resources available to individual victims of harassment, intimidation, and bullying, including, but not limited to, school counseling services and environmental modifications.

Reprisal or Retaliation Prohibited

The Board prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Principal or designee after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures. The consequences for pupils will range from positive behavior interventions up to and including suspension or expulsion. The consequences for employees will range from an admonishment to termination of employment. The consequences for a volunteer will range from an admonishment to dismissal from the volunteer position.

Consequences for False Accusation

The Board prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying. Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.5, Expulsions.

Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of harassment, intimidation, or bullying shall be in accordance with district policies, procedures, and agreements.

Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying shall be determined by the Principal or designee, after consideration of the nature, severity and circumstances of the act, which may include a report to appropriate law enforcement officials.

Policy Publication

This Policy will be disseminated annually to all school staff, pupils, parent(s) or legal guardian(s), along with a statement explaining the Policy applies to all applicable acts of harassment, intimidation, or bullying that occur on school property, at school-sponsored functions, or on a school bus. The Superintendent shall ensure notice of this Policy appears in any publication of the school district that sets forth the comprehensive rules, procedures, and standards for schools within the district, and in any pupil handbook that includes the pupil code of conduct. This notice shall also indicate the district's Harassment, Intimidation, and Bullying Policy is available on the district's website.

Harassment, Intimidation, and Bullying Prevention Programs

Pursuant to N.J.S.A. 18A:37-17(5)(c) and N.J.A.C. 6A:16-7.9(d)1.i, information regarding the district's Harassment, Intimidation, and Bullying Policy shall be incorporated into a school's employee training program.

Pursuant to N.J.A.C. 6A:16-7.9(d)3, the district is required to annually review the extent and characteristics of harassment, intimidation, and bullying behavior in the schools of the district and implement locally determined programmatic or other responses, if determined appropriate by the district Board of Education.

Pursuant to N.J.A.C. 6A:16-7.9(d)1, the school district is required to annually review the training needs of district staff for the effective implementation of the Harassment, Intimidation, and Bullying Policy, procedures, programs, and initiatives of the district Board of Education and implement locally determined staff training programs consistent with the annual review of training needs and the findings of the annual review and update of the code of pupil conduct, pursuant to N.J.A.C. 6A:16-7.1(a)3, as determined appropriate by the district Board of Education.

Pursuant to N.J.A.C. 6A:16-7.9(d)2, the school district is required to develop a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with pupils.

Pursuant to N.J.S.A. 18A:37-15.1, this Policy shall be transmitted to the Executive County Superintendent of Schools.

Pursuant to N.J.S.A. 18A:37-19, the school district may apply to the Commissioner of Education for additional costs due to the implementation of the provisions of N.J.S.A. 18A:37-13 through N.J.S.A. 18A:37-18.

N.J.S.A. 18A:37-13 through 18A:37-19

Adopted: 31 October 2005

Revision: 23 February 2009

5513 - CARE OF SCHOOL PROPERTY (M)

M

The Board of Education believes that the schools should help students learn to respect property and develop feelings of pride in community institutions. The Board charges each student in the schools of this district with the responsibility for the proper care of school property and the school

supplies and equipment entrusted to his/her use.

In accordance with law, students who cause damage to school property shall be subject to disciplinary measures and their parents shall be financially liable for such damage, except that

students over 18 years of age may also be liable for damage they cause.

The Board authorizes the imposition of fines for the loss, damage, or defacement of textbooks and reserves the right to withhold a report card or diploma from any student whose payment of a fine

is in arrears.

The Board may report to the appropriate juvenile authorities any student whose damage of school

property has been serious or chronic in nature.

N.J.S.A 18A:34-2; 18A:3

NIAC 6:20-66

Adopted:

21 December 1995

5514 - PUPIL USE OF VEHICLES

The Board of Education regards the operation by pupils of any vehicle for transportation to and

from school as a matter subject to Board authority because pupil safety is of paramount concern

to the Board.

The Board prohibits the operation of motor vehicles by pupils for travel to and from school.

"Motor vehicle" means all motorized vehicles and includes mini-bikes, motorcycles, and all-terrain

vehicles.

The Board prohibits the operation of bicycles, skooters, skateboards, and other vehicles by pupils

for travel to and from school.

The Superintendent shall develop and disseminate regulations for the operation and parking of

vehicles on school grounds. Permission to operate a vehicle on school grounds may be revoked

for a pupil's failure to observe rules.

The Board will not be responsible for any vehicle that is lost, stolen, or damaged.

N.J.S.A. 39:4-10 et seq.

5516 - REMOTELY ACTIVATING COMMUNICATION DEVICES - PAGERS & CELLULAR TELEPHONES (M)

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Pupils are not permitted to use cellular telephones while school is in session. Cellular telephones must be turned off while the pupil is in the school building and may only be turned on after school has concluded for the day and outside the school building.

Cellular telephones that are turned on in violation of this policy will be confiscated by the Building Principal or designee and the pupil will be subject to appropriate disciplinary action. Telephones will be returned to the parent at the time of the readmission conference.

The Superintendent or designee may grant permission for a pupil to have the cellular phone in an on position while on any school property only if the pupil provides a written medical request from a physician.

The pupil must establish to the satisfaction of the Superintendent or designee a reasonable basis for the device to be in on position. The written request must include the purpose and the date or dates in which the pupil's cellular phone is needed to be activated while on school property. The written request must also include the date in which the pupil will no longer need activation while on school property.

