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THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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5111 ADMISSION OF RESIDENT/NON-RESIDENT PUPILS

The Board of Education will admit to its schools, free of charge, persons over five and under twenty years of age, who are eligible to be admitted pursuant to N.J.S.A. 18A:38-1 et seq. and N.J.A.C. 6A:28-2.1 et seq. A free appropriate public education is also available to all students with disabilities between the ages of three (3) and twenty-one (21) according to Policy 2460, Special Education Services.

Purpose

The purpose of this policy is to describe the circumstances in which students are entitled to enrollment in the district, based on statute and board policy, and in which cases such enrollment is contingent on the payment of tuition.

The district's role in the registration process is to ascertain whether or not students are entitled to enrollment in our schools, to enroll them as appropriate, and to gather the necessary data that must be maintained on students in our schools. The District registrar will help applicants understand the process and the circumstances in which students are entitled to enrollment, thereby facilitating the process for all involved.

The registration and residency review process should be conducted in an efficient and effective manner which safeguards the interests of district taxpayers but which is also designed to minimize inconvenience to those new to our district, whether their entitlement to enrollment is eventually affirmed or denied.

The Board of Education will admit children of school age who reside in this district and will admit other children in accordance with law and this policy. The Board reserves the right to verify the residency or anticipated residency of any person who claims eligibility for enrollment.

Eligibility to Attend School

The Board will admit pupils eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:28-2.4(a)1.

The Board will 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:28-2.4(a)2. 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 that 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, hereinafter referred to as the "Supporting Domiciliary", must file a sworn statement together with documentation to support its validity 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, and will assume all personal obligations for the pupil relative to school requirements.

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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. The parent(s) or legal guardian(s) must demonstrate that such temporary residence is not solely for purposes of a pupil's 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. 6:28-2.4(a)1.ii. However, no pupil will be entitled to attend school based upon a parent's temporary residence in a district unless the parent(s) or legal guardian(s) demonstrates 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. 6:5 - Provisions for the Education of Homeless Children and Youth;
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 previously was a resident of the district and 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.

Immigration/visa status will not affect eligibility to attend school. However, the provisions of N.J.S.A. 18A:38-1 shall not apply to pupils holding or seeking a visa issued specifically for the purpose of limited study on a tuition basis in a United States public secondary school (F-1 Visa).

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, gender identity and expression, social or economic status, or disability.

As described in NJAC 6A:28-2.4, eligibility to attend school is not dependent on the physical condition of an applicant's housing or an applicant's compliance with local housing ordinances or terms of lease.

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Proof of Eligibility

The district will 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:28-2.5 et seq. The district will consider the totality of information and documentation offered by an applicant, and will 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 will 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. 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 will not require or request, directly or indirectly, 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:28-2.6 et seq. The district will use registration forms provided by the Commissioner of Education or locally developed forms that are consistent with the forms provided by the Commissioner. The Director of Planning and Assessment will be available, and clearly identified to applicants, to assist persons who are experiencing difficulties with the registration/enrollment process.

Initial determinations of eligibility will 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 will 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:28-2.7 et seq.

Where an applicant appears ineligible based on the information provided in the initial application, a preliminary written notice of ineligibility will be provided, including an explanation of the right to appeal to the Commissioner of Education. Enrollment must 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 will be notified that he or she will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

Where enrollment is denied and no intent to appeal is indicated, applicants will be advised that they must comply with compulsory education laws. In this case, the parent(s) or legal guardian(s) must provide 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. In the event this written statement is not provided, the Superintendent or designee, will contact the school district of actual domicile or residence, or an appropriate social service agency, 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 will 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.

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Enrollment in the district will 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, will not be denied based upon absence of a pupil's prior educational record. However, the applicant will 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.

Notice of Ineligibility

If the district finds the applicant ineligible to attend the schools of the district pursuant to N.J.A.C. 6A:28-2.1 et seq., or the application initially submitted is found to be deficient upon subsequent review or investigation, notice will immediately be provided to the applicant consistent with sample form(s) to be provided by the Commissioner. Notices will 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 will be provided and will include information as required in accordance with N.J.A.C. 6A:28-2.7 et seq.

Removal of Currently Enrolled Pupils

Nothing in N.J.A.C. 6A:28-2.1 et seq. and this policy will 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.

The Superintendent is directed to establish regulations to define the types of documents necessary for verifying all matters of fact related to a registrant's application for enrollment in the district. The information required of any applicant shall be limited to such information as is strictly necessary to verify the facts relevant to their circumstances.

Home visits to verify a pupil's entitlement to enrollment shall be carried out in strict accordance with the law. When used, such visits shall be limited to establishing the specific facts in question in a particular case.

When a pupil, enrolled and attending school in the district, is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for removal of the pupil in accordance with N.J.A.C. 6A:28-2.8(b). No pupil shall be removed from school unless the parent, legal guardian, adult pupil or Supporting Domiciliary 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 Supporting Domiciliary, 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 will immediately provide notice thereof in accordance with the requirements of N.J.A.C. 6A:28-2.7. The hearings required pursuant to N.J.A.C. 6A:28-2.1 et seq. may be conducted by the full Board or a Board Committee, at the discretion of the full Board. The Committee must make a recommendation to the full Board for action. No pupil may be removed except by vote of the full 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.

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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 Supporting Domiciliary, 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" (as defined in N.J.A.C. 6A:28-2.2) eligibility determinations must be filed by the Supporting Domiciliary.

Fraud

If the Board has reason to believe a district resident has fraudulently allowed a child of another person to use his or her residence and is not the primary financial supporter of that child or that a parent or legal guardian has fraudulently claimed to have given up custody of his or her child, the Board shall report any such person to municipal authorities for prosecution as disorderly persons, and shall make all reasonable efforts to collect tuition from such person for the period when the child was ineligible for enrollment.

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:28-2.10 et seq.

Children Moving Out of the District

Students who were entitled to enrollment in district schools at the beginning of a school year and who move out of the district may apply, in writing, to the Superintendent to be allowed to continue to attend district schools for the balance of the semester. In cases where the student moves during the senior year, the requestor may ask that the student be permitted to complete the school year. The child's parent/legal guardian, or Supporting Domiciliary, must specify in writing, the date of the change of domicile and must submit a withdrawal request dated as of the last day of the semester at the time the request to complete the semester is made. Such request must be approved in writing by the Superintendent, who shall consider several factors, including the disciplinary history of the student in approving or denying such request.

The admission of a nonresident child to school free of charge must be approved by the Board.

Children Moving into the District

Students moving into the district within ten weeks (one quarter of the school year) may be admitted into district schools under the following conditions:

1. Request for admission must be made, in writing, to the Superintendent, and shall include the student's present address, anticipated address within the district, the expected date of establishing district domicile, and a copy of a lease or contract of sale, and the name, grade, and age of the student.

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2. If approved, the parents and school administrators shall be notified and parents will be billed for, and required to pay prior to admission of the student(s), tuition for the ten weeks of school dating from registration. Such tuition will be deposited with the understanding that a pro rata share will be refunded for any portion of that ten weeks during which the student may have established district domicile.
3. If a student has not established district domicile by the close of the ten week period, he/she may be allowed to continue on a temporary basis, if, in the opinion of the Superintendent, the delay has been unavoidable and district domicile will be established in the current school year. The same tuition payment procedure, for such extension, will be followed as in paragraph 2 above.

Tuition Students

Children who are not entitled to a free public education in district schools may enroll as tuition-paying students. The parent or legal guardian or person who makes claim to be the Supporting Domiciliary shall, on an annual basis, make written request for such enrollment to the Superintendent. The request may or may not be granted, at the discretion of the Superintendent. It should be further understood that:

1. No assurance can be given until after the opening of school in September that any tuition student will be admitted to a given school or class.
2. Tuition students who have been admitted, and wish to continue in a district school, can be given no assurance until after the opening of school in successive years that the student will be readmitted. Parents should take the initiative to request re-admittance of tuition students. A student will not be allowed to re-enter school until approval is requested and granted.
3. Neither the school, nor the Superintendent's office will maintain a "waiting list" for tuition students. However, first consideration will be given to those students who have completed the previous year as tuition students.

Foreign Exchange Students

Foreign exchange students who hold J-1 visas and who are domiciled within a South Orange-Maplewood residence may be admitted to school in this district without the payment of tuition provided the resident with whom they are domiciled will execute an affidavit stating:

1. He/she does not receive remuneration for the care of the pupil; and
2. That the resident will assume all personal obligations for the pupil.

Foreign students who hold F-2 visas and who are domiciled within a South Orange-Maplewood residence may be admitted to school in this district without the payment of tuition provided the student satisfies the requirements for Resident Pupils in this policy.

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Admission of Resident/
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Foreign students who hold F-1 visas may not be admitted to an elementary school (K-8).

Foreign students who hold F-1 visas may be permitted to attend a secondary school (Grades 9-12) for a maximum of 12 months, provided the student reimburses the school district for the full, unsubsidized per pupil cost of education for the intended period of study. The cost of study to be paid to the Board may be calculated by dividing the sum of all public expenditures of the school or district by the number of students or by using the rate certified by the Board.

F-1 visa foreign students who were in a public school before November 30, 1996 and obtained F-1 status before November 30, 1996 may continue in the public school. However, if these students travel outside the United States, they will need to conform to the requirements above (12 month maximum and reimbursement for cost) to be readmitted.

Other Non-Resident Children

Other non-resident children, otherwise ineligible for attendance, may be admitted to school in this district with payment of tuition if their admission is warranted by the inaccessibility of school in their home district, the singular availability of an appropriate educational program in this district, the avoidance of transfer and readmission of a child whose legal custody is shared by a parent or legal guardian residing in this district, or other good cause.

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

N.J.A.C. 6:5-1.1 et seq.; 6A:14-3.3; 6A:28-2.1 et seq.

Cross References: 5112, 5114

Initial Adoption: February, 24, 2003

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Second Reading: July 18, 2011

Latest Adoption: July 18, 2011

R 5111-ELIGIBILITY OF RESIDENT/NON-RESIDENT PUPILS

The intent of these regulations is to assist administration in determining when it is appropriate to notify municipal officials that there has been a violation of Maplewood Municipal Ordinance #2267-04 and South Orange Ordinance #04-13.

When is there a violation of the ordinances?

A violation of the ordinances occurs under the following circumstances:

- a. Whenever any person "assists, aids or abets" *in the registration* of a non-resident.
- b. Where anyone knowingly allows their name or address to be used *to facilitate registration* of a non-resident. This section of the ordinances applies to landlords or relatives who fraudulently sign affidavits or otherwise misrepresent that a child has been living within our district.

Importantly, the ordinances do not apply where someone has properly registered a child, but then later moves from the district and neither notifies us nor removes the child from our schools.

How do we determine that a person has aided in the registration of a non-resident, and thus, can determine that the ordinances have been violated?

Whenever school district personnel have reason to believe that a parent/guardian is not domiciled within the district, a residency check is conducted. Residency checks are triggered by such events as:

- a. Returned mail;
- b. No valid phone number;
- c. Comments by the child; and/or
- d. Tips from members of the community.

Any of this information could lead to the suspicion that a child was registered illegally, in violation of the ordinances.

If, upon investigation it is determined that the child is not believed to live in district, the parents/guardians are notified and informed of their right to a hearing before the Board. After the Board hearing, or in the absence of one if the parents decline the offer of a hearing, the Board passes a resolution removing the child. The resolution does not take effect for 21 days, and if the parents file an appeal with the Commissioner of Education, the child must remain enrolled in district pending the outcome.

The following scenarios may arise where a residency matter is pursued by the district.

- a. The parents immediately withdraw the child(ren) upon receipt of notification that there is a residency concern.
- b. The parents ignore the notification and the Board removes the child(ren).

- c. The parents request a hearing, and the Board removes the children, but no appeal is filed.
- d. An appeal is filed by the parents to the Commissioner, who upholds (or rejects) the district's determination.

A report that states that the ordinances have been violated should be made to municipal authorities as follows:

- a. Where the Commissioner of Education has ruled that a child(ren) was illegally registered (and all appeals have been exhausted by the family) the matter should be referred to the appropriate municipal authorities for violations of Maplewood Municipal Ordinance #2267-04 and South Orange Ordinance #04-13 (provided the basis for the removal was an illegal *registration*, per the ordinances).
- b. Where the Board has made a finding at a due process hearing that a child(ren) has been illegally registered, and the family elects not to appeal to the Commissioner of Education, the matter should be referred to the appropriate municipal authorities.
- c. All other scenarios must be reviewed on a case by case basis by the district registrar, and his/her immediate supervisor and counsel, to determine if notification to the municipalities is appropriate. The district, through district counsel, the district registrar, and appropriate members of administration, will seek the input of municipal prosecutors in reviewing such scenarios by meeting quarterly with municipal prosecutors. At such meetings, residency scenarios and concerns will be discussed in a hypothetical fashion, so that the input of the prosecutor may be obtained, but at the same time the confidentiality of pupils and families will be preserved
- d. Where the ordinances are inapplicable because the child was not illegally *registered*, there should be a review of the matter with counsel to ascertain whether a fraud or other criminal violation was committed that would nonetheless make it appropriate to notify municipal authorities.
- e. At no time will the threat of a municipal referral be used by administration as an inducement for a family to waive its right to a due process hearing before either the Board or the Commissioner of Education.

To which municipality do we report a violation?

An illegal registration could give rise to a violation of either or both of the municipal ordinances dependent upon the alleged residency of the parent or landlord and/or the location of the school, together with other factors.

Accordingly, all concerns that the ordinances have been violated will be reported to both municipalities, which will work cooperatively to ascertain where their jurisdiction is overlapping.

Who will report a violation?

Concerns that the municipal ordinances have been violated will be reported to the appropriate municipal authorities by the Superintendent of Schools and/or his/her designee. The Superintendent will keep the Board of Education informed regarding any such referrals.

What information may the school district supply to the municipal authorities, upon notification of a suspected violation of Maplewood Municipal Ordinance #2267-04 and South Orange Ordinance #04-13 ?

Where it is believed that there has been a violation of the municipal ordinances, the following information may be supplied to the municipalities:

- a. The name and address of a landlord or resident believed to be in violation;
- b. The name and address of a parent/guardian believed to be in violation; and/or
- c. A copy of any formal decision by the Commissioner of Education.

Cooperation with municipal authorities

1. The criminal investigation will be conducted by municipal authorities and will be prosecuted by the municipal prosecutor(s).
2. District personnel will cooperate with the criminal investigation conducted by the municipal authorities to the fullest extent possible.
3. District personnel will take the utmost care to preserve the confidentiality of pupil records, and, in accordance with the requirements of state and federal law, will release such records only upon presentation of a court order.
4. All requests for release of documents will be reviewed by district counsel to insure compliance with applicable state and federal laws governing the rights of pupils and their parents to confidentiality of pupil records.
5. Pupil confidentiality will be maintained through the use of a unique identification number in all resolutions and documents pertaining to residency matters. Where a pupil must be identified in Board documents for a matter not related to residency, a different identification number will be used.

| Issued: September 30, 2005

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Entrance Age

5112 ENTRANCE AGE

The Board of Education will admit to this district children otherwise eligible by law or Board policy who have attained the age requirements set by law and this Board of Education. The Board requires documentary verification of the age and birth date of any child for whom admission to this district is sought.

Pursuant to N.J.S.A. 18A:36-25.1(a), when a child is enrolled in a school district for the first time, the Superintendent or his/her designee shall obtain from the parent/legal guardian of the child, a certified copy of the child's birth certificate or other proof of the child's identity within thirty (30) days of enrollment. If the parent/legal guardian fails to comply, the Superintendent shall notify the parent/legal guardian that the matter will be referred to the police if the information is not provided within ten (10) days.

When a child transfers from one district to another, the receiving school district shall obtain the child's school record from the sending district within 14 days of enrollment. The school district of last attendance shall provide the receiving district with all information in the student's record related to disciplinary actions taken against the student by the district, and notify the receiving district if it has obtained any information pursuant to section 1 of P.L. 1982, c 79 (C:2A:4A-60). Written consent of the parent, guardian, supporting domiciliary or adult pupil shall not be required as a condition of transfer of this information; however, written notice of the transfer shall be provided to the parent or adult pupil by the school district of last attendance. If the record is marked to denote a missing child, the sending district shall forward the record to the receiving district and immediately notify the Missing Persons Unit in the Department of Law & Public Safety, in accordance with N.J.S.A. 52:17B-9.8 b.

Preschool Disabled

A child is eligible for entrance into a program of Special Services who has attained his or her third birthday and has been found by the Child Study Team to be eligible for a program for the preschool educationally disabled in accordance with rules of the State Board of Education.

Kindergarten

A child is eligible for entrance into kindergarten at the start of the regular school year if he/she has reached five (5) years of age on or before October 1st of the year in which entrance is sought.

No child will be admitted to kindergarten who has not met the age requirement set by this policy.

Admission to First Grade

A child is eligible for entrance into first grade at the start of the regular school year if he/she has reached six (6) years of age on or before October 1st of the year in which entrance is sought.

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Entrance Age

Admission to Grades 2-12

In general, at the discretion of the Superintendent, pupils are admitted upon transfer from another public school district or non-public school to the grade they would have been attending in the former district or school.

Assessment for Entrance to Grade 2-12

The Superintendent is directed to establish assessment techniques for the purpose of placing children in grades two through twelve. These may include, but are not limited to, standardized and local tests, teacher and/or administrator observations, and evaluative material from the previous school.

N.J.S.A. 18A:36-19; 18A:38-5; 18A:38-6;
18A:44-1; 18A:44-2; 18A:46-6; 18A:46-6.1
N.J.A.C. 6:20-1.2

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Latest Adoption: March 21, 2011

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
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Postgraduate and Overage Pupils

5113 POSTGRADUATE AND OVERAGE 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.

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

Cross References: 0110, 5112

First Reading: March 12, 2001

Second Reading: March 19, 2001

Adopted: April 2, 2001

5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with State laws and New Jersey Administrative Code. The Board of Education adopts this policy to comply with law and Code to ensure the enrollment of homeless children in school and to respond to appeals made by parent(s) or legal guardian(s) or other parties related to their enrollment.

The district will determine a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles excluding mobile homes; tents or other temporary shelters; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends with whom the homeless child is temporarily residing out of necessity because the family lacks a regular or permanent residence of its own.

The district of residence for a homeless child is responsible for the education of the child and will assume all responsibilities as required in N.J.A.C. 6A:17-2.4 et seq. The district of residence is the district in which the parent(s) or legal guardian(s) last resided prior to becoming homeless. The district liaison for the education of homeless children shall be the Superintendent or his/her designee. The liaison will facilitate communication and cooperation between the district of residence and the district where the homeless child is temporarily residing and will develop procedures to ensure that a homeless child temporarily residing in the district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.6.

When a homeless child is living temporarily in the school district, the district liaison, upon receiving notification from the parent(s) or legal guardian(s), the Department of Human Services, a shelter director, an involved agency, or a case manager, will notify the liaison of the district of residence within twenty-four hours of the notification. Upon notification of the need for enrollment of a homeless child, the liaison in the district of residence will coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.6(b).

The Superintendent or designee of the district of residence shall decide the district of enrollment of the homeless child in accordance with N.J.A.C. 6A:17-2.6 et seq.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent(s) or legal guardian(s) retains all rights under N.J.A.C. 6A:17-2.1 et seq.

If a dispute occurs regarding the determination of homelessness, the Superintendent of the involved district(s) or the parent(s) or legal guardian(s) of the child must immediately notify the County Superintendent of Schools, who will decide the status of the child within two working days. If a dispute remains between the parent(s) or legal guardian(s) and/or the district(s) following the County Superintendent's determination, the parent(s) or legal guardian(s) or the involved Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3 et seq.

If the district is designated as the district of residence and disputes such designation, or where no designation can be agreed upon by districts, the Superintendents of the involved districts shall immediately notify the County Superintendent of Schools who will make a determination within two working days. The district may appeal the County Superintendent's determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2(d), (e), and (f).

If a dispute occurs regarding the determination of the district of enrollment made by the district of residence, the Superintendent of the district of residence shall immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child shall be enrolled based on the child's best interest pursuant to N.J.A.C. 6A:17-2.6(b). If the County Superintendent's decision is disputed, the Department of Education shall provide for mediation in accordance with N.J.A.C. 6A:17-2.8(c)1.

A dispute or appeal will not delay the homeless child's immediate entrance into school. The homeless child will be enrolled in the district designated by the County Superintendent pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with educational disabilities will be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.9 et seq. The district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 for as long as the parent(s) or legal guardian(s) remains homeless and the child is enrolled in another school district. If a district of residence cannot be determined for a homeless child or if a district of residence is outside of the State, the State will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12(d). The State will pay the tuition, in accordance with N.J.A.C. 6A:17-2.9(c)1., to the school district in which the child is currently enrolled for as long as the child and his or her parent(s) or legal guardian(s) remain homeless.

N.J.A.C. 6A:17-2.1 et seq.

Cross Reference: 5111

First Reading: October 7, 2002

Second Reading: October 21, 2002

Adoption: October 21, 2002

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5120/page 1 of 1
Assignment of Pupils

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 educational interests of pupils and the best uses of the resources of this district. Building principals may assign pupils in their schools to grades, classes, and groups on the basis of the needs of the pupil as well as the sound administration of the building, and in accordance with Policy 2314.

Pupils shall generally attend the school located in the attendance area of their residence. Pupils desiring to attend a school other than that to which they are assigned shall request exception in accordance with policy 5124. Additionally, 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. All such decisions of the Superintendent shall be final. Every reasonable effort shall be made to permit pupils so assigned by the Superintendent to be continuously enrolled in the same school.

Cross Reference: 2314, 5124

First Reading: March 16, 2009

Second Reading: April 20, 2009

Adopted: April 20, 2009

5124 INTERNAL STUDENT TRANSFERS

- A. Parents and/or guardians may request to transfer their children from the elementary or middle school zone in which they live, to a different school, including the Demonstration School at Seth Boyden. Requests for such transfers shall be accepted by the Assistant Superintendent in writing between April 1st and May 15th for placement in September for the upcoming school year.
- B. The written request shall be on a form provided by the District.
- C. Transfer requests shall be considered if the following conditions are met:
1. The applicant is registered to attend a District school at the time the request is submitted; and
 2. The transfer request form has been completed in full.
- D. The Assistant Superintendent shall act on transfer requests.

In reviewing transfer requests, the Assistant Superintendent shall consider multiple factors and shall consult with the principals of the zoned school and the requested school.

Provided space is available in the building and grade of the requested school, the factors that shall be considered by the Assistant Superintendent are as follows:

- Whether there are space constraints in the building and grade of the sending school;
- Whether a sibling attends the requested school; and
- Whether the applicant has family hardship needs.

For Seth Boyden Demonstration School ONLY: If, after the above three factors have been applied, the number of applicants exceeds the number of available seats in a specific grade, a grade by grade lottery will be held to select students to be enrolled at the Seth Boyden Demonstration School.