The Superintendent or designee upon reviewing the request from the pupil will make a determination. The determination will be in writing and if approved, written permission for the pupil to activate the phone will be provided to the pupil. Permission will only be provided for a specific period of time.

The pupil must submit a new request if the time in which permission is given expires.

A pupil who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad for the current school year may have the cellular telephone activated while on school property only if the pupil is required to respond to an emergency and the pupil provides a statement to the Superintendent or designee from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the pupil at all times and that the pupil is required to respond to an emergency.

In the event a pupil violates this policy as to cellular phones, the Building Principal, or designee, will confiscate the device, take appropriate disciplinary actions and immediately notify the Superintendent and the local law enforcement agency.

N.J.S.A. 2C:33-19 N.J.A.C. 6A:16-5.8

Adopted: 21 December 1995 Revised: 26 January 2008 5520 - DISORDER AND DEMONSTRATION

The Board of Education is responsible for providing a thorough and efficient system of education for pupils in this district and is authorized to preserve order so that the system may function

properly. Pupils will not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that their

advantional program

The Board will not permit the conduct on school premises of any willful activity engaged in by an

individual acting alone or by a group of individuals that interferes with the orderly operation of the educational program or offends the rights of others. The Board specifically prohibits any assembly or expression that materially disrupts instruction; is obscept, slanderous, or grossly

prejudicial; advocates the use of dangerous or harmful materials; advocates the use of force or the

violation of law or school rules; or advertises goods or services for unauthorized commercial gain

Disorderly pupils will be disciplined in accordance with law and Board Policy No. 5600; staff

members who assist pupils in disorderly conduct may be subject to disciplinary measures.

The Board directs all staff members to attempt to resolve pupil conflict and dissent by reason and arbitration. Pupils who express dissent should be made aware of the lawful procedures available.

to them for the resolution of their grievances.

The Superintendent shall establish procedures for the prompt resolution of any disorder that occurs on school premises. The building principal shall be responsible for the identification and

resolution of disorders in any school building and may summon law enforcement officers as

necessary.

N.J.S.A. 2C:12-3: 2

2C:33-1: 2C:33-2: 2C:33-8

N.J.S.A. 18A:6-1;

18A:37-2

Adopted:

21 December 1995

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The Board of Education recognizes that a pupil's abuse of harmful substances seriously impedes that pupil's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish and maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

Definitions N.J.S.A. 18A:40A-9

N.J.A.C. 6A:16-1.3; 6A:16-4.1

For the purposes of this policy:

"Substance" means alcoholic beverages, controlled dangerous substances, including anabolic steroids, as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which 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. 2C:35-10.4 and over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

"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.

"Evaluation" means those procedures used by a certified or licensed professional to make a positive determination of a pupil's need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the pupil or the pupil's family.

"Intervention" means those programs, services, and actions taken to identify and offer help to a pupil at risk for learning, behavior, or health difficulties.

"Referral for treatment" means those programs and services offered to a pupil or his or her family to help implement the recommendations of an evaluation or in response to the family's request for assistance with a learning, behavior, or health difficulty.

"School grounds" means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities

as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

Discipline N.J.S.A. 18A:40A-10; 18A:40A-11 N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds, including on school buses or at school-sponsored functions according to N.J.S.A. 18A:40A-9, 10, and 11.

A pupil who uses, possesses, or distributes a substance, on or off school premises, will be subject to discipline. Discipline will be graded to the severity of the offenses, the nature of the problems and the pupil's needs. Discipline may include suspension or expulsion. The Board may establish consequences for a pupil not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors. The Superintendent and/or designee will notify the appropriate law enforcement agency pursuant to N.J.A.C. 6A:16-6.3(a).

Instruction N.J.S.A. 18A:40A-1 et seq N.J.A.C. 6A:16-3.1

The Board shall provide a comprehensive program of prevention, intervention, referral for evaluation, referral for treatment, and continuity of care for pupil alcohol, tobacco, and other drug abuse.

Identification, Evaluation, and Intervention

N.J.S.A. 18A:40A-11 through 18A:40A-17 N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

Any educational staff member or other professional to whom it appears that a pupil may be under the influence of alcohol or other drugs on school grounds, including on a school bus or at a school-sponsored function shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.

An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent(s) or legal guardian(s) of the pupil, the Building Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 - 4.3(a)8.

If the written report of the medical examination is not provided within twenty-four hours of the referral of the pupil, the pupil shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the physician.

If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the pupil's physical or mental ability to perform in school, the pupil shall be immediately returned to school. If there is a positive determination from the medical examination indicating the pupil's alcohol or other drug use interferes with his or her physical or mental ability to perform

in school, the pupil shall be returned to the care of the parent(s) or legal guardian(s) as soon as possible and attendance at school shall not resume until a written report verifies the pupil's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

Removal of a pupil with a disability shall be in accordance with N.J.A.C. 6A:14.

While a pupil is at home because of the medical evaluation or after the pupil returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the pupil and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.

The Board may provide additional intervention and referral services for the pupil according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.]

Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel shall have reason to believe a pupil has used or may be using anabolic steroids, that person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.

The Building Principal or designee upon receiving such report shall immediately notify the parent(s) or legal guardian(s) and Superintendent and shall arrange for an examination of the pupil as soon as possible to determine whether the pupil has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.

The Superintendent will disclose to law enforcement authorities the identity of the pupil pursuant to the requirements of N.J.A.C. 6A:16-4.3(b)3.