- E. Parents and/or guardians shall be responsible for the transportation of transfer students to and from school except in the case of transfer students attending the Demonstration School at Seth Boyden who meet the District's transportation eligibility standard, and except for classified students eligible for transportation pursuant to an IEP.
- F. Parents and/or guardians shall be notified of decisions regarding transfer requests between August 15th and August 31st. Notification of acceptance to the Seth Boyden Demonstration School will be made by July 15th.
- G. The approval of a transfer request for an applicant does not obligate the District to approve the transfer of siblings to the same receiving school, except at the Seth Boyden Demonstration School which will entitle siblings to attend together, when space is available.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

STUDENTS
5124/Page 2 Of 2
Internal Student Transfers

- H. Student transfers may be renewed annually, except in the case of transfers to the Demonstration School at Seth Boyden, which transfers once approved need not be renewed annually.
- I. Transfer shall be automatic for those students who wish to transfer out of the Demonstration School back to their zoned school for the next school year.
- J. Students who change legal residence during the school year within the South Orange and Maplewood School District may be transferred to the school in the new zone except in the case of the transfer students who attend the Demonstration School at Seth Boyden.

At the parents'/guardians' written request, approval may be given to allow completion of the school year in the former school. Such approval shall be made by the Superintendent or his/her designee. The student shall be transferred to the zoned school of attendance upon completion of the current school year, unless a request is made and granted for a transfer pursuant to this policy.

- K. Parents may not request an additional transfer for their child during the school year.
- L. Students assigned to the English as a Second Language Program (ESL) who have exited from the program shall remain at the school where ESL services are offered unless a request is made and granted for a transfer pursuant to this policy.

Cross References: 5120

First Reading: April 12, 2004
Second Reading: April 19, 2004
Adoption: April 19, 2004

5130 WITHDRAWAL FROM SCHOOL

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 teaching staff shall be reasonably alert to those pupils who may consider the completion of eighth grade as 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.

A potential dropout pupil will be offered counseling and an opportunity to plan an appropriate instructional program. No pupil under the age of eighteen will be permitted to withdraw without the written consent of the pupil's parent or legal guardian.

Counseling services and information regarding high school equivalency programs will be made available to any pupil sixteen (16) years of age or older who is considering withdrawing 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 (20th) 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.;
6:30-2.1 et seq.

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5200 ATTENDANCE

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 for certain absences as defined by the Board. All absences for reasons other than excused, shall be 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 student of the classroom experience deemed essential to learning and may result in retention at grade level or loss of credit toward the high school diploma in accordance with policies of this Board.

Pupils shall be subjected to the school district response for unexcused absences during the school year as outlined in N.J.A.C. 6A:16-7.8(a)4 and Regulation 5200. In addition, unexcused absences from school or from classes within the school day shall subject a pupil to the disciplinary rules of the Board, which may include the denial of a pupil's participation in co-curricular activities and/or athletic competition. Repeated trancies 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 in accordance with Policy Nos. 5610 and 5620.

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 for the district or for a school in the district does not meet the New Jersey Department of Education requirements, the Superintendent or designee shall develop performance objectives to improve pupil attendance pursuant to N.J.A.C. 6A:32-12.2(a)3.

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. 6A:16-7.8

Cross References: 5610, 5620

Initial Adoption: March 19, 2001

First Reading: December 19, 2011

Second Reading: January 18, 2012

Latest Adoption: January 18, 2012

R - 5200 ATTENDANCE

A. Definitions

1. "Attendance" is a pupil's presence in school and in the classroom to which he/she is assigned at the times scheduled for instruction or other school activities.
 - a. A pupil will be considered to have attended school if he/she has been present at least 4 hours during the school day.
 - b. A pupil not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.
2. "Excused absence" is a pupil's absence from school for a full day or a portion of a day for one or more of the following reasons:
 - a. The pupil's illness,
 - b. Family illness or death,
 - c. Educational opportunities,
 - d. Excused religious observances, pursuant to N.J.S.A. 18A:36-14 through 16,
 - e. Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. §§ 794 and 705(20), and individualized health care plans pursuant to N.J.A.C. 6A:16-2.3,
 - f. The pupil's suspension from school,
 - g. The pupil's required attendance in court,
 - h. Interviews with a prospective employer or with an admissions officer of an institution of higher education,
 - i. Examination for a driver's license,
 - j. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day,

- k. An absence for a reason not listed above, but deemed excused by the building principal, upon a written request by the pupil's parent or legal guardian to the Building Principal or designee stating the reason for the absence and requesting permission for the absence to be an excused absence,
3. "Truancy" is a pupil's absence from all or a part of the school day without the knowledge of the pupil's parent(s) or legal guardian(s). A pupil will also be considered truant if he/she:
 - a. Leaves school at lunch time without a pass,
 - b. Leaves school without permission when school is still in session,
 - c. Leaves class because of illness and does not report to the school nurse as directed, or
 - d. Is present in school but is absent from class without approval. Such truancy from class is a "class cut."
 4. "Unexcused absence" is a pupil's absence for all or part of a school day for any reason other than those listed in A2 above.
- B. Notice to School of a Pupil's Absence
1. The parent(s) or legal guardian(s) or adult pupil is requested to call the school office before 7:30 a.m. of the morning of the pupil's absence.
 2. The parent(s) or legal guardian(s) of a pupil who attended morning session but will not attend afternoon session should call the school office before 10:30 a.m. to give notice of the pupil's absence.
 3. The parent(s) or legal guardian(s) or adult pupil who anticipates a future absence or anticipates that an absence will be prolonged should notify the principal's designee, who will assist in the arrangement of make-up work.
- C. Readmission to School After an Absence
1. A pupil returning from an absence of any length must present to the principal or designee a written statement, dated and signed by the parent(s) or legal guardian(s) or adult pupil, of the reasons for the absence.

2. A note explaining a pupil's absence for noncommunicable illness for a period of more than 5 school days must be accompanied by a physician's statement of the pupil's illness.
3. A pupil who has been absent by reason of having or being suspected of having a communicable disease must present to the principal or school nurse written evidence of being free of communicable disease, in accordance with Policy No. 8451.

D. Instruction

1. Teachers are expected to cooperate in the preparation of home assignments for pupils who anticipate an excused absence. The parent(s) or legal guardian(s) or adult pupil must request such home assignments.
2. A pupil who anticipates an excused absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy No. 2412. The parent(s) or legal guardian(s) or adult pupil must request home instruction.
3. Pupils absent for any reason are expected to make up the work missed. In grade 9 and above, the pupil is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, pupils will be allowed 2 days to make up missed work for each one day of absence. Teachers shall make reasonable accommodations to extend time for pupils.
5. A pupil who missed a test because of an excused absence shall be offered an opportunity to take the test or an alternate test.

E. Denial of Course Credit

1. The teacher will determine the credit to be awarded a pupil for make-up work, subject to the rules set forth in this section. Where class participation is a factor in the learning process, the teacher may consider a pupil's absences in determining a final grade, except that absences for the observance of a pupil's religious holiday or for a suspension from school cannot adversely affect the pupil's grade. The teacher may record an incomplete grade, in accordance with Regulation No. 2624, for a pupil who has not had full opportunity to make up missed work.

2. A secondary pupil will be dropped from the course and denied course credit when he/she has been absent 10% or more of the class sessions, whatever the reason for the absence, except that absences for the observance of religious holidays and absences caused by a pupil's suspension will not count toward the total. Exceptions to this rule may be made for pupils whose absences are excused and who have demonstrated through completion of home assignments and/or home instruction that they have mastered the proficiencies established for the course of study.

- a. A secondary pupil who has been dropped from a course of study will be assigned to an alternate program.
- b. A secondary pupil denied course credit may attend a credit completion session.

F. School District Response To Unexcused Absences During the School Year

1. For up to four cumulative unexcused absences, the Building Principal or designee shall:
 - a. Make a reasonable attempt to notify the pupil's parent or legal guardian of each unexcused absence prior to the start of the following school day;
 - b. Conduct an investigation of the cause of each unexcused absence, including contact with the pupil's parent or legal guardian;
 - c. Develop an action plan in consultation with the pupil's parent or legal guardian designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11, if a potentially missing or abused child abuse situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between five and nine cumulative unexcused absences, the Building Principal or designee shall:
 - a. Make a reasonable attempt to notify the pupil's parent or legal guardian of each unexcused absence prior to the start of the following school day;

- b. Conduct a follow-up investigation, including contact with the pupil's parent or legal guardian, to determine the cause of each unexcused absence;
 - c. Evaluate the appropriateness of the action plan developed pursuant to F.1.c. above;
 - d. Revise the action plan, as needed, to identify patterns of unexcused absences and establish outcomes based upon the pupil's needs and specify the interventions for achieving the outcomes, supporting the pupil's return to school and regular attendance that may include any or all of the following:
 - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - (2) Conduct testing, assessments, or evaluations of the pupil's academic, behavioral, and health needs;
 - (3) Consider an alternate educational placement;
 - (4) Make a referral to a community-based social and health provider agency or other community resource;
 - (5) Refer to the court program designated by the New Jersey Administrative Office of the Courts; and
 - (6) Proceed in accordance with the provisions of N.J.S.A. 9:6 et seq. and N.J.A.C. 6A:16-11, if a potentially missing or child abuse situation is detected.
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
3. For cumulative unexcused absences of ten or more, the pupil between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-27, and the Building Principal or designee shall:
- a. Make a mandatory referral to the court program required by the New Jersey Administrative Office of the Courts;
 - b. Make a reasonable attempt to notify the pupil's parent or legal guardian of the mandatory referral;

- c. Continue to consult with the parent or legal guardian and the involved agencies to support the pupil's return to school and regular attendance;
 - d. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - e. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
4. For pupils with disabilities, the attendance plan and punitive and remedial procedures of N.J.A.C. 6A:16-7.8 and Policy and Regulation 5200 shall be applied, where applicable, in accordance with the pupil's Individualized Education Programs, pursuant to 20 U.S.C. §1400 et seq.; the Individuals with Disabilities Education Improvement Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plans under 29 U.S.C. §§794 and 705(20); and individualized health care plans, pursuant to N.J.A.C. 6A:16-2.3.
5. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a) shall act in accordance with F.1. above for each pupil with up to four cumulative unexcused absences.
- a. For each pupil attending a receiving school with five or more cumulative unexcused absences, the absences shall be reported to the sending district by the receiving school.
 - (1) The sending school district shall proceed in accordance with the district Board of Education policies and procedures pursuant to F. above and the provisions of F.2. through F.4. above, as appropriate.

G. Discipline

- 1. Pupils may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth in Policy No. 2430.
- 2. Pupils may be denied participation in athletic competition if their attendance fails to meet the standards set forth in Board Policy No. 2431.
- 3. No pupil who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

4. In addition to the requirements as outlined in F.3.a. through e. above, a pupil deemed truant shall be subject to appropriate pupil discipline.
5. The absence of a pupil missing from school for unexplained reasons will be handled in accordance with Regulation No. 8462.

H. Recording Attendance

1. Teachers must accurately record the pupils present, tardy, and absent each day in each session or each class. Attendance records must also record pupils' attendance at out-of-school curricular events such as field trips.
2. Teachers must classify and record each absence as excused, unexcused, or truancy.
3. A report card will record the number of times the pupil was absent and tardy in each marking period.
4. A pupil's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

I. Appeal

1. A truant pupil may be suspended or expelled for truanancies in accordance with Policy Nos. 5610 and 5620.
2. A pupil who has been retained at grade level for excessive absences may appeal that action in accordance with Policy No. 5410.
3. A pupil who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:
 - a. The pupil shall file a written appeal to the principal within five school days of receiving notice of the action. The appeal should state the reasons for admitted absences, documentation that would reduce the number of absences, and reasons why the pupil should continue to be enrolled in the course and/or receive course credit.
 - b. The principal will respond in writing no later than seven working days after receiving the pupil's appeal.
 - c. If the pupil is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.

- d. On the pupil's request, the Principal shall convene an Attendance Review Committee consisting of the high school deans. The Attendance Review Committee shall meet informally to hear the pupil's reasons for reenrollment and/or credit. The pupil's parent(s) or legal guardian(s) and teacher may attend the meeting.
- e. The Attendance Review Committee shall decide the appeal and inform the pupil in writing within seven working days of the meeting. The committee may impose conditions on any reenrollment and may require the pupil to agree to those conditions.
- f. The pupil may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education, in that order and in accordance with Policy No. 5710, Pupil Grievance. Resort to the Attendance Review Committee shall be considered to have exhausted the first step of the grievance.

J. Attendance Improvement Plan

- 1. The chief information officer will collect attendance data from each of the schools in the district and calculate the average daily attendance rate for the district and for each school. The attendance rate shall be calculated by dividing the total number of pupil days present for all pupils by the total possible number of pupil days present for all pupils and multiplying the result by one hundred.
- 2. When the average daily attendance rate for the district or for a school does not meet the New Jersey Department of Education requirements, performance objectives to improve pupil attendance pursuant to N.J.A.C. 6A:32-12.2(a)3 shall be developed.

Adopted: January 18, 2012

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5230/page 1 of 1
Late Arrival and Early Dismissal

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 legal 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.

Pupils in grades 11 and 12 who are assigned to a last period study hall may be excused for that period provided the pupil's parent or legal guardian, or the adult pupil, has given prior written request to the Principal and provided the excused pupil leaves the school grounds.

No pupil in grades K-8 will be permitted to leave the school before the end of the school day except in the presence of the pupil's parent or legal guardian, or an agent of the parent or legal guardian.

The Principal shall maintain a record of the parents or legal guardians of each pupil. If one parent has been assigned custody of the pupil by court Order and wishes to limit the non-custodial parent's access to the pupil, the custodial parent must inform the Principal of any such limitation, provide a certified copy of such Order, and may request that his/ her authorization be required before the non-custodial parent is granted access. In the absence of such notice, the Principal will presume that a pupil may be released into the care of either 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

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| First Reading: | March 12, 2001 |
| Second Reading: | March 19, 2001 |
| Adopted: | April 2, 2001 |

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.

Continued tardiness on the part of any student will be viewed as a very serious matter. Promptness is extremely important. Students are required to be in their places, ready for work, at the bell. Infractions of this policy will be cause for corrective or disciplinary action. Tardy students are required to present a note from their parent(s) or legal guardian, whether tardiness is excusable or not.

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

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5250 EXCUSAL FROM CLASS OR PROGRAM

The Board of Education directs that a pupil be excused from any part of the instruction in health education, family life education, or sex education that the parent or legal guardian of the pupil or the adult pupil finds is in conflict with his or her conscience or sincerely held moral or religious beliefs. A request for excusal must be presented in a signed statement to the Principal.

An excused pupil shall be assigned to a mutually agreed upon alternate program of independent study on a substitute topic within the health education, family life education, or sex education program.

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.

The Board of Education further directs that a pupil may choose to refrain from participating in a course of instruction that involves the dissection, vivisection, incubation or capture of animals, or otherwise harms or destroys animals.

Pupils and their parents shall be notified annually, at the start of each school year, of the right to decline to participate in, or observe, activities involving dissection or other harm to animals. Pupils and parents will be advised that within two (2) weeks of receipt of the notice, they may notify the building principal in writing that they are exercising their right to decline to participate in school activities involving dissection or harm to animals.

Any pupil who chooses to refrain from participating in or observing the above referenced activities related to animals, shall be offered a non-objectionable alternative education project for the purpose of providing the pupil with the factual knowledge, information or experience required by the course of study.

No pupil shall be discriminated against, in grading or in any other matter, based upon a decision to exercise his or her right not to participate in a project involving dissection or harm to animals.

N.J.S.A. 18A:35-4.7
N.J.S.A. 18A: 35-4.25

First Reading: May 15, 2006
Second Reading: June 5, 2006
Adopted: June 5, 2006

5310 HEALTH SERVICES

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 and Senior Services to insure that the learning potential of each child is not diminished by a remediable disability and that the school community is protected from the spread of communicable disease.

The Board will appoint at least one school physician with assigned responsibilities as outlined in N.J.A.C. 6A:16 – 2.1 (a) through (d) and at least one full-time equivalent nurse with assigned responsibilities as outlined in N.J.A.C. 6A:16:2.1(e) and (f).

A pupil who presents a statement signed by his or her parent or legal guardian 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 any physical examinations and screenings conducted by the school district physician and/or nursing staff shall be reported to the pupil's parent or legal guardian when any condition is identified that requires follow-up by a physician or family health provider.

Health Examinations

Every pupil shall be examined upon enrollment in the school district. The physical examination shall be conducted at the medical home of the pupil, and a full report must be sent to the school on a form approved by the school district. A medical home is defined as the healthcare provider (physician or advanced practice nurse) and that provider's practice site chosen by the student's parent or guardian for the provision of healthcare. If the pupil does not have a medical home, the district will provide the examination at the school physician's office or other appropriately equipped office. The district shall record the results of the health assessment on a form approved by the Commissioner of Education and file the reports with the student's individual health record.

The district shall notify parents of the importance of obtaining subsequent medical examinations of the pupil at least one time during each of the following developmental stages: early childhood (pre-school through grade three); pre-adolescence (grades four through six); and adolescence (grades seven through 12).

Subsequent to entry into district schools, any deviations in health status shall be referred to the student's medical home. An examination by a physician or advanced practice nurse other than the school physician shall be at no expense to the Board. The results of any such examination shall be given to the school physician on a form approved by the school district.

Pupil health examinations shall include immunizations; the pupil's health history; height, weight, hearing, blood pressure and vision screenings; and physical examination of the pupil's body. Pupil examinations/physicals and pupil athletic physicals shall not require screening or disclosure of HIV status.

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 Services and/or related services shall be examined in accordance with Policy No. 2460, regulation 2460.7 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 and Senior Services.

Scoliosis Screening

Each pupil between the ages of ten and eighteen years shall be examined biennially 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 or legal guardian.

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, as described in the following paragraph; and pupils referred for screening by a teacher.

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

Vision Screening

Vision screening will be conducted for: pupils enrolled in preschool programs; pupils enrolled in grades kindergarten, 2, 4, 6, 8, and 10; pupils entering the district for the first time; pupils registering for driver education; pupils at high risk of having vision disorders (i.e., children with disabilities and special needs); pupils referred for screening by a teacher; and pupils referred to a child study team for evaluation.

Health Records

Pupil health records shall be maintained in accordance with the requirements of N.J.A.C. 6A:16-1.5. Information in the pupil's health record will be shared only in accordance with the restrictions outlined in N.J.A.C. 6A:16-1.5 (c). Access by licensed medical personnel to a pupil's health record will be allowed only to the extent necessary to enable the licensed medical personnel to perform their duties.

Nursing Services to Nonpublic School Pupils

Nursing services to nonpublic school pupils will be provided pursuant to N.J.A.C. 6A:16 – 2.4 et seq.

N.J.S.A. 18A:35-4.8; 18A:40-4 et seq.; 18A:40-16 et seq.; 44:6-2

N.J.A.C. 6A:14-3.4 et. seq.; 6A:16-1.1 et seq.; 6A:16-2.1 et seq. 6A:16-2.4 et seq.;
8:52-7.1 et seq.

Cross References: 2431, 2460, 5320, 5530, 8451, 8453

First Reading: October 7, 2002

Second Reading: October 21, 2002

Adopted: October 21, 2002

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.

Cross Reference: 5310

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5330 ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of an illness of any student. However, in order for many students with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents are encouraged to administer medications to children at home whenever possible as medication should be administered in school only when necessary for the health and safety of students. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the student's parent, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.

Self-administration of medication by a student for asthma or other potentially life-threatening illness or a life threatening allergic reaction is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

Medication no longer required must be promptly removed by the parent.

The school nurse shall have the primary responsibility for the administration of epinephrine. However, the certified school nurse may designate, in consultation with the Board or the Superintendent, additional employees of the district who volunteer to be trained in the administration of epinephrine via a pre-filled auto-injector mechanism using standardized training protocols established by the Department of Education in consultation with the Department of Health and Senior Services when the school nurse is not physically present at the scene.

In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse or any other officer or agent of a Board of Education or a physician providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5, nor shall any action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6. Good faith shall not include willful misconduct, gross negligence, or recklessness.

The school nurse or designee shall be promptly available on site at the school and at school-sponsored functions in the event of an allergic reaction. In addition, the parent must be informed that the school district, its employees and agents shall have no liability as a result of any injury arising from the administration of epinephrine to the student.

The parent of the student must sign a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism to the student.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to students for anaphylaxis is effective for the school year it is granted and must be renewed for each subsequent school year.

Each school in the district shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with State Department of Education regulations. Every student that is authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the student's physician which shall identify, at a minimum, asthma triggers, the treatment plan, and other such elements as required by the State Board of Education.

All student medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by students. In those instances the medication may be retained by the student with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with such information about the medication and its administration as may be in the student's best educational interests. The school nurse may report to the school physician any student who appears to be affected adversely by the administration of medication and may recommend to the Principal the student's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a student. Students self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the student during the school activity when the student self-administers. These designated individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the student's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6;
18A:40-7; 18A:40-12.3;
18A:40-12.4; 18A:40-12.5; 18A:40-12.6;
18A:40-12.7; 18A:40-12.8

N.J.S.A. 45:11-23
N.J.A.C. 6A:16-2.3(b)

Cross Reference: 5310

Previously Adopted: June 2, 2008

First Reading: November 16, 2015
Second Reading: December 21, 2015
Latest Adoption: December 21, 2015

R 5330 ADMINISTRATION OF MEDICATION

A. Definitions

1. "Medication" means any prescription drug or over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. "Administration" means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. "Self-administration" means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to students with asthma, other potentially life-threatening illnesses or life-threatening allergic reaction.
4. "Life-threatening illness" means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life, i.e. adrenaline injection in anaphylaxis.
5. "A pre-filled auto-injector mechanism containing epinephrine" is a medical device used for the emergency administration of epinephrine to a student for anaphylaxis.
6. "Noncertified school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by the district, and who is not certified as a school nurse by the Department of Education.
7. "Substitute school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute certificate to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6A:9-6.5(i).
8. "School physician" means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee of the district. This physician is referred to as the medical inspector in N.J.S.A. 18A:40-4.1.

9. "Advanced practice nurse" means a person who holds current certification as nurse practitioner/clinical nurse specialist from the State Board of Nursing.

B. Permission for Administration by a School Nurse or Registered Nurse

1. Permission for the administration of medication in school or at school-related events will be given only when it is necessary for the health and safety of the student.
2. Medication will not be administered to a student who is physically unfit to attend school or has a contagious disease. Any such student should not be permitted to attend school and may be excluded in accordance with Policy No. 8451.
3. Parent requests for the administration of medication in school must be made in writing and signed by the parent.
4. The parent must submit a certified statement written and signed by the student's physician. The statement must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement that the student would not be able to attend school if the medication is not administered during school hours.
5. The request for the administration of medication must be made to the Principal prior to any administration of medication or delivery of the medication to the school. The Principal may consult with the school nurse and the school physician in making his/her final determination to allow or deny the request.

- a. An approved request will be signed by the Principal and given to the school nurse and the student's parent.
- b. The parent will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.