A written report of the examination shall be provided by the examining physician to the parent(s) or legal guardian(s), Building Principal, and Superintendent.

If it is determined the pupil has used anabolic steroids, an appropriately certified school staff member(s) shall interview the pupil and others to determine the extent of the pupil's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.

If the results of a referral for evaluation have positively determined the pupil's involvement with and use of anabolic steroids represents a danger to the pupil's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.

Outreach to Parents N.J.S.A. 18A:40A-16; 18A:40A-17 N.J.A.C. 6A:16-4.1(c)7.

The Board will provide an outreach program to parent(s) or legal guardian(s) of pupils that includes information on the district's substance abuse curriculum, the identification of substance abusers, and rehabilitation organizations and agencies. The Superintendent is directed to develop the

program in consultation with local agencies recommended by the Commissioner and to offer the program at times and in places convenient to parent(s) or legal guardian(s) on school premises or in other suitable facilities

Records §408 of the Drug Abuse Prevention, Treatment,

and Rehabilitation Act, 42 U.S.C., and Implementing

Regulations, 42 CFR Part 2

Notations concerning a pupil's involvement with substances may be entered on his/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. 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, 42 U.S.C. 290 ee-3, and implementing regulations, 42 CFR Part 2.

If an elementary or secondary pupil involved in a school-based drug or alcohol counseling program provides information during the course of a counseling session in that program which indicates that the pupil's parent(s) or legal guardian(s) or other person residing in the pupil's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only with the pupil's written consent, to another person or entity whom the pupil specifies in writing in the case of a secondary pupil, or to a member of the pupil's immediate family or the appropriate school personnel in the case of an elementary pupil; pursuant to a court order; to a person engaged in a bona fide research purpose, except that no names or other information identifying the pupil or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or to the Division of Youth and Family Services or to a law enforcement agency, if the information would cause a person to reasonably suspect that the elementary or secondary pupil or another child may be an abused or neglected child.

Nonpublic School Pupils N.J.S.A. 18A:40A-5; 18A:40A-17c

The Board will lend to pupils attending nonpublic schools located in this district and to the parent(s) or legal guardian(s) of such pupils educational materials on substance abuse prepared and supplied by the Commissioner. The loan of such materials shall be at no cost to the district.

Civil Immunity N.J.S.A. 18A:40A-13, 18A:40A-14; N.J.A.C. 6A:16-4.3(c)

No civil action of any kind shall lie against any employee, officer or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers and agents of the Board.

Any educational or non-educational school staff member who in good faith reports a pupil to the Building Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

Reporting Pupils to Law Enforcement Authorities N.J.A.C. 6A:16-6.3(a)

The Superintendent, or designee, shall report pupils to law enforcement authorities if the staff member has reason to believe a pupil is unlawfully possessing or in any way involved in the distribution of controlled dangerous substances, anabolic steroids, or drug paraphernalia, pursuant to N.J.A.C. 6A:16-6.3(a). The Superintendent will not report pupils who have voluntarily sought treatment or counseling for a substance abuse problem provided the pupil is not involved or implicated in a current drug distribution activity.

The Superintendent or designee may, but need not disclose to law enforcement authorities the identity of a pupil suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a pupil suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical evaluation, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the pupil and for determining whether the pupil is under the influence of alcohol or other drugs or has been using anabolic steroids, provided the pupil is not reasonably believed to be in possession of a controlled dangerous substance or drug paraphernalia, and is not reasonably believed to be involved or implicated in drug distribution activities.

Policy Review and Accessibility N.J.S.A. 18A:40A-10; 18A:40A-11 N.J.A.C. 6A:16-4.2(a) & (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on pupil alcohol and drug abuse. The Board shall solicit parent(s) or legal guardian(s), pupil and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention and treatment agencies licensed by the New Jersey Department of Human Services.

This policy and regulation shall be made available annually, at the beginning of the school year, to all school employees, pupils, and parent(s) or legal guardian(s). Each newly hired employee and transferred pupil will be offered this policy and implementing regulations on his/her arrival in the district.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.

N.J.A.C. 6A:16-4.1 et seq.

Cross reference: Policy Guides Nos. 2422, 7436, 9322

Adopted: 21 December 1995 Revised: 30 March 2009

5533 - SMOKING (M)

The Board of Education recognizes that the use of tobacco presents a health hazard that can have serious implications both for the smoker and the nonsmoker and that smoking habits developed by the young may have lifelong deleterious consequences.

For purposes of this policy, "smoking" means the burning of a lighted cigar, cigarette, pipe or any other matter or substance that contains tobacco and the use of smokeless tobacco and snuff.

The Board prohibits smoking by pupils at any time on school premises at events sponsored by this Board away from school, and on any transportation vehicle supplied by this Board.

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. Staff members shall, by example and persuasion, make every reasonable effort to discourage pupils from developing the habit of smoking.

N.J.S.A. 18A:40A-1 N.J.S.A. 26:3D-15 et seq N.J.A.C. 6:29-1.3

5550 - DISAFFECTED PUPILS (M)

M

The Board of Education believes that the educational needs of all pupils should be served. The Board will make every reasonable effort to identify and serve disaffected pupils whose learning is impeded by environmental circumstances, the pupil's attitude, or an inappropriate instructional

program.

For the purposes of this policy, "disaffected pupil" means the pupil who has instructional needs that are not being met by the regular instructional program and who is performing well below his

or her social or academic capacity.