C. Administration of Epinephrine to Students

1. The parent may provide the Superintendent authorization for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to a student for anaphylaxis provided:
 - a. The parent provides the Superintendent a written authorization for the administration of epinephrine with written orders from the physician or an advanced practice nurse that the student requires the administration of epinephrine for anaphylaxis.
 - b. The school nurse has the primary responsibility for the administration of epinephrine. However, the school nurse shall designate, in consultation with the Board or Superintendent, additional employees of the district who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a student when the school nurse is not physically present at the scene. These volunteers shall be trained using standardized training protocols established by the New Jersey Department of Education in consultation with the Department of Health and Senior Services. The student's parent must consent in writing to the administration of epinephrine via a pre-filled auto-injector mechanism by the designee(s).
 - c. The parent must be informed in writing by the Board or Superintendent that the school district and its employees or agents shall have no liability as a result of any injury to a student arising from the administration of epinephrine via a pre-filled auto-injector mechanism.
 - d. The parent must sign a statement acknowledging their understanding the district shall incur no liability as a result of any injury arising from the administration of epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of epinephrine via a pre-filled auto-injector mechanism to the student.

- e. The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism is effective for the school year it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above.
- f. The school nurse shall be responsible for the placement of the student's prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of an allergic emergency at school or at a school function. The location of the epinephrine shall be indicated on the student's emergency care plan. Back-up epinephrine shall also be available at the school if needed.
- g. The school nurse or trained designee shall be promptly available on site at the school and school-sponsored functions in the event of an allergic reaction.
- h. The school nurse or trained designee shall arrange for the transportation of the student to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.
- i. In accordance with the provisions of N.J.S.A. 18A:40-12.5.f, the school nurse or a designated employee trained to administer epinephrine via a pre-filled auto-injector mechanism is permitted to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis or to any student whose parent has not met the requirements outlined above when the school nurse or trained designee in good faith believes the student is having an anaphylactic reaction.
- j. Each school in the district will maintain in a secure, but unlocked and easily accessible location, a supply of epinephrine auto-injectors prescribed under a standing order from a licensed physician, and that is accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.

D. Permission for Self-Administration of Medication

Permission for self-administration of medication of a student with asthma, other potentially life-threatening illness, or a life-threatening allergic reaction may be granted under the following conditions:

1. Parent of the student must provide the Board written authorization for the self-administration of medication;
2. The parent of the student must also provide the Board with a signed written certification from the physician of the student that the student has asthma or another potentially life threatening illness or is subject to a life-threatening allergic reaction and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement the medication must be administered during the school day or the student would not be able to attend school.
3. The parent of the student have signed a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parent shall indemnify and hold harmless the school district, the Board, and its employees or agents against any claims arising out of the self-administration of medication by the student;
4. The parent's written authorization and the physician's written certification shall be reviewed by the Principal or designee with the school nurse and the school physician. The school nurse and the school physician must agree the student is capable of self-administration of the medication. If it is determined the student may self-administer medication in accordance with the request:

- a. The request will be signed by the Principal and given to the school nurse and the student's parent;
 - b. The parent will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.
5. Permission to self-administer one medication shall not be construed as permission to self-administer other medication; and
 6. Permission shall be effective on the school year for which it is granted and shall be renewed for each subsequent school year upon fulfillment of the requirements in 1. through 4. above.

E. Custodianship of Medication

1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent.
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of students' medication, which will be properly secured.
 - d. Any unused medication must be picked up by the student's parent.
 - e. After reasonable efforts to have the parent retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or _____ two school weeks after the student stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a student:
 - a. Time being of the essence in cases of asthma, other potentially life threatening illness, or a life-threatening allergic reaction, all medications to be self-administered by a student must be kept in the student's possession.

- b. No student may possess medication for self-administration unless the proper permission has been granted by the Principal and a record of the medication is on file in the office of the school nurse.
- c. Students who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other students. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. The medication, if ingested by someone other than the student, shall not cause severe illness or death.
- d. Students who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for the time period of the student's school day.
- e. Notwithstanding any other law or regulation, a student who is permitted to self-administer medication in accordance with the provisions of N.J.S.A. 18A:40-12.3 shall be permitted to carry an inhaler or prescribed medication for allergic reactions, including a pre-filled auto-injector mechanism, at all times, provided the student does not endanger himself or other persons through misuse.

F. Administration of Medication

- 1. No medication shall be administered to or taken by a student in school or at a school-sponsored event except as permitted by Board policy and this regulation.
- 2. Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.
- 3. When practicable, self-administration of medication should be observed by the school nurse.
- 4. Students self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the student during school activities. Such individuals shall report all administrations and any side effects reported or observed to the school nurse within twenty-four hours.

5. When a student attends a school-sponsored event at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse cannot be in attendance, the student's parent will be invited to attend. If neither the school nurse nor the parent can attend and the student does not have permission to self-administer medication and there is a risk that the student may suffer injury from lack of medication, the student may be excused from the event.

G. Emergencies

1. Any medical emergency requiring medication of students will be handled in accordance with Policy No. 8441 and implementing regulations on first aid and, as appropriate, the school physician's standing orders for school nurses. Arrangements will be made to transport a student to a hospital emergency room after the administration of epinephrine in accordance with N.J.S.A. 18A:40-12.5.e.(3).
2. Nothing in N.J.S.A. 18A:40-12.6 prohibits the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis by the school nurse or other trained designated employees pursuant to N.J.S.A. 18A:40-12.6 when the student is authorized to self-administer epinephrine pursuant to N.J.S.A. 18A:40-12.3, or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medicine, or when the epinephrine is administered pursuant to N.J.A.C. 18A:40-12.5.

H. Records

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

1. The approved written request for the administration or self-administration of medication;
2. A record of each instance of the administration of the medication by the school nurse or a registered nurse;
3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report student self-administration of medication;
4. Any side effects that resulted from the administration of medication; and

5. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent removed the medication or, if the parent failed to remove the medication, the medication was destroyed and the date on which that occurred.

I. Notification

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

Adopted: December 21, 2015

5338 DIABETES MANAGEMENT

Diabetes is a serious chronic disease and must be managed twenty-four hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low and the serious long-term complications of high blood sugar levels. In order to manage their diabetes, pupils must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

The parent or legal guardian of a pupil with diabetes who seeks diabetes care for the pupil while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the pupil. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event there is a change in the health status of the pupil.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in the care of pupils with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a pupil with diabetes who is experiencing severe hypoglycemia.

The school nurse shall designate, in consultation with the Superintendent of Schools or designee, additional employees of the school district who volunteer to administer glucagon to a pupil with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon the written request of the parent or legal guardian and as provided in a pupil's individualized health care plan, the pupil will be permitted to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the pupil has been evaluated and determined to be capable of doing so as reflected in the pupil's individualized health care plan.

The Principal or school nurse shall, for each pupil with diabetes whom a school bus driver transports, provide the driver with a notice of the pupil's condition, how to treat hypoglycemia, who to contact in an emergency, and parent(s) or legal guardian(s) contact information. Designated areas of the school building shall have posted, in plain view, a reference sheet identifying signs and symptoms of hypoglycemia in pupils with diabetes.

A pupil's school choice, if there is a choice option, shall not be restricted due to the fact the pupil has diabetes.

N.J.S.A. 18A:40-12.11 through 18A:40-12.21

First Reading: March 22, 2010
Second Reading: April 19, 2010
Adoption: April 19, 2010

SOUTH ORANGE-MAPLEWOOD BOARD OF EDUCATION
525 Academy Street
Maplewood, NJ 07040

Administration of Medication Notification to Parent

- The South Orange - Maplewood Board of Education, its members, its employees and/or its agents shall incur no liability as a result of any injury arising from the self-administration of medication by any student.
- The South Orange - Maplewood Board of Education, its members, its employees and/or its agents shall have no liability as a result of any injury arising from the administration of epinephrine to any student if the Board's Policy #5330-Administration of Medication and Regulation #5330-Administration of Medication are followed.
- Any permission allowing a student to self administer medication is effective only for the school year for which it is granted and must be renewed each subsequent year pursuant to the Board's Policy #5330 and Regulation #5330.
- Any permission allowing the administration of epinephrine to a student is effective only for the school year for which it is granted and must be renewed each subsequent year pursuant to the Board's Policy #5330 and Regulation #5330.

SOUTH ORANGE-MAPLEWOOD BOARD OF EDUCATION
Request for Administration of Medication

To be completed by the parent/guardian:

Student's Name *Date of Birth* *School*

I/We hereby request that the above-named student be granted permission for the administration of medication at school and at school sponsored events.

I/We acknowledge that the school district shall incur no liability as a result of any injury arising from the administration of medication to our child, and we hereby indemnify and hold harmless the school district, and its servants, agents and employees, against any claims, fees or costs, including attorneys fees, which may arise from the administration of medication to our child.

We understand that permission to administer medication is effective for the school year for which it is granted and must be renewed annually.

Parent/Guardian's Name *Parent/Guardian's Signature*

Parent/Guardian's Name *Parent/Guardian's Signature*

To be completed by the student's physician:

I hereby certify that I have diagnosed the above-named student with _____ and I have prescribed the following medication. The student is physically fit to attend school and is free of contagious disease. The student would not be able to attend school if the medication noted above were not administered during school hours or at school sponsored events.

Name of medication: _____

Purpose of medication: _____

Proper timing and dosage of medication: _____

Possible side effects of medication: _____

Date when the medication shall be discontinued/expired: _____

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Physician's Name *Physician's Signature* *Date*

APPROVED BY:

School Principal's Signature *Date*

SOUTH ORANGE-MAPLEWOOD BOARD OF EDUCATION
Request for Self-Administration of Medication

To be completed by the parent/guardian:

Student's Name *Date of Birth* *School*

I/We hereby request that the above-named student be granted permission to self-administer medication at school and at school sponsored events.

I/We acknowledge that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by our child, and we hereby indemnify and hold harmless the school district, and its servants, agents and employees, against any claims, fees or costs, including attorneys fees, which may arise from the self-administration of medication by our child.

We understand that permission to self-administer medication is effective for the school year for which it is granted and must be renewed annually.

Parent/Guardian's Name *Parent/Guardian's Signature*

Parent/Guardian's Name *Parent/Guardian's Signature*

To be completed by the student's physician:

I hereby certify that I have diagnosed the above-named student with _____ which is a Potentially life threatening illness. The above-named student is capable of and has been instructed by me in the proper method of self-administration of the following medication. The student is physically fit to attend school and is free of contagious disease. The student would not be able to attend school if the medication noted above is not administered during school hours or at school sponsored events.

Name of medication: _____

Purpose of medication: _____

Proper timing and dosage of medication: _____

Possible side effects of medication: _____

Date when the medication shall be discontinued/expired: _____

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Physician's Name *Physician's Signature* *Date*

APPROVED BY:

School Principal's Signature *Date*

SOUTH ORANGE-MAPLEWOOD BOARD OF EDUCATION
Request for Emergency Administration of Epinephrine

To be completed by the parent/guardian:

Student's Name *Date of Birth* *School*

I/We hereby authorize the administration of epinephrine via a pre-filled single dose auto-injector mechanism containing epinephrine to the above-named student at school and at school-sponsored events.

I/We acknowledge that the school district shall incur no liability as a result of any injury arising from the administration of epinephrine to our child, and we hereby indemnify and hold harmless the school district, and its servants, agents and employees, against any claims, fees or costs, including attorneys fees, which may arise from the administration of epinephrine to our child.

We understand that permission to administer epinephrine is effective for the school year for which it is granted and must be renewed annually.

Parent/Guardian's Name *Parent/Guardian's Signature*

Parent/Guardian's Name *Parent/Guardian's Signature*

To be completed by the student's physician:

I hereby certify that I have diagnosed the above-named student who requires the administration of epinephrine for anaphylaxis and does not have the capability for self-administration of the medication. The student is physically fit to attend school and is free of contagious disease. The student would not be able to attend school if the medication is not administered during school hours or at school sponsored events.

Name of medication: _____

Purpose of medication: _____

Proper timing and dosage of medication: _____

Possible side effects of medication: _____

Date when the medication shall be discontinued/expired: _____

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Physician's Name *Physician's Signature* *Date*

APPROVED BY:

School Principal's Signature *Date*

5339 SCREENING FOR DYSLEXIA

In accordance with the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board of Education shall ensure each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to the provisions of N.J.S.A. 18A:40-5.2. This screening shall be administered no later than the student's completion of the first semester of the second grade.

In the event a student enrolls in the district in Kindergarten through grade six and has no record of being previously screened for dyslexia or other reading disabilities, pursuant to N.J.S.A. 18A:40-5.2, the Board shall ensure the newly-enrolled student is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to N.J.S.A. 18A:40-5.2. This screening shall be administered at the same time other students enrolled in the student's grade are screened for dyslexia and other reading disabilities, or if other students enrolled in the student's grade have previously been screened, within ninety calendar days of the date the student is enrolled in the district. The screenings shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

For the purposes of this Policy, "dyslexia" means a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

For the purposes of this Policy, "potential indicators of dyslexia or other reading disabilities" means indicators that include, but shall not be limited to, difficulty in acquiring language skills; inability to comprehend oral or written language; difficulty in rhyming words; difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words; difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and trouble in replication of content.

In accordance with the provisions of N.J.S.A. 18A:40-5.2(a), the Commissioner of Education shall distribute to each Board of Education information on screening instruments available to identify students who possess one or more potential indicators of dyslexia or other reading disabilities. The Commissioner shall provide information on the screening instruments appropriate for Kindergarten through grade two students and on screening instruments that may be suitably used for older students. The Board shall select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities.

In accordance with provisions of N.J.S.A. 18A:40-5.2(b), the Commissioner shall also develop and distribute to each Board of Education guidance on appropriate intervention strategies for students diagnosed with dyslexia or other reading disabilities.

In the event a student is determined, through the screening conducted in accordance with N.J.S.A. 18A:40-5.3, to possess one or more potential indicators of dyslexia or other reading disabilities pursuant to the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board shall ensure the student receives a comprehensive assessment for the learning disorder. In the event a diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, the Board shall provide appropriate evidence-based intervention strategies to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

In accordance with the provisions of N.J.S.A. 18A:6-131, general education teachers in grades Kindergarten through three, special education teachers, basic skills teachers, English as a second language teachers, reading specialists, learning disabilities teacher consultants, and speech-language specialists are required to complete at least two hours of professional development each year on the screening, intervention, accommodation, and use of technology for students with reading disabilities, including dyslexia. The Board may make these professional development opportunities available to other instructional or support staff members as the Board deems appropriate. This requirement for professional development in reading disabilities may be part of the twenty hours of annual professional development required by N.J.A.C. 6A:9 et seq. Documentation of teachers' fulfillment of this professional development requirement shall be maintained in the district.

N.J.S.A. 18A:40-5.1; 18A:40-5.2; 18A:40-5.3; 18A:40-5.4; 18A:6-131

Previous adoptions: November 24, 2014 & December 21, 2015

First Reading: March 21, 2016
Second Reading: April 18, 2016
Latest Adoption: April 18, 2016

5350 PUPIL SUICIDE 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 behavioral warning signs of potential self-destruction or who threatens or attempts suicide. Any such signs or the report of any such signs received from any source should be taken with the utmost seriousness and reported immediately to the building principal or designee, 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 be interviewed by a designated psychologist and/or social worker for appropriate evaluation and/or recommendation for independent medical or psychiatric services, in accordance with law. A list of designated psychologists and social workers will be developed in consultation with the Director of Special Services at the beginning of each school year and will be maintained in each school building. 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 principal or designee may contact the New Jersey Division of Child Protection and Permanency, (CP&P) to request the agency's intervention on the pupil's behalf.

In accordance with the provision of N.J.S.A 18A:6-111 and 18A:6-112, as part of the required professional development for teachers as outlined in the N.J.A.C. 6A:9-15.1 et seq., every teaching staff member must complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in pupils who are members of communities identified as having members at high risk of suicide.

The Superintendent shall prepare and disseminate regulations for the guidance of staff members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a pupil commits suicide.

N.J.S.A. 18A:6-111; 18A:6-112
N.J.A.C. 6A:9-15.1 et. seq.

Initial Adoption: April 2, 2001
Previous Adoption: August 23, 2011

First Reading: January 27, 2014
Second Reading: February 24, 2014
Latest Adoption: February 24, 2014

R5350 PUPIL SUICIDE PREVENTION

1. By September 30th of each academic year, the principal will assemble a team of individuals in the building which will comprise a **Crisis Intervention Team**. Members of this team should include, the Student Assistance Counselor, School Psychologist, Building School Social Worker, Nurse, and Guidance Counselor. (CST Social Worker and District Child Study Team Psychologists and Social Workers based at other buildings may be designated as substitute personnel should building based designees not be available.) The Building principal or designee will lead this team and ensure each member is apprised of his/her duties and responsibilities.
2. By September 30th the Crisis Intervention Team will determine which team member will interview a child who has expressed suicidal ideation, as well as the order of designees should the primary assessor not be available.
3. The Building Principal shall ensure that all school personnel, both teaching staff members and support staff members, are trained to recognize any sign that a pupil may be contemplating suicide. Such signs include, but are not necessarily limited to, a pupil's:
 - a. Overt suggestion, regardless of its context, that he/she is considering or has considered suicide or has worked out the details of a suicide attempt;
 - b. Evidence of preparation of a will, intention to dispose of his/her effects and belongings, or otherwise get life "in order";
 - c. Obsession with death or afterlife;
 - d. Possession of a weapon or other means of suicide or obsession with such means;
 - e. Sense of hopelessness or unrelieved sadness;

Other signs may also include:

- a. Lethargy or despondency, or, conversely a tendency to become more impulsive or aggressive than usual;
 - b. Drop in academic achievement, diminution of energy and effort, or inability to focus on studies;
 - c. Isolation from others by loss of friends, withdrawal from friends, lack of companionship, or family disintegration;
 - d. Preoccupation with nonexistent physicals ills;
 - e. Loss of weight, appetitive and/or sleep;
 - f. Substance abuse; and
 - g. Significant change in family circumstances.
4. Any indication of a potential, suicide, whether personally witnessed or received via verbal report from another, must be taken seriously and must be reported to the Building Principal or designee immediately.

5. Pupils who exhibit signs of potential self-destruction or who threaten or attempt suicide will then be referred to the designated Crisis Team member for assessment.
6. Crisis Team member will interview the student to determine the potential of the threat by directly questioning the pupil about:
 - a. Whether any suicide plans have been made, how detailed the plans are and whether any preliminary actions have been taken;
 - b. The pupil's feeling of hopelessness and the length of time the pupil has had such feelings;
 - c. The pupil's thoughts of suicide and how persistent and strong those thoughts are;
 - d. Whether the pupil has considered alternative courses of action to resolve his/her problems;
 - e. Whether the pupil has access to means of suicide; and
 - f. The pupil's degree of social isolation.
7. If necessary the Member of the Crisis Intervention Team will:
 - a. Inform the parent/legal guardian of the signs demonstrated by the pupil, of the district's concern and that a school staff member met with the child to assess the situation. Parents will be informed that the district is not mandating further evaluation, but is suggesting outside mental health support services. (Levels One and Two risk -- see attached Guidelines for Assessing Level of Suicide Risk)
 - b. Indicate to the principal that the level of risk is sufficient enough to warrant screening by an outside licensed mental health professional (e.g., Licensed Psychologist, Psychiatrist, Licensed Clinical Social Worker, Licensed Professional Counselor) or screening center (CCIS – Children's Crisis Intervention Service) for further assessment and/or intervention. (Level Three risk -- see attached Guidelines for Assessing Level of Suicide Risk)
8. In the case where there is no mandated follow-up, the assessor will inform the parent/guardian of the incident and the results of the assessment. Parent/guardian will be given a Letter of Notification along with referrals to community mental health resources. Parent/guardian will sign a copy of this letter verifying receipt of notification. A sample letter is attached. (Attachment A)
9. In the case where further assessment is mandated, the principal or designee will:
 - a. Assign staff members as required to assure that the pupil is never out of the presence of an adult who has been fully informed that the pupil is at risk for suicide.

- b. Notify the student's parent/guardian immediately of the pupil's status, the signs demonstrated by the pupil and the level of concern. Parent/guardian will be informed in writing that the pupil is to be excluded from school until a mandated follow-up assessment by a mental health professional or CCIS is conducted. Parent/guardian will sign a copy of this letter verifying notification. A sample letter is attached (Attachment B). If the student is receiving Special Services a copy of the parent notification letter will be forwarded to the case manager. If the special education student is receiving counseling service, the case manager will inform the counselor.
 - c. Request that the parent / guardian sign a release of information form, authorizing that the mental health professional or agency chosen by the parents and appropriate district personnel may exchange such relevant information regarding the pupil's current level of functioning.
 - d. If the parent/guardian does not procure the clearance, the Principal or designee shall inform the Division of Child Protection and Permanency .
 - e. If the parent/guardian refuses to sign the release of information form or does not comply with the recommendations as indicated on the medical clearance and the designated building-based staff member deems that the pupil continues to be at risk the Building Principal may inform the Division of Child Protection and Permanency.
10. Prior to being re-admitted to school, the pupil sent out for evaluation must bring a note to the Nurse from the outside Licensed Mental Health Professional or Screening Center indicating that the child is not at risk to self or others and can be safely maintained in school.
11. Student will not be re-admitted into the school if a note is not produced or if the note does not specifically address the concerns or if it is not from a licensed mental health professional.
12. Nurse will inform the principal, dean (if applicable), Guidance Counselor, Building Social Worker and case manager of the pupil's return to school.
13. The principal of designee will submit a report of the incidents handled on a monthly basis to the Director of Special Services. A sample form is attached. (Attachment C)
14. The designated building-based staff member will follow up regarding the pupil's progress. This information will be shared with the building principal.

Prevention of Suicide Contagion

1. All district Principals and Administrators will be promptly informed when a pupil of this district commits suicide. The Director of Special Services will be also immediately contacted, so as to plan for allocating staff and resources to address the suicide.
2. Each Principal will assemble teaching staff members prior to the opening of school to provide them with accurate information, plans for the school day, and guidelines for handling the concerns of pupils.
3. The Principal of the school that the victim attended, in consultation with the Director of Special Services, will assign a crisis team to assist the staff in dealing with the general school situation and any individual staff or pupil problems that may arise.
4. The suicide will not be given prominence by public announcement or a school-wide assembly. School will not be closed in order to permit pupils and staff members to attend the victim's funeral.
5. Teachers will provide pupils with accurate information and respond to the needs of pupils with as little interruption of the educational program as possible.
6. Pupils will be sent by teacher to counselor to discuss their feelings of loss and their memories of the victim without penalty.
7. All school personnel shall be especially alert to signs of contemplated suicide among the victim's peers.
8. Instructional staff, under the direction of the Principal, will attempt to prevent social contagion by:
 - a. Educating pupils that suicide is a dysfunctional response to acute depression;
 - b. Helping pupils recognize that suicide is irreversible and permanent and does not truly resolve problems;
 - c. Discussing ways of handling depression and anxiety without resorting to suicide;
 - d. Demystifying suicide as being "romantic" or "tragic".
9. Pupils who are identified as "high risk" as well as their parents/guardians will be offered crisis counseling services and/or will be notified of available community mental health services.

GUIDELINES FOR ASSESSING LEVEL OF SUICIDE RISK AND FOLLOW-UP STEPS TO BE TAKEN

Each assessor will use the following guidelines as a starting point and will use his/her clinical skills and judgment to make a final decision regarding the disposition of the student.