Disaffected pupils may include pupils unable to function properly within a traditional school program; pupils of average or above average intelligence and ability who achieve below their potential; pupils unable to establish occupational or future goals; pupils with a pattern of behavior problems, including problems with attendance and tardiness; pupils who lacks motivation, direction, and decision making ability; pupils who possess poor self-images; pupils suffering stressful family settings; pupils hostile toward adults and authority figures; pupils in difficulty with community and law enforcement agencies; and pupils lacking interest in school and avoiding

involvement in school activities.

Teaching staff members shall be alert to pupils experiencing difficulty in their classes. Any such pupil who does not appear to be educationally disabled may be referred to the pupil assistance

committee.

A disaffected pupil who may have educationally disabilities shall be referred to the Child Study

Team for evaluation in accordance with Policy No. 2460.

N.J.A.C. 6:8-1.1

5560 - DISRUPTIVE PUPILS (M)

M

The Board of Education believes that the pupils of this district are entitled to an education free from undue disruption. Pupils who willfully disrupt the educational program shall be subject to the discipline procedures of this district. Every reasonable effort shall be made to determine and

remediate the cause or causes of a chronically disruptive pupil's unacceptable conduct.

For the purposes of this policy, "disruptive pupil" means the pupil who has difficulty establishing good relationships with peers and adult authority figures and who exhibits a pattern of conduct which is in defiance of school rules or regulations and which hinders academic success for other

pupils as well as for himself or herself.

Disruptive pupils may be disciplined in accordance with Policy No. 5600.

A disruptive pupil who does not appear to be educationally disabled may be referred to the pupil

assistance committee in accordance with Policy No. 2417.

A disruptive pupil who may have educational disabilities shall be referred to the Child Study Team

for evaluation.

The Superintendent shall report regularly to the Board the incidence of acts of violence and vandalism in the school district and shall prepare a remedial plan whenever the report shows a

significant increase in the number of such acts.

N.J.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.

N.J.A.C. 6:8-1.1

5600 - PUPIL DISCIPLINE/CODE OF CONDUCT (M)

M

The Board of Education adopts this Pupil Discipline/Code of Conduct Policy to establish standards and procedures for positive pupil development and behavioral expectations on school grounds, including on a school bus or at school-sponsored functions, and as appropriate, for conduct away from school grounds.

Every pupil enrolled in this district shall observe promulgated rules and regulations and submit to the discipline imposed for infraction of those rules. Regulation 5600 shall include a description of school responses and consequences to violations of the behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, considering the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

The development, annual review, and update of this Policy shall involve parent, pupil, and community involvement which represents, where possible, the composition of the schools and community and shall be based on locally determined and accepted core ethical values.

The Board will review this Policy and Regulation after considering the findings of the annual reports of pupil conduct, including suspensions and expulsions, pursuant to N.J.A.C. 6A:16-7.1(a)5 and 6, and the incidences reported under the Electronic Violence and Vandalism Reporting System, in accordance with N.J.A.C. 6A:16-5.3.

The Superintendent shall report annually on the implementation of the Pupil Discipline/Code of Conduct Policy to the Board at a public meeting pursuant to N.J.A.C. 6A:16-7.1(a)5. The Superintendent shall submit a report annually to the New Jersey Department of Education on pupil conduct, including all pupil suspensions and expulsions, and the implementation of the Pupil Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education and the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e).

For pupils with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Improvement Act, and accommodation plans under 29 U.S.C. §§794 and 705(20), pupil discipline and the code of conduct shall be implemented in accordance with the components of the applicable plans.

The Building Principal or designee shall have the authority to assign discipline to pupils. School authorities also have the right to impose a consequence on a pupil for conduct away from school grounds, including on a school bus or at a school-sponsored function pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline

in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7.2, 6A:16-7.3, or 6A:16-7.5.

Consequences and appropriate remedial action for a pupil who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying.

Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil and the pupil's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's pupil discipline/code of conduct pursuant to N.J.A.C. 6A:16-7.1.

Remedial measures shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Any pupil to be disciplined shall be provided the due process procedures for pupils and their families as set forth in N.J.A.C. 6A:16-7.2 through 7.6.

When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32(e)10.iv., and N.J.A.C. 6A:16-7.10.

Regulation 5600 shall include a description of pupil responsibilities that include expectations for academic achievement and behavior, a description of behaviors that will result in suspension or expulsion pursuant to N.J.S.A. 37-2, and a description of pupil rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

Comprehensive behavioral supports that promote positive pupil development and the pupil's abilities to fulfill the behavioral expectations established by the Board will include: positive reinforcement for good conduct and academic success including the programs as outlined in Policy 5440; supportive interventions and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the nature of the behaviors, the developmental ages of the pupils and the pupil's histories of problem behaviors and performance; and for pupils with disabilities, the behavior interventions and supports shall be determined and provided pursuant to the requirements of N.J.A.C. 6A:14.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a pupil and the pupil's family, as appropriate, and a list of legal resources available to serve the community.

Pupil discipline and code of conduct in the district will be applied without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.

The Pupil Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, pupils, and parent(s) or legal guardian(s). School staff shall be trained annually on the Pupil Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of pupil conduct in violation of the district's Policy and Regulation. Information on this Policy and Regulation shall be incorporated into the orientation program for new employees.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;

18A:37-1 et seq.; 18A:37-13.1 et seq. N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Cross reference: Policy Guide Nos. 2460, 5500, 8330

Adopted: 21 December 1995

Revised: 19 August 2013

5610 - SUSPENSION

The Board of Education recognizes that even the temporary exclusion of a pupil from the educational program of this district is a severe sanction and one that cannot be imposed without due process.

For the purposes of this policy, "suspension" means the temporary removal of a pupil from the regular instructional program.

No pupil otherwise eligible for attendance shall be removed from the instructional program to which he or she has been assigned unless that pupil has materially and substantially interfered with the maintenance of good order or removal is necessary to protect the pupil's physical safety or emotional well-being.

A pupil may be suspended only by the building principal, who shall report any suspension to the Superintendent as soon as possible. The Superintendent shall report the suspension to the Board at its next regular meeting.

The suspended pupil may be reinstated by the Principal at his/her discretion or by the Superintendent at any time before the second meeting of the Board following the suspension, or by the Board of Education at the first meeting following the suspension, except that no pupil suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within twenty-one calendar days of the suspension, to consider that pupil's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the pupil or continue the suspension.

No pupil shall be suspended from the public schools of this district without notice of the charges made against him or her and an opportunity to be heard before the person or body with the authority to reinstate. Every pupil for whom a suspension of any length is contemplated will be afforded an informal hearing before a suspension is ordered, except that the informal hearing may be delayed by not more than 5 days when extraordinary circumstances involving the health and safety of the pupil or others in the school require the pupil's immediate removal.

A pupil removed from the instructional program for a long-term suspension shall be offered the opportunity for a formal hearing, which shall take place not later than twenty-one calendar days after the suspension occurs. The first formal hearing will be before the Superintendent; a pupil who so requests will then be granted a hearing before the Board.

The formal hearing shall include written notice to the pupil of the date, place, and time of the hearing; written notice to the pupil of the specific charges against the pupil; an opportunity for the pupil to be heard in his or her own behalf and to cross-examine adverse witnesses; representation by the pupil's counsel; a written record of the hearing and a copy of the transcript of the proceedings; and a means by which the pupil may appeal the outcome of the hearing to the next highest administrative authority. Hearings will be held in private, except that a pupil may request and the Board may, in its discretion, grant a public hearing.

A pupil suspended from the schools of this district shall receive individual home instruction or be assigned, on the recommendation of the Superintendent, to an alternative educational program.

The records of a pupil disciplined by suspension will be expunged in accordance with Policy No. 8330. All record of a suspension will be immediately expunged if the pupil is found innocent of the charges levied. The name of a disciplined pupil under the age of eighteen years will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such pupil will be designated by code.

N.J.S.A. 18A:37-1 et seq. N.J.A.C. 6:28-2.8

5620 - EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a pupil. No pupil will be expelled from this district before other reasonable and appropriate means of discipline have been exhausted.

For the purposes of this policy, "expulsion" means the permanent exclusion of a pupil from the regular education program of this district. A pupil may be expelled from this district only on formal action of the Board duly taken.

Pupils with disabilities when necessary shall be expelled in accordance with Policy and Regulation No. 2460. The Board shall not act to expel any pupil, previously determined to be disabled or who has exhibited behavior that may be considered to be classifiable, before the report of the Child Study Team has been issued to the Board.

A pupil for whom expulsion is recommended shall be offered the opportunity for a formal hearing before the Board, which shall include written notice of the date, place, and time of the hearing and of the specific charges against the pupil; an opportunity for the pupil to be heard in his or her own behalf and to cross-examine adverse witnesses; representation by the pupil's counsel; and a written record of the hearing and a copy of the transcript of the proceedings. Hearings will be held in private, except that a pupil may request and the Board may, in its discretion, grant a public hearing.

A pupil that has been appropriately expelled from the district's regular education program must be afforded by the Board an alternative education program until the pupil graduates from high school or reaches their nineteenth birthday, whichever comes first.

The pupil shall be informed of the right to appeal the Board's decision to the Commissioner of Education.

N.J.S.A. 18A:37 et seq. N.J.A.C. 6A:14 et seq.

Adopted: 21 December 1995 Revised: 29 November 2004 Revised: 28 February 2005

5700 - PUPIL RIGHTS

The Board of Education recognizes that pupils possess both the right to a free public education and the rights of citizenship. In granting pupils the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to pupils' ages and maturity. At the same time, the Board will respect the right of each pupil to equal treatment and equal access to the educational program, the due process of law, freedom of expression and association, and the privacy of his or her own thoughts.

Attendant on the rights guaranteed to each pupil are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the policies and regulations of this district.

As pupils differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the pupil and the pupil's need for continuing guidance and control.

A pupil who has reached the age of majority and is emancipated possesses the full rights of an adult and may issue authorizations previously delegated to his or her parent. The adult pupil is fully responsible for his or her educational performance, attendance, compliance with district regulations, and care of school property. The parent of each adult pupil will be informed of the rights of the pupil and will continue to be informed of the pupil's progress in school.

N.J.S.A. 9:17B-1 N.J.S.A. 18A:36-20

5710 - PUPIL GRIEVANCE

The Board of Education believes that pupils are citizens who possess the right to request redress of grievances and that pupils should be encouraged to respect lawful procedures for the resolution of disputes. Accordingly, the Board will establish and observe procedures by which the grievances of pupils will be heard.

For the purposes of this policy, a pupil grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees.