LEVEL ONE

The lowest level of risk, LEVEL ONE, is one in which the student entertains suicidal thoughts, or the student has written an intent to engage in a suicidal act. Suicidal thoughts are defined as fleeting reactions to specific depression and stress. In a LEVEL ONE risk, the assessor ascertains that the student has been able to verbalize some specific areas of emotional concern. However, the student generally has good coping skills and adequate support system with friends and family. He/she does not engage in any allied suicidal behaviors, such as substance abuse, behavioral acting out, eating and/or sleeping disturbances, an overall saddened and depressed affect, and has not made any previous suicide gestures and/or attempts.

After assessing the level of risk to be at LEVEL ONE, the assessor shall:

- Contact the student's parents by telephone immediately after the assessment.
- In the telephone conversation, the assessor may request that the parent meet with the assessor prior to the end of the school day and that the parent be available to take the child home.
- The assessor will provide the parent with the results of the assessment and provide the parent with the names of mental health resources.
- Parent/guardian will be given a written letter informing them of the incident. Parents will sign a copy of this letter verifying receipt of notification. This Contact Letter should also be forwarded to the Building Principal. A sample letter is attached. (Attachment A)
- The building social worker or guidance counselor will submit a report of the incidents handled on a monthly basis to the Director of Special Services. A sample form is attached. (Attachment C)
- Student's guidance counselor, social worker and/or case manager should be made aware of the assessment verbally.

LEVEL TWO

The next level of risk is assigned a LEVEL TWO. In this level, the fleeting reaction or thought about dying or written statements about dying are turned into a scenario, with plans on how to commit the suicidal act. LEVEL TWO should also be designated when during the assessment the student shows low coping skills, describes an inadequate support system with family and friends and/or engages in an allied suicidal behavior, such as substance abuse, behavioral acting out, eating and/or sleeping disturbances, or presents with an overall saddened and depressed affect. Any student who indicates that he/she has had previous suicidal thoughts or who indicates a previous suicide gesture or attempt should be assigned at least a LEVEL TWO risk.

After assessing the level of risk to be at LEVEL TWO, the assessor will:

- Ensure that the student is kept under continuous adult supervision.
- The assessor shall contact the Building Principal or designee and inform him/her of the results of the assessment.
- The student's parents are to be contacted and asked to come to the school immediately. If the student's parent or guardian is not cooperative, the assessor should contact the New Jersey Division of Child Protection and Permanency to intervene on behalf of the student.
- Once the parent arrives at school, the assessor and Building Principal or designee will meet with the parents to discuss the areas of concern and provide referrals to mental health resources.
- The parent will sign the Letter of Notification Form and a Release of Information form for professionals who will be treating their child. (Attachment A)
- The building social worker or guidance counselor will submit a report of the incidents handled on a monthly basis to the Director of Special Services. (Attachment C)
- Student's guidance counselor, social worker and/or case manager should be made aware of the assessment verbally.

LEVEL THREE

LEVEL THREE is the highest level of assessed risk. There are two behaviors grouped within this level. The first is a suicidal gesture. A student gestures a suicide when he threatens to do so with a method in hand or reports that he had intended to commit suicide with a method in hand. In a suicidal gesture, the student either does not make an actual attempt, although he indicates that he possesses the means, or makes an attempt which has a low level of lethality.

The second behavior is a suicide attempt. A suicide attempt is determined when the student indicates or exhibits that he has attempted to harm himself with a method having a moderate to high level of lethality. Suicide attempts may occur either on school grounds or be reported to have occurred off school grounds by the student or concerned third party.

With a LEVEL THREE risk indicated by a suicidal gesture, the assessor will:

- Ensure that the student is kept under continuous adult supervision.
- The school nurse will be informed and will call for emergency medical services or provide any medical treatment when indicated by any physical symptoms.
- The assessor will contact the Building Principal or designee and inform him/her of the results of the assessment.
- The student's parents are to be contacted and asked to come to school immediately. If the student's parent or guardian is not cooperative, the assessor should contact the New Jersey Division of Child Protection and Permanency to intervene on behalf of the student.

- Once the parent arrives at school, the assessor and Building Principal or designee will meet with the parents to discuss the areas of concern, and the parents will be instructed to take the student for a consultation immediately to an outside licensed mental health professional (e.g., Licensed Psychologist, Psychiatrist, Licensed Clinical Social Worker, Licensed Professional Counselor) or screening center (CCIS – Children’s Crisis Intervention Service) for further assessment and/or intervention.
- The Building Principal or designee and the assessor will inform the parent that before returning to school, a report from outside Licensed Mental Health Professional or Screening Center indicating that the student is not a danger to himself or others and is able to return to school without the need for continuous supervision must be provided to the nurse.
- The parent will sign the Letter of Notification (Attachment B) and the Release of Information form for professionals who will be treating their child.
- The building social worker or guidance counselor will submit a report of the incidents handled on a monthly basis to the Director of Special Services. (Attachment C)
- Student's guidance counselor, social worker and/or case manager should be made aware of the assessment verbally.

Issued: February 2014

School Heading

DATE

Dear (Parent/Guardian)

This letter is to inform you that school staff met with your child (***NAME***) today due to statements which may be interpreted as self-destructive in nature.

Although the school is not mandating specific follow-up with a mental health or crisis agency, you may wish to access these services as a way to assist your child to deal with issues that are affecting him/her at this time.

Your signature on this letter indicates that you are aware of this intervention and your ability to request further assistance in accessing services. Please sign below and return this letter to me. If you would like to discuss this further, please contact ***Building Social Worker's name and extension***

Sincerely,

Staff name and title

Parent/Guardian Signature

School Heading

DATE

Dear Parent/Guardian

This letter is to confirm our conversation today in which you were informed that school staff met with your child (***NAME***) due to his/her having voiced or written of his/her intent to engage in a possible suicidal act.

Due to the seriousness of the situation, we request that a psychiatrist, licensed mental health professional, or an individual from a crisis agency or psychiatric emergency room evaluate your child. Before your child will be permitted to return to school, he/she must be evaluated by one of these mental health practitioners. This professional must assure the school in writing that (***NAME OF CHILD***) is not acutely suicidal and that some therapeutic intervention is being made on behalf of your child. Documentation from the treatment provider of facility should be submitted to the school nurse.

Please understand that this recommendation is made out of caring and concern for your child.

Sincerely,

School Principal

Please check the appropriate sentence below, sign, and return this letter to the school principal, or school nurse.

_____ I understand the above recommendation and will follow through with an evaluation.

_____ I understand the above recommendation for an evaluation; however, I do not feel that it is necessary at this time. I also understand that my decision not to act on this recommendation shall obligate the district to contact the Division of Children and Families (formerly DYFS).

Parent/Guardian Signature

Date

Attachment C

**MMS
September 2006**

| Date | Day | Grade | Student | Reporting Staff Member | Issue | Resolution | Follow-up |
|------------------------|---------------|--------------|--------------------|-------------------------------|--|--|--|
| <i>11th</i> | <i>Monday</i> | <i>7</i> | <i>Jimmy Jones</i> | <i>Mr. Smith</i> | <i>Jimmy stated he was so unhappy he felt like killing himself</i> | <i>Interviewed by social worker. no danger</i> | <i>Called and sent letter home to parent. No other follow-up needed.</i> |
| | | | | | | | |
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Note: (a) indicate to the principal that the level of risk is sufficient enough to warrant screening by a licensed mental health professional (e.g. Licensed Psychologist, Psychiatrist, Licensed Clinical Social Worker, Licensed Professional Counselor) or screening center (CCIS – Children’s Crisis Intervention Service) for further assessment and/or intervention;
 (b) inform the parent/legal guardian that the school staff met with the child and is not mandating further evaluation, but is suggesting ongoing treatment by a mental health professional.

Risk Factors, Warning Signs and Suicide Assessment Guidelines

Risk Factors

- Psychiatric/emotional difficulties – depression, mood disorder, impulse control, personality disorder
- Previous suicide attempt or gesture
- Feelings of hopelessness or isolation
- Parental psychopathology
- Substance abuse disorder
- Family history of suicidal behavior
- Life stressors such as interpersonal losses (relationship, social, work) and legal or disciplinary problems
- Access to firearms
- Physical abuse
- Sexual abuse
- Conduct disorders or disruptive behaviors
- Sexual orientation (homosexual, bisexual, and trans-gendered youth)
- Changes in medications
- School and/or work problems – Academic failure
- Contagion or imitation (exposure to media accounts of suicidal behavior and exposure to suicidal behavior in friends or acquaintances)
- Chronic physical illness
- Living alone and/or runaways
- Aggressive-impulsive behaviors
- Gender (males make more lethal attempts, females more attempts)
- Extended and detailed plan using highly lethal and accessible means
- Learning Disabilities

High Risk Children Factors

- Are preoccupied with death and don't understand its permanency
- Believe that a person goes to a better place after dying or can come alive again
- Are impulsive
- Have no sense of fear or danger
- Have perfectionist tendencies
- Truly feel that it would be better for everyone if they were dead
- Believe that they could join a loved one if they die
- Speak of death in a positive way
- Have parents or relatives who have attempted suicide
- Are hopeless

Situational Clues

- Loss of relationship, friends, etc.
- Loss of status – peer group exclusion
- Divorce of parents
- Violence within family

- Exposure to traumatic experiences
- Cluster of suicides that have a contagious influence

Early Warning Signs

- Withdrawal from friends and family
- Preoccupation with death
- Marked personality change and serious mood changes
- Difficulty concentrating
- Difficulties in school (decline in quality of work)
- Change in eating and sleeping habits
- Loss of interest in pleasurable activities
- Frequent complaints about physical symptoms, often related to emotions, such as stomachaches, headaches, fatigue, etc.
- Persistent boredom
- Loss of interest in things one cares about

Late Warning Signs

- Actually talking about suicide or a plan
- Exhibiting impulsivity such as violent actions, rebellious behavior, or running away
- Refusing help, feeling "beyond help"
- Complaining of being a bad person or feeling "rotten inside"
- Making statements about hopelessness, helplessness, or worthlessness
- Not tolerating praise or rewards
- Giving verbal hints with statements such as: "I won't be a problem for you much longer;" "nothing matters;" "It's no use;" and "I won't see you again"
- Becoming suddenly cheerful after a period of depression – this may mean that the student has already made the decision to escape all problems by ending his/her life
- Giving away favorite possessions
- Making a last will and testament
- Saying other things like: "I'm going to kill myself;" "I wish I were dead;" or "I shouldn't have been born."

Elements of Suicide Assessment

- Are there current suicidal thoughts
- Prior suicidal thoughts or attempts
- Is there a plan – details, lethality, and access to plan (viable/ready at hand)
- Current mood/affect, pervasiveness of mood (feelings of hopelessness, worthlessness, helplessness, futility, anhedonia – loss of interest in activities or recent changes in activities_
- Student's problem solving ability
- Physical symptoms – sleep, appetite, energy level, ability to concentrate
- Recent life stressors – break-up with boyfriend/girlfriend, change in family situation, academic stress, social crisis
- Interpersonal relationships – peers, parents, sibling, significant family events (divorces, marriages, recent deaths, etc.)
- Risk behavior – drinking, drugs, sexual activity, etc.
- History and response to any previous or current treatment

- Family history of suicide
- Any current medications
- Psychotic symptoms/history of psychotic symptoms
- Current living conditions – social support, cohesiveness, access to weapons, access to automobile
- History of self-injury – cutting, frequent accidents, burns. It is important to distinguish between suicidal behavior and self-injurious behavior

5410 PROMOTION AND RETENTION

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

Standards for pupil promotion shall be related to the New Jersey Core Curriculum Content Standards and district goals and objectives and to the accomplishments of pupils. Retention will be considered for those pupils who have not demonstrated the academic expectations and the social, emotional and physical maturation to be prepared for a successful learning experience in the next grade level.

Parents or legal guardians and pupils shall be regularly informed during the school year of the pupil's progress toward meeting expectations for promotion. A teacher who is concerned that a pupil's progress may not be sufficient to meet the expectations for promotion shall consult with the school principal. Intervention meetings will be held and every effort made to remediate a pupil's deficiencies before retention is recommended. Parents will be invited to participate in the intervention meetings.

When retention is recommended either by a teacher or requested by a parent, a conference will be held with the parents, teacher and school principal to discuss the placement of the pupil for the next school year, with the determination made by the principal. Parents or legal guardians and adult pupils may appeal a promotion or retention decision to the Superintendent whose decision shall be final.

N.J.S.A. 18A:35-4.9

Cross Reference: 2622

First Reading: March 12, 2001

Second Reading: March 19, 2001

Adopted: April 2, 2001

R 5410 PROMOTION AND RETENTION

The following rules are promulgated in accordance with the policy of the Board of Education dealing with the promotion and retention of pupils.

A. Standards for Pupil Promotion

Elementary and Middle Grades (K-8) - A pupil will be promoted to the next succeeding grade level when he or she demonstrates the proficiencies required for entry into the next grade.

High School (9-12) - A pupil must earn thirty (30) credits to be promoted to grade 10, sixty (60) to grade 11 and ninety (90) to grade 12. One hundred and twenty (120) credits and successful completion of the New Jersey High School Proficiency Assessment are required for graduation.

B. Procedures for Pupil Promotion

1. A written copy of promotion standards, as defined within, will be given to all parents or legal guardians and pupils at the beginning of each school year.
2. Parents or legal guardians and pupils will be provided progress reports during the school year as to a pupil's progress towards meeting promotion standards.

C. Procedures for Pupil Retention: Elementary and Middle Schools

1. A teacher who is concerned that a pupil's progress may not be sufficient to meet the standards for promotion shall consult with the school principal. Intervention meetings shall be held and every effort made to remediate a pupil's deficiencies before retention is recommended. A pupil assistance plan shall be developed promptly and designed to minimize the chance of retention. The parents or guardians of the student shall be invited to participate in the intervention meetings and to share in the development of the pupil assistance plan. Parents or guardians shall be kept informed of the student's progress under the plan.
2. Recommendations for retention may be submitted to the Principal only after the School-Level Intervention Team has reviewed each recommendation and documented any and all prior interventions and accommodations provided on behalf of the pupil. Documentation shall include whether the pupil has been referred to a Child study Team for an evaluation. To ensure timely notice to parents or guardians and students, documentation for any recommendation for retention must be submitted by March 31st. Parents or legal guardians will be notified by the building principal no later than April 15th or the end of the third marking period (whichever is later) that the possibility of a pupil not being promoted is being considered.

3. If the principal supports the recommendation to retain a pupil, the principal or his/her designee shall develop a plan to ensure that, to the extent reasonably possible, the education provided during the second year in a grade differs from that experienced in the first year. Further, whenever an educational plan involves decisions to place a pupil in a program which is offered in a building other than that served by the School-Level Intervention Team, the Principal of the receiving building will be engaged in the planning and decision-making process.
4. The Superintendent or his/her designee must approve all recommendations to retain a pupil and be provided with a copy of the appropriate documentation, including the educational plan by June 15th of the school year.
5. Parents or legal guardians may appeal the retention decision notice of the decision to the Superintendent of Schools. The appeal should be made within seven (7) days of written notice of the decision to retain a student. The decision of the Superintendent is final.
6. Additional guidelines related to retention recommendations
 - a. Grade 5 to Grade 6 Transition Year: Careful attention must be given to those pupils who may not be academically and/or socially ready for the demands of middle school. In cases of this nature, the respective elementary and middle school educators shall participate in a joint meeting no later than June 15th regarding any pupil who is being considered for retention.
 - b. Grade 6 Through Grade 8: Any pupil who fails two or more core academic subjects for the entire school year shall be considered for retention.
 - c. Pupils who are new to the district and who are expected to enter into any transition year (grades 5 to 6 and 8 to 9) shall be assessed as to their level of core content proficiency to determine appropriate grade level placement.
 - d. Parents of a pupil transferring into the district from a school that has made a determination to retain a pupil will be advised that the decision to retain or promote will be made by the Building Principal and the School-Level Intervention Team.
 - e. A pupil with fewer than 150 days attendance in grades K-8 shall be considered for retention.

The Building Principal, due to extenuating circumstances, may waive the 150-day attendance requirements for grades K-8.

D. Procedures for Pupil Retention: High School

1. In the event of a course failure, scheduling and grade-level placement will be handled on a case-by-case basis by the guidance counselor in consultation with school administration. Responsibility for the decision rests with the school administration.
2. At the close of each third (3rd) marking period, teachers shall submit to department heads lists of pupils who are in serious danger of failing for the year. The department chair will give complete lists to guidance counselors no more than one (1) week later. At this time, the teacher, department head and guidance counselor will explore concurrent remedial alternative or supplemental programs.
3. During the fourth (4th) marking period when progress reports are due, the teacher will inform the pupil that his/her unsatisfactory work at that time poses a serious threat of failing the course for the year and prepare appropriate documentation. The guidance counselor, as soon as a potential failure report is received, will consult, either by phone or if possible in a three-way conference, with the teacher and department chair to develop contingency plans for summer work.
4. Contingency plans shall include:
 - a. the identification of possible make-up opportunities during the summer such as completion of prescribed tasks set by the teacher and department chair, and/or attendance at summer school, if available;
 - b. the implications for subsequent placement if no make-up opportunities or summer school course are available, or if the pupil fails summer school or the make-up examination based on prescribed summer tasks; and
 - c. provisions to convey this information to the pupil and parents or guardians.
5. The pupil's schedule and other school records for the following year shall be held back pending results of make-up opportunities. In the case of ninth (9th) grade pupils, the high school summer staff will adjust preliminary computerized schedules as needed (e.g. disregard total schedule in the event of grade level retention; or adjust placement in specific courses).

It is the responsibility of the high school guidance staff to keep department chairs informed of plans and their disposition.
6. Department chairs shall give make-up examinations to assigned proctors to be administered on the first day of staff attendance in the fall. Immediately after the examination, the proctor will instruct the pupil to report to the guidance office the next day, and will return the examination papers to the department chair. Department chairs will work with teachers in whose classes pupils fail and determine: examination grades; final grades for courses; and recommendations for subsequent placement.

7. Department heads shall inform guidance counselors of such disposition by the first day of pupil attendance. Counselors will promptly confer with pupils, advise them of their status and give them schedules. Pupils who have successfully passed State-approved summer courses will report directly to guidance counselors to discuss their schedules.
8. In grades 9 through 12, the attendance policy in effect and published in the High School Handbook will be strictly enforced.

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| First Reading: | January 28, 2002 |
| Second Reading: | February 4, 2002 |
| Adoption: | February 4, 2002 |

5420 REPORTING PUPIL PROGRESS

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 or legal guardians. The Board directs the establishment of a program of reporting pupil progress to parents or legal guardians 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 or legal guardians that utilize various methods of reporting appropriate to grade level and curriculum content; insure that the pupil and parent or legal guardian 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 or legal guardians; and require the issuance of report cards at intervals of not less than four times per year at the high school and middle school levels and not less than three times per year at the elementary level.

Reports of individual achievement on State and district-wide assessments shall be promptly made available to the pupil and to the pupil's parent or legal guardian.

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

Cross References: 5140, 2622

First Reading: March 12, 2001

Second Reading: March 19, 2001

Adopted: April 2, 2001

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 nine through twelve. All pupils shall be ranked together.

The calculation of a student's class rank involves the following steps:

1. The final grade for each major academic course is given a numerical number (dependent of the level of the course) which is multiplied by the courses' credit value; this becomes the point value for the course.
2. The point value for each rankable course is totaled and then divided by the number of credits earned; this number is the student's "weighted GPA."
3. The weighted GPA for all students enrolled in the same grade are ordered from the highest to the lowest and the student's percentile in class is determined (from 99+ as the highest to 1 as the lowest).

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 on a percentage basis will be entered on the pupil's record and will be subject to Board Policy No. 8330 on the release of pupil records.

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

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 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. The regulations shall prohibit broad scale honors, shall be designed to only recognize worthy accomplishments, and shall discourage honoring trivial accomplishments intended solely to raise a student's self-esteem.

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

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

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Athletic Awards

5450 ATHLETIC AWARDS

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

The Superintendent shall develop procedures for the recognition of pupil athletes that insure the equitable selection of award recipients, the designation of appropriate awards, and the arrangement of suitable presentation ceremonies.

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| First Reading: | March 12, 2001 |
| Second Reading: | March 19, 2001 |
| Adopted: | April 2, 2001 |

5460 HIGH SCHOOL GRADUATION

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

A. Course Credit Requirements

A graduating pupil must have successfully completed the program of study described in N.J.A.C. 6A:8-5.1 and must have earned a minimum of one-hundred twenty (120) credits including, but not limited to, not less than the following:

1. Twenty (20) credits of language arts literacy aligned to grade nine through twelve standards;
2. Fifteen (15) credits in mathematics including Algebra I or the content equivalent as defined in N.J.A.C. 6A:8-1.3, effective with the 2008-2009 grade nine class, geometry or the content equivalent effective with the 2010-2011 grade nine class, and 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. Fifteen (15) credits in science, including at least five (5) credits in laboratory biology/life science or the content equivalent effective with the 2008-2009 grade nine class, one (1) additional laboratory/inquiry-based science course which shall include chemistry, environmental science, or physics effective with the 2010-2011 grade nine class, and one (1) additional laboratory/inquiry-based science course effective with the 2012-2013 grade nine class;
4. Fifteen (15) credits in social studies including two (2) courses in U.S. History per N.J.S.A. 18A:35-1, five (5) credits in world history, and the integration of civics, economics, geography, and global content in all course offerings;
5. Three point seven-five (3.75) credits in health, safety and physical education during each year of enrollment, distributed as 150 minutes per week, as required by N.J.S.A. 18A:35-5, 7 and 8;
6. Five (5) credits in world language or demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1 (a) 2ii (2);
7. Five (5) credits in visual and performing arts;
8. Two and one-half (2.5) credits in financial, economic, business, and entrepreneurial literacy, effective with the 2010-2011 grade nine class;

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9. Five (5) credits in 21st century life and careers, or career-technical education, family and life skills (practical arts) that meet or exceed the Core Curriculum Content Standards;
10. Technological literacy, consistent with the Core Curriculum Content Standards, integrated throughout the curriculum; and
11. Electives from the high school program sufficient to total a minimum of one hundred twenty (120) credits.

All students shall be required to register and take thirty-five (35) credits or their equivalents during each school year. With prior approval by the high school principal, senior year students may be allowed to register for and take a minimum of thirty (30) credits.

The following credits are needed for promotion:

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| 30 Credits | Needed for promotion to Grade 10 |
| 60 Credits | Needed for promotion to Grade 11 |
| 90 Credits | Needed for promotion to Grade 12 |

A credit means the award for the equivalent of a class period of instruction, which meets for a minimum of forty (40) minutes once per week during the school year or as approved through N.J.A.C. 6A:8-5.1(A)2. Advanced Placement (AP) and College Credit Courses may fulfill credit completion requirements.

Each course of study required for graduation shall include a statement of the required proficiencies/learning objectives approved by the Board. Credit for each required course will be awarded on the successful completion of the program assigned and demonstration of mastery of the approved proficiencies/learning objectives. Pupils shall be given every reasonable opportunity to remediate and satisfy failed proficiencies/learning objectives.

Curriculum Requirements

The 120-credit requirement set forth above 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;
 - ___ the 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

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 Policies 5200-Attendance and 5240-Tardiness.

- 2. 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

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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.
- C. 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 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 demonstrate that they have attained State minimum levels of proficiency 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. Pupils with Disabilities

1. The district, through the IEP process and pursuant 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.

E. 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.

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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 in 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.

F. 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.

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: 5.1; 6A: 8-1; 6A:8-5.1; 6A:14-1.3; 6A: 14-4.11; 6A:14-4.12 et seq.;
6:3-4A.1, 6:8-7.1; 6:28-3.6; 6:28-1.4; 6:28-4.8; 6:39-1.3

Cross References: 2200, 2220, 2230, 2414, 2423, 2460.14, 2622, 5200, 5240, 5410, 5465

First Reading: October 19, 2009
Second Reading: November 16, 2009
Adopted: November 16, 2009

5465 EARLY GRADUATION

In accordance with the provisions of N.J.A.C. 6A:8-5.2(e), a State-endorsed high school diploma will be awarded early by the Board of Education to any currently enrolled pupil who:

1. Has performed at a proficient or advanced proficient level of achievement in all sections of the HSPA or applicable High School Competency Assessments;
2. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
3. Has formally requested an early award of a State-endorsed high school diploma.

N.J.S.A. 18A:7C-1 et seq.
N.J.A.C. 6A:8-5.1 et seq.; 6A:8-5.2 et seq.

First Reading: October 19, 2009
Second Reading: November 16, 2009
Adoption: November 16, 2009

5466 GRADUATION AND YEARBOOK FEES

The Board of Education recognizes that the cost of graduation ceremonies, if any, directly paid by graduating pupils and the cost of a yearbook directly paid by the graduating pupil may create a financial hardship for the parent, legal guardian or other person having legal custody of the graduating pupil.

The Board of Education will not exclude from the graduation ceremony any pupil who is unable to pay the fees required of the graduating pupil to participate in the graduation ceremony because of financial hardship for the parent, legal guardian or other person having legal custody of the graduating pupil.

Furthermore, the Board will pay the cost for a graduating pupil to purchase a yearbook if the graduating pupil is unable to pay the fees required of the graduating pupil to participate in the graduation ceremony because of financial hardship for the parent, legal guardian or other person having legal custody of the graduating pupil.

In determining financial hardship, the criteria will be the same as the Statewide eligibility standards established by the State Board of Education for free and reduced price meals under the State School Lunch Program.

N.J.S.A. 18A:7C—5.1.

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| First Reading: | March 12, 2001 |
| Second Reading: | March 19, 2001 |
| Adopted: | April 2, 2001 |

5500 EXPECTATIONS FOR PUPIL CONDUCT

The Board of Education expects pupils to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a 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.

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.

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 or legal guardians, all pupils 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;
8. Communicate with parents or legal guardians and appropriate school staff members; and
9. Respect school buildings, facilities and property.

The Superintendent, in consultation with staff members, parents or legal guardians, and, where appropriate, pupils, shall 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 or legal guardians, and professional staff members. These guidelines for pupil conduct will be suited to the age level of the pupils and the mission and physical facilities of the individual schools in the district.

This policy requires all pupils in the district to adhere to these rules and guidelines and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules and guidelines.

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

Cross References: 5513, 5512, 5600

First Reading: November 17, 2003

Second Reading: January 5, 2004

Adopted: January 5, 2004

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Dress and Grooming

5511 DRESS AND GROOMING

The Board of Education recognizes that each pupil's mode of dress and grooming is a manifestation of the pupil's personal style and individual preferences. The Board will impose its judgment on pupils and parents or legal guardians only when a pupil's dress and grooming affect the educational program of the schools.

Pupils may not wear clothing or engage in grooming practices that present a health or safety hazard to the individual pupil or to others; materially interfere with school work, create disorder, or disrupt the educational program; cause excessive wear or damage to school property; or prevent the pupil from achieving his or her own educational objectives because of blocked vision or restricted movement.

The Board of Education prohibits pupils from wearing, while on school property, any type of clothing, apparel or accessory which indicates that the pupil has membership in, or affiliation with, any gang associated with criminal activities. The local law enforcement agency will advise the Board, upon request, of gangs which are associated with criminal activities.

The building principal shall determine whether the dress or grooming of pupils comes within these prohibitions.

Staff members shall demonstrate by example and precept wholesome attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.

The Superintendent shall, after consultation with staff members, pupils, and parents or legal guardian, prepare a dress code that imposes only minimal and necessary limitations on a pupil's taste and individuality, and which will be prepared consistent with applicable laws and Code of Conduct (Policy Number 5600). Enforcement of the dress code will be done without regard to race, color, religion, ancestry, gender, sexual orientation, gender identity and expression, physical characteristics, or disability.

Interpretation and expansion of the dress code at the school level shall be overseen by the Superintendent consistent with all relevant Board Policies, and will be done with collaboration and communication between staff members, students, and parents or legal guardians. Interpretation and expansion shall be consistent across schools serving the same grade levels.

Initial Adoption: April 2, 2001

First Reading: September 22, 2014

Second Reading: October 20, 2014

Latest Adoption: October 20, 2014

5512 HARASSMENT, INTIMIDATION AND 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 pupils 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:

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;
3. 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
 - b. Has the effect of insulting or demeaning any student or group of students; or

- c. 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. 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;
2. 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;
2. Social relationships;
3. Strengths;
4. Talents;
5. Interests;
6. Hobbies;

7. Extra-curricular activities;
8. Classroom participation;
9. Academic performance; and
10. Relationship to students and the school district.

Environmental

1. 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;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.

Consequences for a students 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 student's 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;
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 explore mental health concerns (e.g., what is happening and why?);
6. Develop a behavior modification plan that includes consequences and skill building;
7. Consider wrap-around support services or after-school programs or services;
8. Provide social skills training to gain tools in problem solving, impulse control, anger management, and building empathy;
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 social-emotional 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. Before- and after-school supervision;
10. School transportation supervision;
11. Counseling; and
12. Treatment or therapy.

E. 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.

F. 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:

- a. 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. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

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 operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety Team shall meet, at a minimum 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 records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- b. Receive copies of all report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. 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. The School Safety Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and
- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

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, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Students Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate 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 in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with 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 incident. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist 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 may decide to provide intervention

services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, 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 shall include information on any consequences imposed under the Code of Student Conduct, any services provided, training established or other action taken or recommended by the Superintendent.

Parents of involved student offenders and targets/victims 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, and 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 about the investigation. 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 incident, the findings from the investigation of the 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 Superintendent's report on the results of the investigations to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with 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.).

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

The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. 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.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. 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 consistent and appropriate positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) intended to remediate the problem behaviors
2. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, (when implemented with sensitivity to a student's situation or involvement with harassment, intimidation, and bullying), 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, "acts of kindness" programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, "natural helper" or peer leadership programs, "upstander" programs, parent programs, the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices, and harassment, intimidation, and bullying prevention curricula or campaigns.

4. District-wide responses can comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development, coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based organizations), launching harassment, intimidation, and bullying prevention campaigns.

I. 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.

J. Consequences and Appropriate Remedial Action for False Accusation

The Board prohibits any person from falsely accusing another as a means of retaliation or 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 and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.
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, 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.
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. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

K. 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 sets 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.

L. 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 current and new school employees; including administrators, instructors, student support services, administrative/office support, transportation, food service, facilities/maintenance; contracted service providers, and volunteers who have significant contact with students; and persons contracted by the district by the district to provide services to 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.

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year 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 shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Each newly elected or appointed Board members must complete, during the first year of the member's first term, 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 provide time during the usual school schedule for the Anti-Bullying Coordinator and each school Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.

A school leader shall complete school leader training that shall include information on the prevention of harassment, intimidation, and bullying as required in N.J.S.A. 18A:26-8.2.

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 and each school in the 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. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

M. Harassment, Intimidation, and Bullying 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.

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

The Superintendent shall report two times each school year between September and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, and bullying which occurred during the previous reporting period 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.

O. 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 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.

P. 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.

Q. 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.

The Board of Education prohibits the employment of or contracting for school staff positions with individuals whose criminal history record check reveals a record of conviction for a crime of bias intimidation or conspiracy to commit or attempt to commit a crime of bias intimidation.

R. 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.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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Harassment, Intimidation
and Bullying
M

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 – New Jersey Department of Education

Memorandum – New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 16, 2011

Previous Adoptions: January 28, 2008
July 18, 2011
December 19, 2011

First Reading: October 21, 2013
Second Reading: November 18, 2013
Latest Adoption: November 18, 2013

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5513 CARE OF SCHOOL PROPERTY

The Board charges each pupil enrolled in this district with responsibility for the proper care of school property and the school supplies and equipment entrusted to his or her use.

Pupils who cause damage to school property will be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or defacement of a textbook, or other educational materials, buildings or facilities, or any other property belonging to the district. The Board reserves the right to withhold a report card or diploma from any pupil whose payment of a fine is in arrears.

The Superintendent shall develop rules for the safekeeping and accounting of textbooks and other educational materials distributed to students, and prepare a schedule of fines for their loss and damage. Damage to facilities and equipment shall be assessed on a case-by-case basis.

N.J.S.A. 18A:34-2; 18A:37-3
N.J.A.C. 6:20-6.6

Cross References: 5500, 5600, 5700, 9260

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

R 5513 CARE OF TEXTBOOKS AND SCHOOL PROPERTY BY PUPILS

A. Teachers' Responsibilities

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

B. General Rules Governing the Use of School Property

1. Pupils shall not deface the school building, furnishings, or equipment in any manner. Pupils and their parents/legal guardians may be held liable for damages, as per Board Policy 7610.
2. Pupils shall not use school furnishings or equipment for purposes other than those for which the furnishing or equipment was designed and intended.
3. Pupils will care for school textbooks in accordance with ¶D.

C. Distribution and Collection of Textbooks and Materials

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

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

D. Care of Textbooks by Pupils

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

E. Fines and Penalties

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

Equipment which has been damaged by misuse or neglect will be assessed a fine equal to the cost of the repair. Equipment which has been lost or is beyond repair, will be assessed a fine equal to the replacement value of the item. The District will assume the cost of normal repair/maintenance of school owned property.

| <u>Loss or damage</u> | <u>Fine</u> |
|--|-----------------------------|
| Lost book issued in new condition | 100% of acquired expense |
| Lost book issued in good condition | 60% of acquired expense |
| Lost book issued in fair condition | 40% of acquired expense |
| Lost book issued in poor condition | 20% of acquired expense |
| Broken bindings | \$1 |
| Defaced cover | 50 cents |
| Missing pages | 25 cents per page |
| Loose or torn pages | 10 cents per page |
| Marks not damaging to text | 5 cents per page |
| Marks damaging to text | 25 cents per page |
| Dog-eared pages | 10 cents per page |
| Soil not damaging to text | 5 cents per page |
| Soil damaging to text | 25 cents per page |
| Book so damaged (by water or otherwise) as to be unusable | Same fine as for lost books |

2. The teacher will inspect each textbook returned and will assess a fine for each lost or damaged book. The teacher will prepare a form in triplicate that includes:
 - a. The name and number of the textbook damaged or lost,
 - b. The name of the pupil,
 - c. The loss or damage to the textbook, and
 - d. The amount of the fine.
3. In setting fines the teacher may take into account verified extenuating circumstances.
4. The pupil will take the form to the school office and make payment of the fine assessed. The school office personnel will sign the form when payment is made.
5. Teachers may collect fines and should, like office personnel, sign the form when payment is made.
6. Copies of the form will be distributed as follows:
 - a. The school office will retain one copy for office records.
 - b. The pupil will be given one copy as receipt for the fine.
 - c. The teacher will be given one copy as evidence that the fine has been paid.
7. A pupil who finds his/her lost textbook will be reimbursed any fine paid for the lost textbook but will be assessed a fine for any damage done to the book.

8. A pupil who has not paid a fine owed will not receive a diploma, transcript, transfer card, or report card until the fine has been duly paid and acknowledged. A high school senior who has unpaid fines may participate in the graduation ceremony but will receive a blank diploma.
9. If fines remain unpaid, the school office personnel may request payment from the parent or legal guardian, notify the pupil's employer, or take such other steps as may be appropriate to insure that moneys due the district are paid and that the importance of taking responsibility for the consequence of one's acts is instilled.

First Reading: January 28, 2002
Second Reading: February 4, 2002
Adoption: February 4, 2002

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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Pupil Use of Vehicles

5514 PUPIL USE OF VEHICLES

The Board prohibits the operation or possession of scooters, skateboards, and in-line skates, on school grounds, and on school buses.

The Board will permit the use of bicycles, by pupils in grades five through twelve in accordance with district rules provided such pupils present written parental approval, and have been granted permission by the building principal.

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.

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|-----------------|----------------|
| First Reading: | April 20, 2009 |
| Second Reading: | May 4, 2009 |
| Adopted: | May 4, 2009 |

5516 – REMOTELY ACTIVATING COMMUNICATION DEVICES-
PAGERS AND CELLULAR TELEPHONES

The Board recognizes that students may possess and may need to use remotely activating communications devices, including pagers and cellular telephones. To maintain a safe and orderly school environment, this policy describes the terms and conditions for the possession and use of these communications devices.

Cellular Telephones

Pupils may possess but are not permitted to use cellular telephones while school is in session. Cellular telephones may not be visible and must be turned off while the pupil is in the school building. Cellular telephones may be turned on outside the school building only after school has concluded for the day, unless otherwise authorized by the Principal or his/her designee. Cellular telephones that are turned on in violation of this policy shall be confiscated and the pupil will be subject to appropriate disciplinary action.

Pagers

By law, pupils are not permitted to bring or possess a remotely activating paging device on any school district property at any time regardless of whether school is in session or other persons are present. In cases in which a parent or guardian can establish to the satisfaction of the building Principal a reasonable basis for the possession of the device, the building Principal may grant permission for a pupil to bring or possess a remotely activating paging device.

A reasonable basis for possessing a remotely activating paging device may be established by a pupil who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad, but only if the pupil is required to respond to an emergency. To obtain permission, a parent or guardian must provide a written statement to the building Principal 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 confirming that the pupil is required to respond to an emergency.

In all other cases, requests to possess a remotely activating paging device on any school property must be provided in writing by a parent or guardian to the building Principal. The written request must include the purpose for the pupil possessing and/or bringing the device on school property and the date or dates on which the pupil requests permission to possess and/or bring the device on school property. The written request must also include the date on which the pupil will no longer need to bring and/or possess the device on school property.

The building Principal will review the request form the pupil and make a written determination. If the request is approved, permission to possess a remotely activating paging device will be provided only for a period of time not exceeding the duration of the current school year.

The pupil must submit a new request if the time for which permission is given to bring and/or possess a paging device expires. Permission to possess and/or bring the device onto any school property is limited to the pupil whose request was approved. No other pupil may possess or use the devise on school property.

In the event a pupil violates this policy as to paging devices, the device will be confiscated. The building Principal or his/her designee will take appropriate disciplinary actions and immediately notify the Superintendent and the local law enforcement agency.

The Superintendent or his/her designee is directed to establish procedures to implement the terms and conditions of this policy.

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

Cross References: 5600, 5610

First Reading: October 7, 2002
Second Reading: October 21, 2002
Adoption: October 21, 2002

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PUPILS
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Pupil Identification Cards

5517 PUPIL IDENTIFICATION CARDS

The Board of Education recognizes school building security measures are important for the safety and welfare of all pupils, staff, parents and community members in school buildings. In recognizing this important responsibility an Identification Card shall be issued to all pupils in the District high school. The purposes for which the ID cards may be used, and the times at which students shall be required to either wear an ID card or produce it, will be as set forth in accompanying administrative regulations. Failure by students to comply with the regulations governing use of identification cards may result in discipline.

| | |
|-----------------|--------------------|
| First reading: | September 25, 2006 |
| Second reading: | October 23, 2006 |
| Adopted: | October 23, 2006 |

5519 DATING VIOLENCE AT SCHOOL

The Board of Education believes a safe and civil environment in school is necessary for children to learn. A pupil who is a victim of dating violence suffers academically and the pupil's safety at school is jeopardized. Acts or incidents of dating violence at school whether they are verbal, sexual, physical, or emotional will not be tolerated and will be dealt with in accordance with the school's pupil code of conduct.

All school staff members (administrative staff, instructional staff, support staff, and volunteers) shall take all reasonable measures to prevent acts or incidents of dating violence at school involving a pupil. All acts or incidents of dating violence at school shall be reported to the Principal or designee in accordance with the provisions outlined in Regulation 5519. A verbal report shall be made to the Principal or designee as soon as possible, but no later than the end of the pupil's school day when the staff member witnesses or learns of an act or incident of dating violence at school. A written report regarding the act or incident shall be submitted to the Principal or designee by the reporting staff member no later than one day after the act or incident occurred.

School staff members are required to report all acts or incidents of dating violence at school they witness or upon receiving reliable information concerning acts or incidents of dating violence at school. Acts or incidents may include, but are not limited to: those characterized by physical, emotional, verbal, or sexual abuse; digital or electronic acts or incidents of dating violence; and/or patterns of behavior which are threatening or controlling.

The Board of Education, upon the recommendation of the Superintendent of Schools, shall adopt the guidelines and procedures outlined in Regulation 5519 for responding to acts or incidents of dating violence at school. The protocols outlined in Regulation 5519 have been established for any school staff member who witnesses or learns of an act or incident of dating violence at school and for school administrators to work with the victim and the aggressor of an act or incident of dating violence.

Dating violence statements and investigations shall be kept in files separate from pupil academic and discipline records to prevent the inadvertent disclosure of confidential information. Every act or incident of dating violence at school that is reported shall be documented in an appropriate manner. This should include statements, planning actions, and disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or aggressor.

School administrators shall implement discipline and remedial procedures to address acts or incidents of dating violence at school consistent with the school's pupil code of conduct. The policies and procedures specific to acts or incidents of dating violence at school shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

Consequences may include, but are not limited to: admonishment, temporary removal from the classroom, classroom or administrative detention, in-school suspension, out-of-school suspension, reports to law enforcement, and/or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the alleged aggressor based on the severity of the act or incident.

Remediation/intervention may include, but is not limited to: parent conferences, pupil counseling (all pupils involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive pupil interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

A pattern of behaviors may be an important sign a pupil is involved in an unhealthy or abusive dating relationship. The warning signs listed in Regulation 5519 shall educate the school community on the characteristics that a pupil in an unhealthy or abusive relationship may exhibit. Many of these warning signs make a connection to one pupil in the relationship asserting control and power over the other. Recognizing one or more signs of teen dating violence plays an important role in preventing, educating, and intervening in acts or incidents of dating violence.

The Board of Education shall make available to pupils and their families information on safe, appropriate school, family, peer, and community resources available to address dating violence.

The Board of Education shall incorporate age-appropriate dating violence education in grades seven through twelve through the health education curriculum in alignment with the New Jersey Core Curriculum Content Standards for Comprehensive Health and Physical Education. The educational program shall include, but is not limited to, a definition of dating violence, recognizing the warning signs of dating violence, and the characteristics of healthy relationships.

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Dating Violence at School

Upon written request to the school Principal, a parent/legal guardian of a pupil less than eighteen years of age shall be permitted, within a reasonable period of time after the request is made, to examine the dating violence education instruction materials developed by the school district.

Notice of Policy and Regulation 5519 shall appear in all district publications that set forth the comprehensive rules, procedures, and standards of conduct for pupils within the district and in any handbook.

N.J.S.A. 18A:35-4.23a.; 18A:37-33; 18A:37-34; 18A:37-35; 18A:37-37
New Jersey Department of Education Model Policy and Guidance for Incidents Involving Dating Violence – September 2011

First Read: December 19, 2011
Second Read: January 18, 2012
Adopted: January 18, 2012

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 activities do not infringe on the rights of others or do not interfere with the orderly operation of the educational 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 violates the rights of others. 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 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; 2C:33-1; 2C:33-2; 2C:33-8
N.J.S.A. 18A:6-1; 18A:37-2
N.J.S.A. 18A:37-1

Cross References: 5700

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5530 SUBSTANCE ABUSE

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 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. 6:29-6.2*

For the purposes of this policy:

"Evaluation" means those procedures used to determine a pupil's need for an educational program or treatment that extends beyond the regular school program by virtue of the use of substances by the pupil or a member of the pupil's family.

"Intervention and referral to treatment" means those programs and services offered to help a pupil because of the use of substances by the pupil or a member of the pupil's family.

"Substance" means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2, anabolic steroids, or any chemical or chemical compound that releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2A:170-25.9.

"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.

Discipline *N.J.S.A. 18A:40A-10; 18A:40A-11; N.J.A.C. 6:29-6.3(c)2*

The Board prohibits the use, possession, and/or distribution of a substance on or near school premises, at any event away from the school premises that is sponsored by this Board, and on any transportation vehicle provided by this Board.

Pupils shall be subject to discipline for any violation of the foregoing prohibition. Discipline will be graded to the severity of the offense and may include suspension or expulsion. The pupil may be reported to appropriate law enforcement personnel.

Instruction *N.J.S.A. 18A:40A-1; N.J.A.C. 6:29-6.6*

The Board shall provide a program of instruction on the nature and effects of substances and tobacco. The program will be included in the health education curriculum and conducted in accordance with law, rules of the State Board of Education, and Policy No. 2422.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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Substance Abuse

Identification, Evaluation, and Intervention *N.J.S.A. 18A:40A-11; N.J.A.C. 6:29-6.3*

All staff members shall be alert to signs of substance abuse by pupils and shall respond to those signs in accordance with administrative regulations. Such regulations shall provide for prompt examination by a physician to determine whether a substance has been used, notification of the pupil's parent or legal guardian and appropriate school officials, evaluation services, and referrals for treatment. Treatment will not be at Board expense.

When a pupil's substance abuse or suspected substance abuse threatens the pupil's life or places the pupil and/or others in imminent peril, all procedures shall be expedited in accordance with the emergency. Policy No. 8441, Care of Injured and Ill Persons, may be implemented as appropriate, provided no component of the procedures implementing this policy is omitted.

The Board will provide intervention and treatment referral services by teaching staff members who are properly and appropriately certified and trained to render such services.

Such services may include instruction, counseling, and related services to a pupil who is receiving medical or therapeutic care for diagnosed substance abuse; referral to a community agency approved by the County Local Advisory Council on Alcoholism or Drug Abuse or the State Department of Health; support services for pupils who are in care or returning from care for substance dependency; and/or a special class or course designed to meet the needs of pupils with problems of substance abuse.

A substance abuser who has also been identified as potentially disabled shall be referred to the Child Study Team to determine his or her eligibility for Special Services and/or related services.

Confidentiality *N.J.S.A. 18A:40A-7.1(a); N.J.A.C. 6:29-10.6; N.J.A.C. 6:2906.3(b)(2)*

The school shall not disclose the identity of any pupil or staff member who has voluntarily sought treatment or counseling for a substance abuse problem provided the pupil or staff member is not currently involved or implicated in any illegal activity.

In accordance with law, the district shall keep confidential all information learned in the course of or as a result of evaluation or treatment services provided by the district's substance abuse program. Except as specifically permitted by law, no such information shall be disclosed to law enforcement personnel nor used to initiate or substantiate any criminal charges against the substance abuse program participant or to conduct any investigation of that person in response to a pupil or staff member who has voluntarily sought counsel.