A pupil grievance will be heard in the following manner:

- 1. A pupil should first make the grievance known to the staff member most closely involved or with a guidance counselor and both shall attempt to resolve the matter informally and directly.
- 2. A grievance not resolved at the first step must be reduced to a written statement in which the pupil sets forth the specific nature of the grievance, the facts that gave rise to it, the relief sought, and the reasons why that relief is appropriate.
- 3. The written grievance may be submitted to the building principal, the Superintendent, and the Board of Education, in that order and within a suitable period of time not to exceed ten days allowed at each level for the hearing of the grievance and the preparation of a response.
- 4. At each step beyond the first, the school authority hearing the grievance may summon the parent of a grievant who is not an adult. The grievant may summon the assistance of his or her parent at any step.
- 5. A pupil grievance that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than ten calendar days. The pupil will be informed of the right to appeal a decision of the Board to the Commissioner of Education

The Superintendent shall direct all staff members to respect the right of pupils to seek redress of grievances by lawful procedures without fear of reprisal.

5721 - INDEPENDENT PUBLICATIONS

The Board of Education respects the right of pupils to express themselves in written word or picture and to distribute printed materials as part of that expression; at the same time, the Board recognizes that the exercise of that right is limited by the rights of other members of the school community.

For the purposes of this policy, "printed materials" include any written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and similar materials but do not include any publication that is sponsored by this Board.

Certain printed materials are not protected by a pupil's right of free expression because they violate the rights of others. The Board may identify and prohibit the distribution on school premises of printed materials that are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender; libel any person or persons; seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other; advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of pupils; contain obscenity or material otherwise deemed to be harmful to impressionable pupils; incite violence, advocate the use of force, or urge the violation of law or school regulations; advertise goods or services for the benefit of profit-making organizations; fail to identify the pupil responsible for distribution and the agent responsible for reproduction; solicit funds for nonschool organizations when such solicitations have not been approved by the Board; or promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or questions submitted at any election.

No printed materials may be distributed on school premises that have not been submitted to the Principal for review in advance of their distribution. Where the Principal cannot show, within two school days, why the materials are unprotected, or where unprotected material is so modified as to be no longer unprotected, the printed material may be distributed. Appeal from the determination of the Principal may be made in accordance with Board policy on pupil grievance.

The Board requires that the distribution of printed material take place only at the places and during the times established by rule in order not to disrupt the orderly operation of the educational program.

N.J.S.A. 2C:34-3 N.J.S.A. 18A:42-4

5750 - EQUAL EDUCATIONAL OPPORTUNITY (M)

M

The Board of Education directs that all pupils enrolled in the schools of this district shall be afforded equal educational opportunities in strict accordance with law. No pupil shall be denied access to or benefit from any educational program or activity or from a co-curricular or athletic activity on the basis of the pupil's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, or disability.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the schools and classes of this district in a manner that insures equivalency of educational opportunity throughout this district. Affirmative action shall be taken to insure that pupils are protected from the effects of discrimination, in accordance with Policy No. 2260.

The conduct of teaching staff members shall exemplify the highest principles of equality and democracy. Conduct and attitudes that display discrimination are contrary to the policies of this Board and, further, are destructive to the self esteem that this Board wishes to encourage in all pupils. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation or sex, social or economic status, or disability shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a pupil or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this policy.

42 U.S.C.A. 12101 N.J.S.A. 10:5-1 N.J.S.A. 18A:6-5 et seq.; 18A:36-20 N.J.A.C. 6:4.1 et seq.; 6:28-1.4

5751 - SEXUAL HARASSMENT (M)

M

The Board of Education explicitly forbids any conduct or expression that may be construed as the sexual harassment of a pupil, by an employee of the district or by another pupil.

The sexual harassment of a pupil includes all unwelcome sexual advances or suggestions, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the pupil's gender. Whenever such conduct has the purpose or effect of intimidation or tends to create or alter the educational environment in ways that are intimidating, hostile, or offensive such conduct shall be construed to be sexual harassment.

The Superintendent shall direct the instruction of all pupils in their right to be free of sexual harassment and innuendo and shall encourage pupils to report any incident of sexual harassment to the Principal and/or any teaching staff member.

Any employee who receives such a report or who has independent cause to suspect that a pupil has been subjected to sexual harassment shall promptly notify the building principal, who shall immediately instigate an investigation of the matter and report his or her findings to the Superintendent. An act of sexual harassment that appears to constitute child abuse shall be immediately reported to the Division of Youth and Family Services for investigation by that agency.

An employee who engages in the sexual harassment of a pupil will be subject to stringent discipline and may be terminated. A pupil who engages in the sexual harassment of another pupil will be subject to discipline in accordance with Policy No. 5600.

5752 - MARITAL STATUS AND PREGNANCY (M)

M

The Board of Education will not discriminate among pupils on the basis of their marital status or parenthood. No pupil, male or female, who is married or a parent shall be denied access to or benefit from any educational, co-curricular, or athletic program or activity on the basis of his or her marital status or parenthood.

A pregnant pupil shall not be excluded from any educational program or activity because of her pregnancy or pregnancy-related condition unless the pupil so requests or a physician certifies that her exclusion is necessary for the pupil's physical, mental, or emotional well-being. An excluded pregnant pupil will be provided with adequate and timely opportunity for instruction to continue or make up her schoolwork without prejudice or penalty. Pregnant pupils will be provided a special instructional program in accordance with Policy No. 2416.

N.J.A.C. 6:4-1.5

5770 - PUPIL RIGHT OF PRIVACY

The Board of Education recognizes that a pupil's right of privacy may not be violated by unreasonable search and seizure and directs that no pupil be searched without reason or in an unreasonable manner.