In-Service Training *N.J.S.A. 18A:40A-15(b)*

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of pupils. The Board will provide time for the conduct of the program during the usual school schedule. In-service training shall prepare teachers to instruct pupils on substance abuse and inform teachers about the nature of substances, the symptomatic behavior associated with substance abuse, the availability of rehabilitation and treatment programs, the legal aspects of substance abuse, and Board policy and regulations on substance abuse.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
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Substance Abuse

Outreach to Parents *N.J.S.A. 18A:40A-16; N.J.A.C. 6:29-6.3(c)7*

The Board will provide a program of outreach to parents or legal guardians 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 parents or legal guardians on school premises or in other suitable facilities.

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 parents or legal guardians 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. 6:29-6.5(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 employee who in good faith reports a pupil to the Principal, the Principal's designee, the school medical inspector, or the school nurse shall not be liable in civil damages as a result of making any such report.

Drug Free School Zones *N.J.A.C. 6:29-6.3(c)6*

The Board will cooperate with law enforcement drug operations and activities on or near school property in accordance with N.J.A.C. 6:29-10 et seq. and Policy No. 9322, Drug Free School Zones.

Policy Review and Accessibility *N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6:29-6.3(b); 6:29-6.3(d); 6:29-6.4*

The Board will annually review the effectiveness of this policy in consultation with appropriate teaching staff members, a local agency approved by the State Department of Health, and community representatives.

This policy and its implementing regulations shall be made available annually, at the beginning of the school year, to all school employees, pupils, and parents or legal guardians. Each newly hired employee and transferred pupil will be offered this policy and implementing regulations on his or her arrival in the district.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5530/page 4 of 4
Substance Abuse

The Superintendent is directed to establish regulations implementing this policy. Such regulations shall include (1) specific procedures, sanctions and due process provisions for violations of this policy, with sanctions graded according to the severity of the offense; (2) specific procedures for and responsibilities of staff in initiating or conducting searches and seizures of pupils, their property and personal effects, all in strict accordance with law; (3) provisions for maintaining confidentiality of information as described above; and (4) such other provisions as are necessary to implement this policy.

N.J.S.A. 18A:40A-1 et seq.
N.J.A.C. 6:29-6.1 et seq.

Cross References: 2422, 2460, 5500, 5600,
5610, 5620, 8441, 9322

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5533 USE OF TOBACCO PRODUCTS

The Board of Education recognizes that the use of tobacco presents a health hazard that can have serious implications both for the user and the non-user, and that habits of tobacco use developed by the young may have lifelong harmful consequences.

For the purposes of this Policy, "smoking" means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, including the use of smokeless tobacco and snuff, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

For the purpose of this Policy, "electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

For the purposes of this Policy, "school buildings" and "school grounds" means and includes land, portions of land, structures, buildings, and vehicles owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and any other central facilities including, but not limited to, kitchens and maintenance shops. "School buildings" and "school grounds" also include the athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. "School buildings" and "school grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2 playgrounds; and other 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.

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

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine. Pupils who violate the provisions of this Policy shall be subject to appropriate disciplinary measures in accordance with the district's Pupil Discipline/Code and may be subject to fines in accordance with law.

In the event a pupil is found to have violated this Policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).}

A pupil found to have violated this Policy and the law may be required to participate in additional educational programs to help the pupil understand the harmful effects of smoking and to discourage the use of tobacco products. These programs may include, but are not limited to, counseling, smoking information programs, and/or smoking cessation programs sponsored by this school district or available through approved outside agencies.]

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall make every reasonable effort to discourage pupils from developing the habit of smoking.

The Board of Education will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

N.J.S.A. 18A:40A-1

N.J.S.A. 26:3D-55 through 26:3D-63

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

N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

Cross References: 5530, 7434

Initial Adoption: May 3, 2010

First Reading: February 23, 2015

Second Reading: March 16, 2015

Latest Adoption: March 16, 2015

5550 DISAFFECTED PUPILS

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 lack motivation, direction, and decision making ability; pupils who possess a poor self-image; 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 disabled may be referred to the school Intervention Team.

A disaffected pupil who may have disabilities shall be referred to the Child Study Team or Section 504 Committee for evaluation in accordance with Policy No. 2460.

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

Cross References: 2417, 2460

First Reading: March 12, 2001

Second Reading: March 19, 2001

Adopted: April 2, 2001

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
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Disruptive Pupils
M

5560 DISRUPTIVE PUPILS

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. The district shall attempt 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 disabled may be referred to the school Intervention Team in accordance with Policy No. 2417.

A disruptive pupil who may have disabilities shall be referred to the Child Study Team or Section 504 Committee for evaluation in accordance with Policy 2460.

N.J.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.
N.J.A.C. 6:8-1.1

Cross References: 2417, 5600, 8461

First Reading: March 12, 2001

Second Reading: March 19, 2001

Adopted:

5561 USE OF PHYSICAL RESTRAINT

The Board of Education strives to provide a safe, caring atmosphere that supports all learners in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain a pupil. An emergency is defined as a situation in which the pupil's behavior poses a threat of imminent, serious physical harm to the pupil or others or imminent, serious property destruction.

In accordance with N.J.S.A. 18A:6-1, no person employed or engaged in school or educational instruction, whether public or private, shall inflict or cause to be inflicted corporal punishment upon a pupil attending such school or institution. However, any such person may, within the scope of his/her employment, use and apply such amounts of force as is reasonable and necessary: to quell a disturbance, threatening physical injury to others; to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, for the purpose of self-defense; and for the protection of persons or property. Any such acts, as above, shall not be construed to constitute corporal punishment within the meaning and intent of N.J.S.A. 18A:6-1.

"Physical restraint" means holding a pupil or otherwise restricting his/her movements. Physical restraint shall include the use of specific, planned techniques and shall only be used with reasonable limitations by school staff members who shall receive training in the use of physical restraint. Classroom and security interventions should be implemented, when possible, prior to the use of any physical restraint. The use of physical restraint shall be limited to only those circumstances and situations where other interventions are not possible or have been unsuccessful.

A pupil shall be released from physical restraint immediately upon a determination by the school staff member administering the restraint that the pupil is no longer in imminent danger of causing harm to him/herself, others, or imminent property destruction. The Principal or designee will notify the parent/legal guardian in the event an emergency existed and physical restraint was used on their child. The pupil shall be examined by the school nurse after any physical restraint.

Aversive Intervention Prohibitions:

There are certain interventions that are manifestly inappropriate by reason of their offensive nature or their potential negative physical consequences, or their legality. The purpose of this section is to uniformly prohibit their use with students eligible for special education as follows:

- (1) Electric current. No student may be stimulated by contact with electric current.
- (2) Food services. No student who is willing to consume subsistence food or liquid when the food or liquid is customarily served may be denied or subjected to an unreasonable delay in the provision of the food or liquid.

- (3)(a) Force and restraint in general. No force or restraint which is either unreasonable under the circumstances or which may be deemed to be an unreasonable form of corporal punishment as a matter of state law or regulation may be used: Prohibited force or restraint under this section include, but are not limited to:
- i. Throwing, kicking, burning, or cutting a student.
 - ii. Striking a student with a closed fist.
 - iii. Shaking a student under age three.
 - iv. Interfering with a student's breathing.
 - v. Threatening a student with a deadly weapon.
 - vi. Doing any other act that is likely to cause bodily harm to a student greater than transient pain or minor temporary marks.
- (3)(b) Hygiene care. No student may be denied or subjected to an unreasonable delay in the provision of common hygiene care.
- (4) Medication. No student may be denied or subjected to an unreasonable delay in the provision of medication.
- (5) Noise. No student may be forced to listen to noise or sound that the student finds painful.
- (6) Noxious sprays. No student may be forced to smell or be sprayed in the face with a noxious or potentially harmful substance.
- (7) Physical restraints. No student may be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object.
- (8) Taste treatment. No student may be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration.
- (9) Water treatment. No student's head may be partially or wholly submerged in water or any other liquid.

U.S. Department of Education, Secretary's Restraint and Seclusion Resource Document, May 2012
N.J.S.A. 18A:6-1

First Reading: June 17, 2013
Second Reading: July 15, 2013
Latest Adoption: July 15, 2013

5570 SPORTSMANSHIP

The Board of Education requires that all individuals involved in or attending the athletic and intramural programs sponsored by the Board, including, but not limited to, athletes, managers, coaches, booster club members, parents, volunteers, and spectators, and other events related to the school program, exhibit sportsmanship when representing the school at any athletic event whether in or out of season. Sportsmanship is defined as abiding by the rules of the contest as defined or accepted by the participating teams and the gracious acceptance of victory or defeat. In exhibiting sportsmanship all participants shall:

1. Understand and follow the rules of the contest;
2. Recognize skilled performance of others regardless of affiliation;
3. Display respect for all individuals participating in the athletic event; and
4. Congratulate opponents in victory or defeat.

Failure to exhibit good sportsmanship shall include, but not be limited to the following conduct:

1. Any person who strikes or physically abuses an official, coach, player or spectator;
2. Any person who intentionally incites participants or spectators to abusive action;
2. Any person who uses obscene gestures or unduly provocative language or action towards officials, coaches, opponents or spectators;
3. Any athlete or school or athletic staff member who is publicly critical of a game official or opposing coaches and/or players;
5. Any person who engages in conduct which exhibits bias based on race, ethnicity or gender;
6. Schools or school organizations engaging in pre-event activities of an intimidating nature, e.g. use of fog machines, blaring sirens, unusual sound effects or lighting, or similar activities, and
7. Other conduct judged by the Principal or designee to be unsportsmanlike in character; and

8. Any violation of the rules of the New Jersey State Interscholastic Athletic Association. (Found at the NJSIAA website, <http://www.njsiaa.org/sites/default/files/document/15-16%20NJSIAA%20Constitution%2C%20Bylaws%2C%20R%20%26%20R.pdf>).

Failure to exhibit good sportsmanship may result in the Board denying the opportunity for any individual to participate in the athletic program or attend athletic events, or other appropriate discipline measures.

NJSIAA Guidelines

Initial Adoption: April 2, 2001

First Reading: January 25, 2016

Second Reading: February 22, 2016

Latest Adoption: February 22, 2016

5600 – CODE OF CONDUCT

The Board of Education hereby adopts this policy and the Code of Conduct 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. The Code of Conduct 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 code.

The development, annual review, and update of the Code of Conduct 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 Code of Conduct after considering the findings of the annual reports of pupil conduct, including suspensions and expulsions, pursuant to code, and the incidences reported under the Electronic Violence and Vandalism Reporting System, in accordance with code.

The Superintendent shall report annually on the implementation of the Code of Conduct 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 Code of Conduct 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 the Code of Conduct, 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 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, or as otherwise required by law.

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.

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

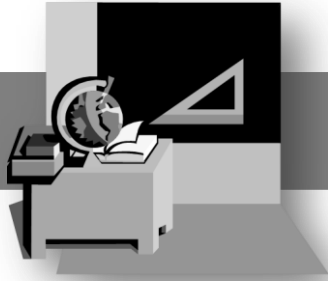
N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;
18A:37-1 et seq.; 18A:37-13.1 et seq.
N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Initial Adoption: November 3, 2003

First Reading: September 19, 2011

Second Reading: October 17, 2011

Latest Adoption: October 17, 2011



Code of Conduct



**The School District of
South Orange-Maplewood**
September 1, 2011

THE SCHOOL DISTRICT OF SOUTH ORANGE-MAPLEWOOD

Code of Conduct

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School District of South Orange and Maplewood Code of Conduct

Introduction

To promote the intellectual, social, emotional and physical growth of all students, the South Orange and Maplewood School District is committed to providing not only a safe and secure learning environment for all students and staff, but to use a management approach that promotes respect for self and others. Appropriate behaviors must be modeled by staff, students, and parents/guardians. Our emphasis is to prevent problems by helping students to understand each other, work well together, and develop responsibility for their own actions.

This Code of Conduct is presented to assist students, staff, and parents/guardians to understand the expectations for acceptable conduct while in school or attending school-sponsored activities, on school grounds, and while on the way to and from school. All students are expected to follow the Code of Conduct in a developmentally age appropriate manner. Principals will review the Code of Conduct with their staff and students at the beginning of each school year. It is the collective responsibility of students, staff, and parents/guardians to see that the expectations set forth in this Code of Conduct are supported.

This Code of Conduct will be applied equitably without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, marital status, pregnancy, parenthood, or a mental, physical or sensory disability or by any other distinguishing characteristics as required by law. For students with disabilities, subject to an Individualized Education Plan, the Code of Conduct shall be implemented in accordance with the components of the applicable plans.

Cornerstones of Good Character

In order to create an atmosphere where learning can take place, the following character traits are essential for students to compete locally, nationally and internationally. They should be modeled and maintained by adults and students:

- Respect – *Showing high regard for self, others and property*
- Responsibility – *Being accountable for individual behavior*
- Honesty – *Being truthful in word and action*
- Caring – *Showing concern for the well-being of others*
- Justice and Fairness – *Demonstrating impartial, unbiased and equitable treatment for all*
- Citizenship – *Being an informed, responsible and caring participant in the community*
- Courage – *Doing the right thing in the face of difficulty and following the conscience instead of the crowd*
- Perseverance – *Demonstrating commitment, pride and a positive attitude in completing tasks*
- Hope – *Believing in success*
- Honesty – *Sincerity in thought, word, and deed*

Expectations

We believe that every child is entitled to a safe and peaceful environment conducive to learning. The safety of each student in our schools and the ability to maintain an appropriate environment for learning are of utmost importance. To accomplish this goal it is imperative that students, staff and parents/guardians work together.

Administration, faculty and staff are expected to:

- Establish and maintain a positive, safe, secure, orderly and non-threatening learning environment that allows for open communication, dialogue, and discussion;
- Be precise about expectations regarding student requirements for classroom work;
- Be good role models by being courteous and respectful to all, being sensitive to individual needs, using appropriate language, and dressing in a professional manner;
- Treat individual students fairly, consistently, and respectfully;
- Communicate student progress and behavior to students, parents/guardians and other staff in a timely, consistent and effective manner; and
- Actively engage every student in the learning process and promote achievement of high academic standards.

The parents/guardians are expected to:

- Ensure that their child attends school on time and regularly;
- Be supportive of the staff's authority and responsibility to maintain a positive, productive, safe, orderly and non-threatening learning environment;
- Be good role models by demonstrating common courtesy, using appropriate language, being sensitive to individual needs and being respectful to all;
- Provide space, time and necessary supervision in which their child can study and complete assignments;
- Ensure that their child is appropriately dressed for school;
- Be responsible for property lost or damaged by their child;
- Respect and follow the visitor policy at all schools; and
- Respect and follow the traffic, parking and safety rules at all schools.

Students are expected to:

- Attend school regularly and be on time for school and classes;
- Be prepared for and participate in learning by having a positive attitude, asking thoughtful questions, completing and returning homework on time, and seeking help when needed;
- Respect themselves and others;
- Respect school property and the personal property of others;
- Respect one another's differences and resolve interpersonal conflicts using discussion, peer mediation, or assistance from school personnel;
- Take responsibility for their own behavior, realizing there are always options and consequences for their choices;
- Demonstrate personal academic integrity and social responsibility in their interaction with everyone;
- Contribute to the creation and maintenance of a safe, clean, green, and orderly school;
- Commit themselves to constant personal growth and improvement;
- Follow all directions;
- Dress in an appropriate and safe fashion; and
- Bring home communication from school to home and return all necessary materials.

Administration, faculty and staff can expect to:

- Be treated with courtesy, respect, honesty and fairness;
- Work in a safe, orderly, supportive environment;
- Have the assistance, cooperation and support of the administrative staff and the Board of Education, the students, and the parents/guardians in the performance of their duties; and
- Be treated as professionals who possess and use unique and varied teaching styles.

Parents/Guardians can expect to:

- Be treated with courtesy, respect, honesty and fairness;
- Have faculty and staff committed to creating a learning environment which is productive, orderly, supportive and safe;
- Have ongoing, timely communication with the faculty and staff;

- Have notification consistent with the policies and procedures established pursuant to the New Jersey Administrative Code; and
- Have records and privacy protections pursuant to Federal and State laws and regulations.

Students can expect to:

- Be treated with courtesy, respect, honesty and fairness;
- Learn in a safe, orderly, supportive, and intellectually challenging environment;
- Be supported in their academic and behavioral growth;
- Have provided an education that supports student development into productive citizens;
- Have due process and appeal procedures, where applicable, as stipulated in New Jersey Administrative Code;
- Have advance notice of behaviors that will result in suspensions/expulsions
- Have records and privacy protections pursuant to Federal and State laws and regulations; and
- Have counseling and support services available when appropriate.
- *For Secondary Students* to be able to attend school irrespective of a student’s marital status, pregnancy or parenthood.

Behavior Management

The most effective behavior management occurs when the teacher and student interact together. Most problems can be solved within the classroom. Parents/guardians are partners with the school and will be made aware of issues in need of resolution when appropriate. Parents/guardians may arrange conferences with teachers to discuss any concerns and are encouraged to share any situations that may affect a child’s behavior or general academic performance.

Teachers provide positive reinforcement for good conduct and academic success and develop and accurately follow classroom behavior plans that include positive outcomes for students who consistently make the right choices. There will be a variety of consequences for students who do not make the right choices, as well as supportive interventions and referral services as needed. Remediation of problem behaviors will always take into account the nature of the behaviors, the developmental age of the students, and the student’s history of problem behaviors and performance. For students with disabilities, the behavior interventions and supports will be pursuant to the requirements of the New Jersey Administrative Code.

Parents/guardians will be notified when such inappropriate behaviors and/or offenses occur that result in serious consequences so they may work with the school to alleviate such behaviors. All students are subject to these procedures.

| The following table describes the general infractions and associated responses including consequences and remedial actions, which are divided into four tiers according to severity and/or the age of the student and/or the student's history of problem behaviors. The tiers are explained in the second table. | Associated Responses | | | |
|---|----------------------|--------|--------|--------|
| | Infractions | Tier 1 | Tier 2 | Tier 3 |
| Arson | | | | ✓ |
| Behaviors that interrupt student learning | ✓ | ✓ | ✓ | ✓ |
| Behaviors that involve inappropriate physical contact | ✓ | ✓ | ✓ | ✓ |
| Behaviors that jeopardize personal or environmental safety | | ✓ | ✓ | ✓ |
| Behaviors that make others feel unsafe | | ✓ | ✓ | ✓ |
| Bullying (including cyber and off-premises bullying), intimidation, harassment, hazing, and gang initiation | ✓ | ✓ | ✓ | ✓ |
| Circulating indecent or inappropriate materials | ✓ | ✓ | ✓ | ✓ |
| Exhibiting gang behaviors | | ✓ | ✓ | ✓ |
| Extortion | | ✓ | ✓ | ✓ |
| False alarms and scares | | | ✓ | ✓ |
| False allegations of harassment, intimidation or bullying or other infractions | ✓ | ✓ | ✓ | ✓ |
| Fighting or assault | | | ✓ | ✓ |
| Gambling | ✓ | ✓ | ✓ | ✓ |
| Improper use of vehicles | ✓ | ✓ | ✓ | ✓ |
| Littering | ✓ | ✓ | | |
| Off campus behavior (including on the school bus or school activities) | | ✓ | ✓ | ✓ |
| Personal or academic dishonesty | ✓ | ✓ | ✓ | ✓ |
| Possession and/or use of alcohol, controlled substances or intoxicants of any kind | | | ✓ | ✓ |
| Possession of alcohol, controlled substances or intoxicants of any kind with intent to distribute | | | | ✓ |
| Possession of stolen property | ✓ | ✓ | ✓ | ✓ |
| Possession or use of weapons, firearms, and/or look alike weapons | | | ✓ | ✓ |
| Profanity and verbal abuse | | | | |
| • To students | ✓ | ✓ | ✓ | |
| • To staff | | | ✓ | ✓ |
| Smoking or possession or use of tobacco products, lighters or matches | ✓ | ✓ | ✓ | ✓ |
| Technology Misuse | ✓ | ✓ | ✓ | ✓ |
| Theft and robbery | | ✓ | ✓ | ✓ |
| Threats (verbal, electronic, or written) | | ✓ | ✓ | ✓ |
| Trespassing | ✓ | ✓ | ✓ | ✓ |
| Vandalism | ✓ | ✓ | ✓ | ✓ |

Note: Shaded areas do not apply to the behavior indicated.

Unless otherwise required by law, within each tier the administrator has the discretion to impose the response deemed most appropriate to address the infraction based on the severity of the infraction, the developmental age of the student and the student's history of problem behaviors. In the instances where an infraction falls within multiple tiers, it is within the discretion of the administrator to determine the tier response for that infraction. Similarly, in instances where the behavior may not be clearly listed above as a disciplinary infraction, it is within the discretion of the administrator to determine the tier response.

Participation in extracurricular activities, school functions, sports or graduation exercises may be denied where necessary to maintain the order and integrity of the school environment.

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|--|
| Tier One: Minor infractions on an infrequent basis |
| <ul style="list-style-type: none"> • Conference with teacher/staff members • Teacher selected consequence: verbal warning of next step; loss of privilege • Teacher contacts parent/guardian via telephone • Record of contact submitted to principal and parent/guardian for signature • Referral to mediation if appropriate • Restitution* |
| Tier Two: Repeated infractions or a serious first infraction |
| <ul style="list-style-type: none"> • In-school parent/guardian conference with teacher/staff member to develop a behavior plan • Possible referral to counselor/nurse • Referral to mediation if appropriate • Teacher selected consequence and additional loss of privileges • Restitution* |
| Tier Three: Continuing infractions or more serious infractions |
| <ul style="list-style-type: none"> • Teacher/staff member refers incident to principal or designee • Parent/guardian contacted by principal or designee • Parent/guardian conference with principal and/or designee • Possible short term suspension • Possible referral to counselor/nurse • Referral to mediation if appropriate • Restitution* |
| Tier Four: Infractions that are highly serious or cause imminent danger to self or others |
| <ul style="list-style-type: none"> • Immediate referral to principal or designee • Parent/guardian contact • Parent/guardian conference • Possible long-term suspension or expulsion • Contact police/fire department • Possible referral to counselor/nurse • Referral to mediation if appropriate • Restitution* |

The following infractions shall result in mandatory suspension of a student: Firearms offenses, assaults with weapons and assaults on district Board of Education members or employees.
N.J.A.C. 6A:16-7.4

* Students may be required to make restitution to the school district or to individuals. Such restitution may include, but not be limited to, financial reimbursement, apologies, or school service.

Procedures for Short-term Suspensions (less than 10 days), also see N.J.A.C. 6A:16-7.2

- 1) As soon as practicable, a student being suspended shall receive oral or written notice of the charges and an explanation of the evidence forming the basis of the charges.
- 2) An informal hearing shall be conducted by the school administrator or designee, prior to the suspension in which the student can present the student's version of the offense and be advised of the action to be taken.
- 3) If the student's behavior presents a continuing danger or an ongoing threat of disruption the student may be removed immediately and the hearing held as soon as practical afterwards.
- 4) Oral or written notice of the specific charges and the factual basis for the charges shall be given to the student's parent or guardian of the student's removal prior to the end of the day on which the administrator makes the decision to suspend the student;
- 5) The student shall be given notice of his/her due process rights;
- 6) The student shall be appropriately supervised while waiting for the parent or guardian to remove the student during the school day.
- 7) The student shall be given the terms and conditions of the suspension.
- 8) Home instruction shall be provided to a student who is suspended for more than 5 days.
- 9) Services provided to a student with disabilities shall be consistent with the student's IEP.
- 10) The school administrator shall advise the Superintendent of the suspension. The Superintendent shall advise the Board of Education at its next regular meeting.

Procedures for Long-term Suspensions (greater than 10 days), also see N.J.A.C. 6A:16-7.3

- 1) Immediate notification to the student and the student's parent or guardian prior to the student's removal from school;
- 2) An informal hearing, conducted by the school administrator or designee, prior to the suspension in which the student can present the student's version of the offense and be advised of the action to be taken;
- 3) The student shall be appropriately supervised while waiting for the parent or guardian to remove the student during the school day.
- 4) Written notification to the parent or guardian from the Superintendent or designee within 2 days of the start of the suspension stating the specific charges and the facts on which they are based, the student's due process rights and a notice that **"further engagement by the student in conduct warranting expulsion, pursuant to N.J.S.A. 18A:37-2, shall amount to a knowing and voluntary waiver of the**

student's right to a free public education; The parent or guardian shall provide written acknowledgement of this notification.

- 5) A list of witnesses and their statements or affidavits, if any, no later than 5 days prior to the hearing;
- 6) A manifestation determination shall be made for students with disabilities. N.J.A.C. 6A:14-2.8.
- 7) Information concerning the right to secure an attorney and the legal resources available in the community;
- 8) Appropriate home instruction after 5 days;
- 9) A formal hearing within 30 calendar days following the first day of suspension that is conducted by the Board of Education or delegate to a board committee, a school administrator or impartial hearing officer to determine the facts and make a recommendation; The Board of Education shall consider the transcript or a detailed report of such hearing prior to taking final action.
- 10) A suspension shall not continue beyond the Board of Education's second regular meeting following the suspension unless the Board of Education specifically so determines based on the nature and severity of the offense, relevant evaluations of the student, the recommendation of the Superintendent or other administrator or out-of-school instruction provider.
- 11) At the hearing the student shall have the opportunity to confront and cross-examine witnesses if there is a question of fact and to present his or her own defense and produce oral testimony or written affidavits.
- 12) The decision of the Board of Education shall be based on the preponderance of competent and credible evidence and shall be transmitted to the student's parent/guardian within 5 school days after the close of the hearing.
- 13) If it is found the student did not commit the offense, the student shall be returned immediately to the general education program, or, if the student is a special education student, to a program consistent with the student's IEP.
- 14) Any appeal of the Board's decision shall be made to the Commissioner of Education.
- 15) Cases of students on long-term suspensions shall be reviewed at each subsequent Board of Education meeting to determine the continued appropriateness of the suspension and of the student's current educational program.

Selected Relevant Board Policies

For additional information, please consult the following board policies at:

<http://www.somds.k12.nj.us/189610121793241930/blank/browse.asp?A=383&BMDRN=2000&BCOB=0&C=55093>

- 2412 Home Instruction
- 2481 Home or Out-of-School Instruction for General Education Pupils
- 5500 Expectations for Pupil Conduct
- 5511 Dress and Grooming
- 5513 Care of School Property
- 5514 Pupil Use of Vehicle
- 5516 Pagers and Cellular Telephones
- 5520 Disorder and Demonstration
- 5533 Use of Tobacco Products
- 5600 Pupil Discipline
- 5611 Removal of Pupils from Regular Education for Weapons/Firearms
- 5612 Assault by Pupils on Board Members or Employees
- 5620 Expulsion
- 5700 Pupil Rights
- 5701 Academic Honesty
- 5751 Sexual Harassment
- 5752 Marital Status and Pregnancy
- 5770 Pupil Right of Privacy
- 8465 Hate Crimes and Bias Incidents in Schools

Policies 5512 Harassment, Intimidation and Bullying, 5530 Substance Abuse and 8467 Prohibition of Weapons are set forth in full on the following pages.

Policy 5512 - Harassment, Intimidation and Bullying

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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5512 HARASSMENT, INTIMIDATION AND BULLYING

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A. 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.

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 pupil. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil, 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:

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
2. By any other distinguishing characteristic; and that
3. 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 pupils; and that
4. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
5. Has the effect of insulting or demeaning any pupil or group of pupils; or
6. Creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

"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. Pupil Expectations

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, parents, school employees, school administrators, school volunteers, and community representatives, 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.

Pupils 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 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.

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

1. Pupil responsibilities (e.g., requirements for pupils 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. Pupil rights; and
4. Sanctions and due process for violations of the Code of Pupil 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, pupils, instructional staff, pupil 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 pupil conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for pupil conduct will take into consideration 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 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 pupils and their parents or guardians the rules of the district regarding pupil 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. Pupils are encouraged to support other pupils 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 pupils 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

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for pupils who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Pupil 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 pupils. Appropriate consequences and remedial actions are those that are

graded according to the severity of the offense(s), consider the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors, per the Code of Pupil Conduct and N.J.A.C. 6A:16-7.

Factors for Determining Consequences

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 Remedial Measures

Personal

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

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 a pupils or staff member 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 pupils, as set forth in the Board's approved Code of Pupil 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 Board's approved Code of Pupil Conduct and N.J.A.C. 6A:16-7, Student 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, 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. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Reports to law enforcement or other legal action;
10. Expulsion; and
11. Bans from providing services, participating in school-district-sponsored programs, or being in school buildings or on school grounds.

Examples of Remedial Measures - Personal

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

Examples of Remedial Measures – Environmental (Classroom, School Building 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. Supervision of pupil before and after school, including school transportation;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;
12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff;
14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to **N.J.A.C. 6A:16-8**;
17. Parent conferences;
18. Family counseling;

19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a pupil behavior or ethics council;
23. Peer support groups;
24. Alternative placements (e.g., alternative education programs);
25. School transfers; and
26. Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

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 of a pupil. 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.

E. Harassment, Intimidation, and Bullying Off School Grounds

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

1. The alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other pupils; 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 pupil or damaging the pupil's property, or placing a pupil 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 pupil or group of pupils; or
4. The alleged behavior creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

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 pupils 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 pupils, 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 pupils 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.

Pupils, 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. Pupils, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Pupil 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:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of pupils;
- 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 pupils in the district;
- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of pupils;
- 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 pupil 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 pupils 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;
- c. Identify and address patterns of harassment, intimidation, or bullying of pupils 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 pupils;
- e. Educate the community, including pupils, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of pupils;
- 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 pupils; 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 pupil.

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 Pupil 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 Pupil 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 Pupil Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Superintendent.

Parents of the pupils 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 pupils. 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, pupil, 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 pupils 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 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, 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 pupil 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 pupils and parents or guardians, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected pupil 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 Pupil 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 pupils, school volunteer, or pupil 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 are listed in the Consequences and Appropriate Remedial Actions section of this policy.

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. Pupils - Consequences and appropriate remedial action for a pupil 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 Pupils 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 pupils 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 pupils or the provision of pupil 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 pupils, school volunteers, pupils, 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 pupil handbook and all other publications of the school district that sets 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 pupils 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 pupils. 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 pupils.

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, pupils, 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 Bullying 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 pupils.

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. 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.

Q. 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.

R. Pupils with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a pupil 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

Previous Adoption: January 28, 2008

First Reading: June 20, 2011

Second Reading: July 18, 2011

Latest Adoption: July 18, 2011

Policy 5530 – Substance Abuse

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS
5530
Substance Abuse
M

5530 SUBSTANCE ABUSE

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 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. 6:29-6.2*

For the purposes of this policy:

"Evaluation" means those procedures used to determine a pupil's need for an educational program or treatment that extends beyond the regular school program by virtue of the use of substances by the pupil or a member of the pupil's family.

"Intervention and referral to treatment" means those programs and services offered to help a pupil because of the use of substances by the pupil or a member of the pupil's family.

"Substance" means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2, anabolic steroids, or any chemical or chemical compound that releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2A:170-25.9.

"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.

Discipline *N.J.S.A. 18A:40A-10; 18A:40A-11; N.J.A.C. 6:29-6.3(c)2*

The Board prohibits the use, possession, and/or distribution of a substance on or near school premises, at any event away from the school premises that is sponsored by this Board, and on any transportation vehicle provided by this Board.

Pupils shall be subject to discipline for any violation of the foregoing prohibition. Discipline will be graded to the severity of the offense and may include suspension or expulsion. The pupil may be reported to appropriate law enforcement personnel.

Instruction *N.J.S.A. 18A:40A-1; N.J.A.C. 6:29-6.6*

The Board shall provide a program of instruction on the nature and effects of substances and tobacco. The program will be included in the health education curriculum and conducted in accordance with law, rules of the State Board of Education, and Policy No. 2422.

Identification, Evaluation, and Intervention *N.J.S.A. 18A:40A-11; N.J.A.C. 6:29-6.3*

All staff members shall be alert to signs of substance abuse by pupils and shall respond to those signs in accordance with administrative regulations. Such regulations shall provide for prompt examination by a physician to determine whether a substance has been used, notification of the pupil's parent or legal guardian and appropriate school officials, evaluation services, and referrals for treatment. Treatment will not be at Board expense.

When a pupil's substance abuse or suspected substance abuse threatens the pupil's life or places the pupil and/or others in imminent peril, all procedures shall be expedited in accordance with the emergency. Policy No. 8441, Care of Injured and Ill Persons, may be implemented as appropriate, provided no component of the procedures implementing this policy is omitted.

The Board will provide intervention and treatment referral services by teaching staff members who are properly and appropriately certified and trained to render such services.

Such services may include instruction, counseling, and related services to a pupil who is receiving medical or therapeutic care for diagnosed substance abuse; referral to a community agency approved by the County Local Advisory Council on Alcoholism or Drug Abuse or the State Department of Health; support services for pupils who are in care or returning from care for substance dependency; and/or a special class or course designed to meet the needs of pupils with problems of substance abuse.

A substance abuser who has also been identified as potentially disabled shall be referred to the Child Study Team to determine his or her eligibility for Special Services and/or related services.

Confidentiality *N.J.S.A. 18A:40A-7.1(a); N.J.A.C. 6:29-10.6; N.J.A.C. 6:2906.3(b)(2)*

The school shall not disclose the identity of any pupil or staff member who has voluntarily sought treatment or counseling for a substance abuse problem provided the pupil or staff member is not currently involved or implicated in any illegal activity.

In accordance with law, the district shall keep confidential all information learned in the course of or as a result of evaluation or treatment services provided by the district's substance abuse program.

Except as specifically permitted by law, no such information shall be disclosed to law enforcement personnel nor used to initiate or substantiate any criminal charges against the substance abuse program participant or to conduct any investigation of that person in response to a pupil or staff member who has voluntarily sought counsel.

In-Service Training *N.J.S.A. 18A:40A-15(b)*

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of pupils. The Board will provide time for the conduct of the program during the usual school schedule. In-service training shall prepare teachers to instruct pupils on substance abuse and inform teachers about the nature of substances, the symptomatic behavior associated with substance abuse, the availability of rehabilitation and treatment programs, the legal aspects of substance abuse, and Board policy and regulations on substance abuse.

Outreach to Parents *N.J.S.A. 18A:40A-16; N.J.A.C. 6:29-6.3(c)7*

The Board will provide a program of outreach to parents or legal guardians 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 parents or legal guardians on school premises or in other suitable facilities.

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 parents or legal guardians 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. 6:29-6.5(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 employee who in good faith reports a pupil to the Principal, the Principal's designee, the school medical inspector, or the school nurse shall not be liable in civil damages as a result of making any such report.

Drug Free School Zones *N.J.A.C. 6:29-6.3(c)6*

The Board will cooperate with law enforcement drug operations and activities on or near school property in accordance with N.J.A.C. 6:29-10 et seq. and Policy No. 9322, Drug Free School Zones.

Policy Review and Accessibility

*N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6:29-6.3(b); 6:29-6.3(d); 6:29-6.4*

The Board will annually review the effectiveness of this policy in consultation with appropriate teaching staff members, a local agency approved by the State Department of Health, and community representatives.

This policy and its implementing regulations shall be made available annually, at the beginning of the school year, to all school employees, pupils, and parents or legal guardians. Each newly hired employee and transferred pupil will be offered this policy and implementing regulations on his or her arrival in the district.

The Superintendent is directed to establish regulations implementing this policy. Such regulations shall include (1) specific procedures, sanctions and due process provisions for violations of this policy, with sanctions graded according to the severity of the offense; (2) specific procedures for and responsibilities of staff in initiating or conducting searches and seizures of pupils, their property and personal effects, all in strict accordance with law; (3) provisions for maintaining confidentiality of information as described above; and (4) such other provisions as are necessary to implement this policy.

N.J.S.A. 18A:40A-1 et seq.
N.J.A.C.6:29-6.1 et seq.

Cross References: 2422, 2460, 5500, 5600,
5610, 5620, 8441, 9322

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

Policy 8467 – Prohibition of Weapons

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

OPERATIONS
8467
Prohibition of Weapons
M

8467 – PROHIBITION OF WEAPONS

As part of its commitment to providing an educational environment that is safe, secure and conducive to learning, the Board of Education prohibits the possession and/or use of firearms, other weapons or instruments that can be used as weapons, on school property, on a school bus, at any school-sponsored function, or while en route to or from school or any school-sponsored function. A decision to bring a weapon into a school environment endangers the school community and undermines the purposes that our schools serve. Pupils found to have violated this policy shall be subject to significant, punitive disciplinary action.

Terms

For the purpose of this policy “weapon” is defined as anything capable of inflicting physical harm. This definition includes, but is not limited to, all:

1. firearms, even though not loaded or lacking a clip or other component to render them immediately operable and imitation firearms which are objects or devices reasonable capable of being mistaken for a firearm;
2. components that can be readily assembled into a weapon;
3. knives, including switchblades, daggers, dirks, stilettos, pocket knives, billies, blackjacks, bludgeons, chains, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood;
4. box cutters, razors;
5. stun guns, and any weapon or other device which projects, releases, or emits tear gas or any other substance which produces temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.

Reports to Superintendent and law enforcement authorities

Any student found or observed on school property, on a school bus, or at a school-sponsored function in possession of a weapon shall be reported to the principal or the principal’s designee immediately. Except as set forth below, the principal shall remove the pupil immediately from the school’s regular education program pending a hearing before the Board. The principal shall promptly inform the Superintendent and provide all known information concerning the matter, including the identity of the student involved. As required by law, the Superintendent shall notify the appropriate law enforcement officials. The Superintendent may, at his/her discretion, notify law enforcement officials when not required by law, as he/she deems appropriate.

Disciplinary action required

Disciplinary action shall be taken against students who are found to have possessed, handled, transmitted or used weapons. As described in Board policies 5600, 5610, 5611 and 5620, due process will be provided, including the right to a formal hearing before the Board. Firearms possession on any school property, on a school bus, at a school-sponsored function or while en route to or from school or any school-sponsored function will result in removal for a period of not less than one calendar year. When warranted, the maximum penalty of expulsion from school may be imposed. Except as set forth below, a pupil found to have possessed a weapon other than a firearm shall be suspended from school for a minimum of two calendar months.

A limited exception to the reporting and disciplinary action requirements may be provided when circumstances warrant. Where mitigating circumstances exist, the principal shall consult with the Superintendent, who may grant the principal the discretion to impose a penalty within the principal's authority. In such cases the Board of Education shall be notified in writing no later than the end of the month in which the exception is granted.

The Superintendent or his/her designee shall determine whether a pupil who completes a long-term suspension for a firearms offense is prepared to return to the regular education program. If the Superintendent or his/her designee determines that the pupil is not prepared to return to the regular education program at that time, the pupil shall remain on home instruction, in an alternative education program, or in another suitable facility or program in accordance with procedures established by the Commissioner of Education.

Implementation and Publication of Policy

The Board directs the Superintendent to develop and publish regulations to implement this policy. At the beginning of each school year, all students and their parents or guardians shall be provided with materials that explain this policy, its requirements and the consequences for pupils who violate the policy and the regulations that support it.

N.J.S.A. 2C:39-1 et seq.; 2C:58-6.1; 18A:37-2.1 through 12; 23:4-16
18 U.S.C. 921

Cross Reference: 2460, 5600, 5610, 5611, 5612, 5620

First Reading: January 6, 2003
Second Reading: January 27, 2003
Adopted: January 27, 2003

Community Based Health and Social Services Provider Agencies

A current list of community-based health and social service provider agencies that are available to support a student and a student’s family as well as a list of legal resources available to serve the community is found in the Community Resource Guide published by The Parenting Center of the South Orange-Maplewood School District. This guide is available in each school and may be downloaded from the web at: <http://theparentingcenter.info/>

What follows are some, but not all, of the resources available:

| HOTLINES | |
|--|----------------|
| Addiction of NJ | 1-800-238-2333 |
| Baby Land Family Services/Domestic Violence Hotline | 1-973-848-4446 |
| Crisis Prevention/Suicide | 1-973-672-9685 |
| ER St. Barnabas Hospital | 1-973-322-5180 |
| FBI | 1-973-792-3000 |
| Gamblers Anonymous | 1-877-994-2465 |
| Help Line | 1-973-763-HELP |
| Narcotics Anonymous | 1-800-992-0401 |
| National Runaway Switchboard | 1-800-RUNAWAY |
| NJ AIDS Hotline | 1-800-624-2377 |
| NJ Child Abuse Reports | 1-877-652-2873 |
| Parents Anonymous/Family Helpline | 1-800-843-5437 |
| Poison Control Center | 1-800-POISON |
| Police-Fire-Medical | 911 |



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5610 – SUSPENSION

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

Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, the conduct as defined in N.J.S.A. 18A:37-2 and the school district's Student Discipline/Code of Conduct Policy and Regulation in accordance with the N.J.A.C. 6A:16-7.1. et seq.

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

For the purposes of this Policy, "short term suspension" means a suspension for one, but not more than ten consecutive school days and "long term suspension" means a suspension for more than ten consecutive school days.

In accordance with the provisions of N.J.S.A. 18A:37-4, a student may be suspended only by the 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 student may be reinstated by the Principal or by the Superintendent prior to the second regular meeting of the Board following the suspension, unless the Board reinstates the student at the first regular meeting. No student suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that student's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the student ~~pupil~~ or continue the suspension.

In each instance of a short-term suspension, the student will be provided oral or written notice of the charges and an informal hearing conducted by the Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension.

In each instance of a long-term suspension, the district shall assure the rights of the student pursuant to N.J.A.C. 6A:16-7.3.

The district will comply with the requirements of N.J.A.C. 6A:16-7.2 and 7.3, in addition to all the procedural protections set forth in N.J.A.C. 6A:14, for each student with a disability who is subject to a short-term or long-term suspension.

In each instance of a short- or long-term suspension, the district shall provide academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8-3.1 et seq., which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be provided within five school days of the suspension. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14.

Student records are subject to challenge by parents and adult students in accordance with N.J.A.C. 6A:32-7.7 and Policy and Regulation 8330. The name of a disciplined student will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such student will be designated by code.

N.J.S.A. 18A:37-1; 18A:37-2 et seq.; 18A:37-4; 18A:37-5
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Cross References: 2460, 5500, 5560, 5600, 5611, 5612, 5620, 8330, 8467

Initial Adoption: January 5, 2004

First Reading: August 25, 2014

Second Reading: September 22, 2014

Latest Adoption: September 22, 2014

5611 REMOVAL OF STUDENTS FOR FIREARMS VIOLATIONS

The Board of Education is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Education will implement policies and procedures regarding student offenses involving firearms, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. Section 921, pursuant to The Zero Tolerance for Guns Act, N.J.S.A. 18A: 37-7-7 through N.J.S.A. 37-12.

Policy and Regulation 5611 shall apply to a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds, convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, or found knowingly in possession of a firearm on school grounds. A student, other than a student with a disability, convicted or adjudicated delinquent for these firearm offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year and placed in an alternate education program according to the requirements of N.J.A.C. 6A:16-9. A student with a disability convicted or adjudicated delinquent for these firearm offenses shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Principal or designee shall remove the student in accordance with the requirements outline in N.J.A.C. 6A:16-5.5(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these firearm offenses, the student shall be immediately returned to the program from which he or she was removed.

The Superintendent shall make the final determination whether the general education student removed in accordance with the requirements of N.J.A.C. 6A:16-5.5 and this Policy is prepared to return to the general education program or will remain in an alternative education program, pursuant to N.J.A.C. 6A:16-9, or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10 based on the criteria outlined in N.J.A.C. 6A:16-5.5(i) .

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.5 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction according to N.J.A.C. 6A:16-10.2 until placement is available.

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.5 utilizing the Electronic Violence and Vandalism Reporting System (EVVRS), pursuant to N.J.A.C. 6A:16-5.3(d)1.

This Policy and Regulation 5611, implementing the requirements of N.J.A.C. 6A:16-5.5, shall annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A: 37.1 et seq.

N.J.A.C. 6A: 14-2.8 et seq., 6A: 16-5.5; 6A:16-6.1 et seq.;

6A:16-7.1 et seq.; 6A:16-8.1 et seq.; 6A:16-9.1 et seq.; 6A:16-10.2

Cross References: 2460, 2481, 5610, 5620, 8467, 9323

Previously Adopted:

First Reading: August 25, 2014

Second Reading: September 22, 2014

Adoption: September 22, 2014

SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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Assaults on District Board
Member or Employees
M

5612 ASSAULTS ON DISTRICT BOARD MEMBERS OR EMPLOYEES

Any student who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school district employee, or Board member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, shall be immediately removed from school pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7.

A student, other than a student with a disability, who commits an assault as defined in N.J.S.A. 2C:12-1(a)1, shall be immediately removed from school consistent with due process procedures, pending a hearing pursuant to N.J.A.C. 6A:16-7.2 through 7.5. Nothing in N.J.S.A. 18A:37-2.1 or N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student. A student with a disability who commits an assault as defined in this Policy, shall be removed in accordance with N.J.A.C. 6A:14 and due process proceedings in accordance with N.J.A.C. 14-2.7 and 2.8.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(a), said proceedings shall take place no later than thirty calendar days following the day on which the student is suspended. The decision of the Board shall be made within five days after the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within ninety days of the Board's decision. The provisions herein shall be construed in a manner consistent with 20 U.S.C. § 1400 et seq.

The Principal or designee shall remove, isolate and place the student under the supervision of school staff until the parent or appropriate agency takes custody of the student. The Principal or designee will immediately report to the Superintendent the removal of the student and notify the student's parent of the removal action and the student's due process rights. The Principal or designee will notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(b), whenever a teacher, administrator, Board member, other school district employee, or a labor representative on behalf of an employee makes an allegation in writing that the Board member or employee has been assaulted by a student, the Principal shall file a written report of the alleged assault with the Superintendent. The Superintendent shall report the alleged assault to the Board at its next regular meeting; provided that the name of the student who allegedly committed the assault, although it may be disclosed to the Board members, shall be kept confidential at the public Board of Education meeting.

Any person who fails to file a report of an alleged assault as required pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7 may be liable to disciplinary action by the Board.

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.7 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e)1.