Teaching staff members are charged with the responsibility of maintaining order and discipline in the schools and of safeguarding the safety and well-being of the pupils in their care. In the discharge of that responsibility, a teaching staff member may search or request the search of the person or property of a pupil as authorized by this policy, with or without the pupil's consent, whenever he or she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the pupil's age, and the pupil's disciplinary history. Except in exigent circumstances, an intrusive search of a pupil's person or intimate personal belongings shall be conducted by a person of the pupil's gender.

The Board acknowledges the need for the in-school storage of pupils' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such storage places, pupils may lock them against incursion by other pupils. In no storage place provided by the Board shall pupils have such an expectation of privacy as to prevent examination by a school official. Pupils shall be notified in writing at the beginning of each school year that inspections of their lockers, desks, and other storage facilities may be conducted. The school principal or his/her designee are directed to conduct, without further notice, the regular inspection of such facilities provided to pupils for the storage of property.

Except as required by exigent circumstances, a request for the search of a pupil or a pupil's private possessions will be directed to the building principal or his/her designee who shall, whenever feasible, first request the freely offered consent of the pupil to the inspection.

The Superintendent shall be notified of the proposed search of a pupil's person or intimate personal belongings.

Whenever possible, a search will be conducted by the principal in the presence of the pupil, the pupil's parent or a representative of the parent, and a teaching staff member other than the principal.

A search prompted by the reasonable belief that the circumstances are exigent and pose an immediate threat, will be conducted by any teaching staff member with as much speed and dispatch as may be required to protect persons and property.

The principal shall conduct a pupil search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the pupil or when the principal has independent grounds to suspect the presence of an incriminating object.

The principal shall be responsible for the prompt recording in writing of each pupil search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a pupil.

N.J.S.A. 18A:36-19.2

5810 - PUPIL PARTICIPATION IN SCHOOL GOVERNANCE

The Board of Education believes that pupils should be encouraged to participate appropriately in the governance of various school activities. As institutions fundamental to the operation of a democratic society, the schools should strive to exemplify the democratic ideal of citizen participation in decision making.

The Board directs that pupils be invited to participate, as appropriate to the pupils' ages and interests, in deliberations and decisions regarding pupil conduct and the disciplinary code, curriculum planning, co-curriculum planning, grading systems, safety programs, the selection of resource materials, and the scheduling of the school day. Pupil participation should fairly represent the interests of the entire student body, and participants should be duly elected representatives of student organizations.

5820 - STUDENT GOVERNMENT

The Board of Education recognizes the importance of offering pupils the opportunity to participate in representative self-government and to develop leadership skills. Pupils shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board of Education.

The Board recognizes the Student Council as the official voice of the student body for pupils in grades 7 through 12, provided the constitution and bylaws of that organization have been duly approved by the pupils it represents and by the Board and provided that all pupils have equal access to their student government and an equal opportunity to vote and hold office.

The Board shall appoint a qualified teaching staff member to serve as advisor to student government activities.

The Board directs that decisions made and actions duly taken by the official student government, in accordance with and within the scope of its constitution and bylaws, may not be voided or vetoed by any staff member.

5830 - PUPIL FUND RAISING

The Board of Education will limit the solicitation of funds by and from the pupils of this district in order to protect pupils from unnecessary pressures and the instructional program from disruption.

"Pupil fund raising" means the solicitation and collection of money by pupils, on or off school premises, for any purpose associated directly or indirectly with the school district or under circumstances in which the solicitors are identified as pupils of this district.

Pupils may solicit and collect money on behalf of approved school organizations, provided the fund raising has been approved by the Principal.

No pupil will be permitted to solicit and collect money on school premises or at a school-sponsored event for the pupil's own benefit.

The Superintendent shall develop regulations regarding pupil fund raising that establish times and places in which pupil fund raising may be conducted and insure adequate accounting of funds collected. The building principal shall distribute this policy and the Superintendent's regulations to each recognized pupil organization.

5841 - SECRET SOCIETIES

The Board of Education affirms the legislative prohibition of pupil organizations with closed membership practices as hostile to the democratic ideals of public education.

No social organization of pupils will be granted the use of school facilities or permitted the use of the name of the school or this school district unless that organization has first been approved by the Principal. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member. No organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the pupils of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of race, creed, political beliefs, or any other consideration not appropriate to the purpose of the organization; or if any qualifying pupil who applies may be denied membership.

A pupil who seeks to form or is a member of a fraternity, sorority, or other secret organization formed in whole or in part of pupils enrolled in this district may be disciplined by this Board. The Board reserves the right to require that any pupil attest as to his or her membership in a secret organization.

N.J.S.A. 18A:42-5, 18A:42-6

5842 - EQUAL ACCESS OF PUPIL ORGANIZATIONS

The Board of Education will permit the use of school facilities by organizations of secondary school pupils during pupil activity periods. No group of secondary pupils, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the Principal, who shall grant permission provided that he or she determines that

- 1. The activity has been initiated by pupils:
- Attendance at the meeting is voluntary;
- 3. No agent or employee of the district will promote, lead, or participate in the meeting;
- 4. The meeting is for a lawful purpose;
- 5. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school; and
- 6. Nonschool persons do not direct, conduct, control, or regularly attend the activity.

A pupil-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of pupil organizations sponsored by this Board, except as provided by this policy. Participation in a pupil-initiated meeting must be available to all pupils who wish to attend and cannot be denied on the basis of a pupil's race, color, creed, religion, gender, national origin, disability, or social or economic status. The Board will not permit the organization of a fraternity, sorority, or secret society. A pupil-initiated meeting may be attended by no more than three outside resource person(s).

A teaching staff member shall be assigned to attend a pupil-initiated meeting in a custodial capacity and shall not participate in the activity. No teaching staff member shall be compelled to attend a pupil-initiated meeting if the content of the speech at the meeting is contrary to his or her beliefs.

The building principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of pupils and staff members.

39 U.S.C.A. 1701 et seq.

5850 - SOCIAL EVENTS AND CLASS TRIPS

The Board of Education recognizes the value of social events and class trips that will enhance and enrich the school experience for the pupils of this district.

For purposes of this policy, a "social event" is a party, celebration, or dance organized for the participation of pupils, and "class trips" are trips taken by pupils in a single graduating class, pupils who share a particular interest in an activity, or pupils who are enrolled in a particular subject area. Social events and class trips are not related or are only indirectly related to the curriculum.

The Board will make school facilities available and assign staff members as appropriate for the conduct of social events on school premises that have been approved by the Assistant Superintendent and for social events and class trips away from school premises that have been approved by the Assistant Superintendent. A social event or class trip may be considered to have been approved by this Board only when the Board has duly assigned one or more chaperones to supervise participating pupils. The Board will assume no responsibility for a pupil social event or trip that has not been approved in accordance with this policy.

The Board will not approve a social event or class trip that has the effect of reducing the school year for participating pupils to fewer than one hundred eighty days.

The Board reserves the right to cancel any scheduled trip if fewer than a designated number of pupils sign up for the trip or if the Board determines that external circumstances are such that it cannot foresee a reasonably safe travel environment.

Social events or class trips are not part of the thorough and efficient system of education provided the Board. Participation in them is therefore not a right and may be denied to any pupil without the due process of notice and an opportunity to be heard. A pupil who demonstrates disregard for school rules may summarily be denied participation in social events and class trips.

Pupils who participate in approved social events and class trips are subject to district rules for pupil conduct and must submit to the authority of assigned chaperones. Infractions of the rules will be subject to discipline in the same manner as are infractions of rules during the regular school program.

The Superintendent will develop regulations governing the conduct and safety of all participants in social events and class trips and will distribute them to pupil and adult participants.

5860 - SAFETY PATROL (M)

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The Board of Education recognizes the value of a student safety patrol as an essential part of the school program to instruct the children of this district in good safety habits and to provide opportunities for leadership training.

The Board authorizes the establishment of a school safety patrol of students in grades 4-6, who shall serve without recompense. All students eligible by grade level may apply for service on the safety patrol; selection among them will be made on consideration of qualities of:

- 1. Responsibility and good citizenship
- Leadership capacity
- 3. Maturity and
- 4. Academic proficiency.

Members of the school safety patrol may be assigned to control and direct student traffic in the school buildings, on school grounds, and on sidewalks or paths adjacent to a street or roadway. No safety patrol member shall be permitted to direct or place himself/herself in the path of vehicular traffic.

A faculty member shall be assigned as supervisor to the school safety patrol, whose job it shall be to:

- 1. Receive and screen all applications for membership
- Select safety patrol members
- 3. Instruct safety patrol members in their duties and responsibilities and
- 4. Where necessary and for good cause, remove a member from the safety patrol

The Superintendent shall develop procedures to implement this policy which include the following:

- 1. Preparation of application forms in accordance with rules of the State Board and which warn the applicant of the possible hazard of safety patrol duty.
- 2. Requirement that no student may serve on the safety patrol without the consent of his/her parent.

- 3. Inclusion in rules for traffic safety the requirement that all school children respect the authority of the safety patrol member when he/she is on duty.
- 4. Development of a training program for safety patrol members.

N.J.S.A. 18A:42-1 N.J.A.C. 6:29-1.3

5880 - PUBLIC PERFORMANCES BY PUPILS

The Board of Education recognizes the value to students of sharing their talents and skills with the

community through participation and performances in public events.

The Board endorses such performances when:

1. They constitute a learning experience which contributes to the educational

program.

2. They do not interfere with other scheduled activities of the school.

3. The circumstances of the event do not pose a threat to the health, safety and well-

being of the students who will be involved.

4. No student is compelled to participate in a public performance or penalized in any

way for failure to do so.

5. No minor student is permitted to perform at an out-of-school event without the

permission of his/her parent.

When public performances are scheduled as a regular part of a course of study taken for credit, students shall be informed in advance of their obligation to participate, and they will be excused

from participation only in accordance with the rules and procedures governing school attendance.

No student, group of students or employee of this Board may receive compensation for the

performance in public of students organized for a school activity.

The Superintendent may approve requests for public performances by students.

N.J.S.A. 18A:42-2

5881 - USE OF PAGING DEVICES (BEEPERS)

Students shall not possess a paging device/beeper on school property or while attending school sponsored activities on or off school property. Such prohibition applies whether or not school is in session.

A student who knowingly violates this policy commits a disorderly persons offense. Students and parents/guardians will be informed of this policy every school term by way of the school's handbook.

The principal or designee will confiscate the device as contraband.

Parents/guardians may petition the Assistant Superintendent of Schools for the return of the paging device. The parent/guardian must demonstrate, by way of acceptable documentation, that the device was purchased by the parent/guardian and that phone service company issued the device's number to same.

Devices not claimed within one year of the confiscation date will be discarded.

N.J.S.A. 2C:33-18-20 17 U.S.C. 101 et seq.

Adopted: 20 May 1996 Revised: 21 October 1996