Policy and Regulation 5612, implementing the requirements of N.J.A.C. 6A:16-5.7, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-2.1

N.J.A.C. 6A:14-2.7; 6A:14-2.8; 6A:16-5.7; 6A:16-7.2; 6A:16-7.3; 6A:16-7.4; 6A:16-7.5

Previously Adopted: April 19, 2014

Cross References: 5600, 5610, 5611, 5620

First Reading: August 25, 2014

Second Reading: September 22, 2014

Latest Adoption: September 22, 2014

5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a pupil. Although it is the intent of the Board to avoid expelling pupils from this district before other reasonable and appropriate means of discipline have been exhausted, significant violations of Board policies governing student conduct may result in expulsion even when the pupil's prior record is without offense. A pupil may be expelled from this district only on formal action of the Board duly taken. Any pupil who is expelled from school shall be provided an alternate educational program to the extent required by law.

Expulsion hearings – notice, informal hearing and formal hearing

Pupils for whom expulsion is contemplated must be afforded a formal hearing before the Board.—A pupil recommended for expulsion shall be provided with the initial notice and informal hearing described for short-term suspensions in Board policy 5610. When extraordinary circumstances involving the health and safety of the pupil or others in the school require immediate exclusion, the informal hearing may be delayed to such time as circumstances permit.

In cases involving expulsion, the building principal or designee must provide the pupil with notice of the intention to seek further penalty beyond the short-term suspension period. In addition, the parents, guardians or adult pupil must be provided with written notice of: the specific charges against the pupil; the possible penalty; the scheduled date, time and place of the hearing; and an enumeration of rights accorded the pupil, which include an opportunity for the pupil to be represented by counsel, to be heard in his or her own behalf and to cross-examine adverse witnesses. The pupil may request a written record of the hearing and an audiotape copy 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. The pupil shall be informed of the right to appeal the decision of the Board to the Commissioner of Education.

The Board hearing shall normally take place no later than twenty-one (21) calendar days after the suspension occurs, except as otherwise may be provided by statute for weapons and certain assault offenses. The Superintendent may continue a suspension until the second regular meeting of the Board after the first day of the suspension. Suspensions extending beyond the time of the second regular meeting of the Board after the first day of the suspension shall be continued only by a resolution of the Board, which retains the power to reinstate a student, to continue any suspension reported to it or to expel a pupil.

Generally, a formal Board hearing may be postponed beyond the time requirements set forth above upon the written request of the parent or guardian of the pupil suspended from school. Upon receipt of such a request, the parent or guardian shall be notified that the suspension will be continued pending the Board hearing if the request for postponement is granted. The Board shall exercise reasonable discretion in deciding whether to grant such requests, and shall acknowledge the request and its decision by resolution. Any resolution granting a request for an adjournment shall state that the suspension is continued pending the Board hearing. The parent or guardian shall be notified in writing of the decision regarding the request for postponement.

The Board shall make a decision within five (5) days of the close of the formal hearing. A vote of the majority of a quorum of the Board is sufficient to expel a student. Any appeal of the Board's decision must be made to the Commissioner of Education within ninety (90) days of the Board's decision.

The Superintendent shall establish and the Board shall approve regulations to implement this policy.

N.J.S.A. 18A:37-1 et seq.
N.J.A.C. 6A:14-2.8

Cross References: 2460, 5500, 5512, 5600, 5610, 5611, 5612, 8330, 8467

First Reading: January 6, 2003
Second Reading: January 27, 2003
Adopted: January 27, 2003

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 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. Orientation programs and free student handbooks shall describe rules, regulations and expected behavior in clear and understandable language. Any changes to rules and regulations shall be widely publicized in print in both school and community media. New rules or regulations shall be summarily drafted and enforced.

The activities of students carried on other than at school functions, conducted entirely outside normal school hours and off school premises, and having no nexus to the schools shall not be the responsibility of the school district. No student shall be penalized because of such outside activities.

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 or legal guardian. The adult pupil is fully responsible for his or her educational performance, attendance, compliance with district regulations, and care of school property. The parent or legal guardian 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

Cross References: 5560, 5600, 5610, 5611, 5620, 5710,
5721, 5750, 5751, 5752, 5755, 5770, 5820

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5701 ACADEMIC DISHONESTY

1. Pupils are expected to be honest in all of their academic work. This means that they will not engage in any of the following acts:
 - a. Cheating on examinations, including but not limited to, the non-authorized use of books or notes, the use of crib sheets, copying from other students' papers, exchanging information with other students orally, in writing, or by signals, obtaining copies of the examination illegally and other similar activities.
 - b. Plagiarism is not permitted in term papers, themes, essays, reports, images, take-home examinations, and any other academic work. Plagiarism is defined as stealing or use without acknowledgment of the ideas, words, formulas, textual materials, on line services, computer programs, etc. of another person, or in any way presenting the work of another person as one's own.
 - c. Falsifications, including forging signatures, altering answers after they have been graded, the insertion of answers after the fact, the erasure of grader's markings, and other acts that allow for falsely taking credit.
2. A pupil found guilty of academic dishonesty may be subjected to a full range of penalties including, but not limited to, reprimand and loss of credit for all of the work that is plagiarized.
3. A teacher who believes that a pupil has been academically dishonest in his/her class should resolve the matter in the following manner:
 - a. Any student found to be in violation of this policy may receive an appropriate sanction on the grade for the student's work including a zero for that assignment.
 - b. If warranted, the teacher shall file a written complaint against the student with the Principal, requesting a more stringent form of discipline. The complaint must describe in detail the academic dishonesty that is alleged to have taken place, and must request that the matter be reviewed by the Principal.
 - c. The Principal will determine if further discipline of the pupil is appropriate, and will determine the nature of the discipline on a case by case basis. The range of discipline shall be set by Administrative Regulation.
 - d. If the pupil is not in agreement with the disciplinary action of the Principal, he/she may appeal the action to the Superintendent. If the pupil is dissatisfied with the Superintendent's disposition of the case, he/she may grieve the action in accordance with Policy No. 5710, Pupil Grievance.

Cross References: 5600, 5710

First Reading: March 12, 2001

Second Reading: March 19, 2001

Adopted: April 2, 2001

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Pupil Grievance

5710 PUPIL GRIEVANCE

The Board of Education believes that pupils 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 Superintendent shall establish procedures by which the grievances of pupils will be heard. Pupils who express dissent shall be made aware of the lawful procedures available for them for the resolution of their grievances.

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.

Cross References: 5700

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5750 EQUAL EDUCATIONAL OPPORTUNITY

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, level of English proficiency, national origin, ancestry, age, marital or domestic partnership or civil union status, sex, gender identity or expression, affectional or sexual orientation, socio-economic status, military service, atypical cellular or blood trait, genetic information, or disability. The Board shall assure that all pupils are free from harassment, sexual or otherwise.

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. The school district's curricula in the following areas will seek to eliminate discrimination by students, and, promote mutual acceptance and respect among them, enabling them to interact effectively with others, regardless of their race, color, creed, religion, level of English proficiency, national origin, ancestry, age, marital or domestic partnership or civil union status, sex, gender identity or expression, affectional or sexual orientation, socio-economic status, military service, atypical cellular or blood trait, genetic information, or disability:

1. School climate/learning environment;
2. Courses of study, including Physical Education;
3. Instructional materials and strategies;
4. Library materials;
5. Software and audio-visual materials;
6. Guidance and counseling;
7. Extra-curricular programs and activities;
8. Testing and other assessments.

The school district's curricula will include Multi-cultural Education content and practices, instruction on African-American History in the teaching of U.S. History and instruction on the Holocaust and Genocide.

Affirmative action shall be taken to insure that pupils are protected from the effects of discrimination, in accordance with Policy No. 2260. Pupils who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation No. 5750 to report and appeal any harassment or discriminatory practice.

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Equal Educational Opportunity

Staff members shall treat all students and parents with respect and encourage all students to excel. Staff members should make efforts to encourage an atmosphere of respect and mutual tolerance. 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, level of English proficiency, national origin, ancestry, age, marital or domestic partnership or civil union status, sex, gender identity or expression, affectional or sexual orientation, socio-economic status, military service, atypical cellular or blood trait, genetic information, 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 in accordance with law.

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. 6A:7-1.1 et seq. et seq.; 6A:14-1.1 et seq.
N.J.S.A. 18A:4A-1, et seq.

Cross References: 1523, 1550, 2260, 5755, 5755.1

Initial Adoption: April 2, 2001

First Reading: June 20, 2016

Second Reading: July 18, 2016

Latest Adoption: July 18, 2016

5750.1 STUDENT DISABILITIES PURSUANT TO SECTION 504 OF THE REHABILITATION ACT OF
1973

I. Introduction:

Section 504 of the Rehabilitation Act of 1973 ("Section 504") is a federal anti-discrimination law that protects the rights of students and employees with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. Recipients of this federal financial assistance include the South Orange and Maplewood School District Board of Education ("District" or "Board"). This Policy number 5750.1 focuses upon Section 504 legal protections for students.

Section 504 requires the District to provide a "free and appropriate education," (FAPE) to each qualified student with a disability who is in the District's jurisdiction, regardless of the nature or severity of the person's disability. Under Section 504, providing FAPE means that students with physical or mental impairments that substantially limit their major life activities in a way that impacts their functioning in the school setting shall be provided with an individualized and systematic plan of accommodations and services. The District shall always consider the applicability of Section 504 protections for students when it is utilizing procedures under either Intervention and Referral Services ("I&RS") or the Individuals with Disabilities Education Act ("IDEA").

In accordance with its obligation to provide FAPE, the District shall provide accommodations to a student with disabilities that are designed to allow the student to access curricular and extra-curricular activities in a manner substantially consistent with his or her non-disabled peers. All students eligible for services under the Individuals with Disabilities Education Act (IDEA) are protected under Section 504. Students who are not eligible for services under IDEA may nonetheless be eligible for educational and related services under Section 504. To the maximum extent possible, the student has the right to be educated with students who are not disabled.

The Board directs that all reasonable efforts be made to identify unserved students with disabilities in this District who are eligible for special education and/or related services in accordance with Policy No. 2460 and Regulations Nos. 2460 through 2460.14, the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

The Board recognizes its responsibility to provide a Free Appropriate Public Education for qualified persons with disabilities that is commensurate with that provided for persons who do not have disabilities to the maximum extent appropriate to meet the needs of the students with disabilities. With regard to nonacademic and extracurricular services and activities, the Board recognizes its responsibility to arrange for the provision of those services and activities such that students with disabilities participate with nondisabled students to the maximum extent appropriate to the needs of the student with disabilities. Any facility which the Board operates for students with disabilities shall be comparable to facilities, services and activities provided for nondisabled students.

II. Definitions:

- A. **Disability:** A student is "disabled" pursuant to Section 504 if he or she:
- i. has a physical or mental impairment which substantially limits one or more of such student's major life activities;
 - ii. has a record of such an impairment, or
 - iii. is regarded as having such impairment.
- B. **"Substantially limits"** is defined as being unable to perform a major life activity that the average person in the general population can perform or is significantly restricted in the condition, manner, or duration under which an individual can perform a particular major life function as compared to the condition, manner, or duration which the average person in the general population can perform that same major life activity.
- C. **"Major life activities"** include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. The disabling condition need only substantially limit one major life activity in order for a student to be eligible.
- D. **District Coordinator:** The District Section 504 Coordinator is the person who assures that the district is in compliance with legal requirements specified under Section 504. The District Section 504 Coordinator has the authority to investigate and recommend to the Superintendent a resolution of written grievances..
- E. **Building Coordinator:** The Building Section 504 Coordinator is the building Principal or his/her designee who is responsible for managing the Section 504 Committee (the "504 Committee") in his/her building and ensuring implementation of Section 504 plans for students in the building. The Building Coordinator shall be responsible for ensuring that all appropriate staff are informed of the student's right to accommodations under Section 504 and for ensuring that Section 504 plans are implemented.
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- F. **Section 504 Committee:** The Section 504 Committee shall serve all District students and schools as an initial means of redress for any parent/guardian who has concerns about any aspect of a student's Section 504 Plan, and who has not been able to resolve the concerns with the 504 Team. The Section 504 Committee shall consist of a group of persons who will, when necessary, become knowledgeable about the student, the meaning of the evaluation data, and the options with respect to accommodations, services and placement.

- G. **"Accommodations"** shall mean/include changes in the timing, formatting, setting, scheduling, response and/or presentation of an educational experience, including assistive technology(ies), that allow a student with disabilities to have equal access to the general educational program. Costs of such accommodations shall be borne by the District.
- H. **"504 Team"** shall include the Building 504 Coordinator and may include a student's general education teacher(s), a special education teacher, the school principal, the parent(s)/guardian(s) of the student, the student (as appropriate, depending upon age and maturity), and any other person with relevant knowledge of the student and the disability at issue. The staffing of a 504 Team may differ for each student, depending upon the specific accommodations/services required.
- I. **"Intervention and Referral Services ("I&RS")"** refers to a coordinated system in each District school building in which general education students are served, for the planning and delivery of intervention and referral services that are designed to assist students who are experiencing learning, behavior or health difficulties, and assist staff who have difficulties in addressing students' learning, behavior or health needs.

III. Evaluation:

In compliance with federal law, the Board directs that students with disabilities pursuant to Section 504 be identified, referred to and evaluated by a 504 Team, and that a determination of eligibility for accommodations of his/her general educational program be made. The Board also directs that once a student is identified as needing an evaluation, such evaluation shall occur in a timely manner. If during the course of the I&RS process, a student is identified as having, or possibly having a disability pursuant to Section 504, the I&RS team should also refer the student for a Section 504 evaluation. Referral for a Section 504 evaluation, shall not suspend or delay provision of interventions or other services pursuant to the I&RS process.

Parents/guardians and school staff may refer a student for evaluation under Section 504 if they know or suspect that, due to a physical or mental impairment, a student requires accommodations to participate in or benefit from the general education program. An initial evaluation for Section 504 eligibility can only take place with the written consent of the student's parent/guardian.

In making accommodation, services and placement decisions, the Section 504 Team shall draw upon a variety of sources including aptitude and achievement tests, teacher recommendations, physical condition, and adaptive behavior, and recommendations from medical providers, as appropriate. When the District is considering employing a targeted or intensive intervention under the District's intervention strategy for a particular student, it should ensure that any intervention used is designed to address the particular behavior, the obstacles to accomplishing schoolwork, or the underachievement in question.

The Section 504 Coordinator shall establish procedures to ensure that information obtained from all such sources is documented and carefully considered. In the event that parents/guardians disagree with the decision of the Section 504 Team, they may utilize the services of the Section 504 Committee.

IV. Implementation of this Policy and Procedural Regulations for Ensuring Compliance with Section 504:

The Superintendent of Schools, or his/her designee, shall be responsible for the District's efforts to comply with the requirements of Section 504 and this policy.

Within sixty (60) days of the adoption of this Policy, the Superintendent shall issue regulations and procedures for complying with Section 504 and this Policy, including regulations regarding Section 504 referrals, the District's efforts to identify underserved students who may be eligible for Section 504 accommodations, eligibility determinations, Section 504 plan development and implementation. These regulations shall also include requirements that parents/guardians be provided with a Notice of Procedural Rights upon their request for a Section 504 evaluation or as part of the notification that their student has been referred for evaluation for Section 504 accommodations; procedural safeguards including mechanisms for appealing a determination and expeditiously resolving complaints regarding eligibility determinations or development of a Section 504 plan; procedures to ensure implementation of and/or compliance with a student's Section 504 plan, and procedures for ensuring compliance with and accommodations under Section 504 at transition points in a student's educational career, including entry to kindergarten, transition from fifth grade to sixth grade and eighth grade to ninth grade. These regulations shall also clearly set forth a grievance procedure to expeditiously process complaints concerning allegations of discrimination in the District, including allegations of retaliation for asserting rights under Section 504 and/or this Policy.

The Superintendent of Schools shall ensure that all staff receives appropriate and ongoing professional development regarding the District's responsibilities pursuant to Section 504 requirements.

The Superintendent of Schools, and/or his/her designee, shall take all actions necessary to ensure that Building 504 Coordinators inform all appropriate staff of a student's right to accommodations and services under Section 504 in order to accomplish the goals of that student's Section 504 Plan.

The Superintendent of Schools or his/her designee shall take all actions necessary to ensure that students with Section 504 accommodations benefit from field trips and other curricular activities such as assemblies in a manner consistent with the goals of the student's Section 504 Plan. The Superintendent of Schools or his/her designee shall take all actions necessary to ensure that students with disabilities derive the benefits from interscholastic and intramural sports activities as well as other non-athletic extracurricular activities that their non-disabled peers enjoy. Those efforts shall include, but not be limited to, notifying parent(s)/guardian(s) of every student enrolled in the District's schools of this Policy at the beginning of each school year, as well as the names and contact information for the District and Building Coordinators. Copies of this Policy and a Notice of Procedural Rights afforded by Section 504 shall also be provided to parent(s)/guardian(s) upon request, as well as upon the request of parent(s)/guardian(s) request for a referral for Section 504 evaluation, or as part of the notification that their student has been referred for an evaluation for eligibility for accommodations under Section 504.

V. Reports to the Board:

At the end of each school year, each building Principal shall, in consultation with the Section 504 Committee (including the Building Coordinator if other than the Principal), develop a report that includes a report of the number of students who were referred for Section 504 evaluations, the outcome of the evaluation processes, the concerns and issues identified by the Section 504 Teams, and the effectiveness of the services provided in achieving the outcomes identified in the Section 504 plans. This report shall be provided to the Superintendent of Schools.

On the basis of the reports received from each building Principal, the Superintendent of Schools shall annually report to the Board a summary of the District's identification and evaluations of students, the Section 504 accommodations required, the number and nature of any appeals filed by parent(s)/guardian(s) in the Section 504 process, the number and nature of complaints and/or grievances regarding compliance with Section 504 plans, allegations of discrimination, or retaliation, and procedures for ensuring compliance with Section 504 requirements.

Article I, Paragraph 5 of the New Jersey State Constitution
The New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.
N.J.S.A. 18A:36-20
N.J.A.C. 6A:7-1.1., et seq.
20 U.S.C. 1400 et seq.
34 C.F.R. § 104.33. et seq.

Cross Reference: Board Policy 1510

First Reading: July 18, 2016
First Reading: August 22, 2016
Second Reading: September 19, 2016
Initial Adoption: September 19, 2016

5751 SEXUAL HARASSMENT

The Board of Education will not tolerate sexual harassment of pupils by school employees, other pupils, or third parties. Sexual harassment of pupils is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of pupils engaged in by school employees, other pupils (peers), or third parties.

The Board shall establish a grievance procedure through which school district staff and/or pupils can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

Definitions

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcome sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any "person" from sex discrimination; accordingly both male and female pupils are protected from sexual harassment engaged in by school district employees, other pupils, or third parties. Sexual harassment is prohibited, regardless of the gender of the harasser, even if the harasser and the pupil being harassed are members of the same gender ~~is prohibited~~. Harassing conduct of a sexual nature directed toward any pupil, regardless of the pupil's sexual orientation, may create a sexually hostile environment and therefore constitute sexual harassment. Non-sexual touching or other non-sexual conduct does not constitute sexual harassment.

Grievance Procedure

The Superintendent is directed to establish regulations to implement this policy, including a reporting and grievance procedure. The regulation and grievance procedure shall provide a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.

In the event of a complaint, the Superintendent, or designee, will take steps to avoid any further sexual harassment and to prevent any retaliation against the pupil who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The school district staff can learn of sexual harassment through notice and any other means such as from a witness to an incident, an anonymous letter or telephone call.

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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Sexual Harassment

This policy and regulation on sexual harassment of pupils shall be published and distributed to pupils and employees to ensure all pupils and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for pupils to ensure the staff and the pupils understand what type of conduct can cause sexual harassment and that the staff know the school district policy and regulation on how to respond.

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1992 prohibiting sexual harassment of pupils. Title IX applies to all public school districts that receive federal funds and protects pupils in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (1997)

Cross References: 3362, 4352

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

5752 MARITAL STATUS AND PREGNANCY

The Board of Education will not discriminate among pupils on the basis of their marital status or potential 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 potential 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 an alternate instructional program in accordance with Policy No. 2416.

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

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| First Reading: | March 12, 2001 |
| Second Reading: | March 19, 2001 |
| Adopted: | April 2, 2001 |

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

Equity In Student Access

It is the policy of the Board of Education to ensure equal and barrier-free access for all students to school facilities, courses, programs, activities, and services, regardless of race, color, marital or domestic partnership or civil union status, national origin, ancestry, nationality, sex, gender identity or expression, affectional or sexual orientation, religion, level of English proficiency, socio-economic status, atypical cellular or blood trait, military service, genetic information, or disability. The school district shall strive to overcome any patterns of under-representation of any of the foregoing groups in any course, program or activity, which result from district policies, practices or procedures.

The Board of Education believes that the quality of education is enhanced when the district's schools and programs are integrated by race, gender and socio-economic status. To this end, when modifying current programs or proposing future plans, the district shall favor those approaches that are designed to achieve the desired educational goals and create, as a concomitant effect, demonstrable progress toward a more integrated district.

Students will not be separated or isolated by race, color, marital or domestic partnership or civil union status, national origin, ancestry, nationality, sex, gender identity or expression, affectional or sexual orientation, religion, level of English proficiency, socio-economic status, atypical cellular or blood trait, military service, genetic information, or disability within schools, courses, classes, programs, or extracurricular activities. The district will utilize bias-free multiple measures for determining the special needs of language-minority students and students with disabilities. The treatment of pregnant students will be governed by Policy # 5752.

Equity in Guidance Programs and Services

The school district will ensure the guidance program provides access to adequate and appropriate counseling services, and a full range of possible career, professional, and/or vocational choices for all students, regardless of race, color, creed, religion, level of English proficiency, national origin, ancestry, age, marital or domestic partnership or civil union status, sex, gender identity or expression, affectional or sexual orientation, socio-economic status, military service, atypical cellular or blood trait, genetic information, or disability, and , non-college bound students

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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Equity in Educational
Programs and Services

Equity in Physical Education Training

All school district physical education programs will be co-educational, with the exception of wrestling practice.

Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male students to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will comply with State and federal law regarding varsity and sub-varsity teams and scheduling of night games, practice times, and numbers of games for male and female teams.

Appeal Procedure

Any pupil or their parent or legal guardian may appeal school practices involving equity through the procedure established in Regulation No. 5750.

N.J.A.C. 6A:7-1.1. et seq.
Title IX of the Education Amendments of 1972
Athletic Guidelines 1986

Cross References: 1523, 1530, 1550, 2260, 2314, 5755.1

Initial Adoption: April 2, 2001
First Reading: June 20, 2016
Second Reading: July 18, 2016
Latest Adoption: July 18, 2016

5755.1 Access and Equity

All elementary, middle school, and high school parents/guardians and children in the South Orange-Maplewood School District shall have access to, and the ability to choose between current and future educational programs in all academic subjects, and at all academic levels.

In furtherance of this Policy, all students shall be provided with age-appropriate academic supports for access to advanced-level courses, which may include, by way of example only, readiness programs and courses, in-school and after-school tutoring sessions, and summer institutes. The District shall also engage in a Kindergarten through 12th grade curricular alignment, ensuring that all students develop the knowledge and skills fundamental to successful performance in Advanced Placement and advanced level courses by providing the highest levels of academic rigor in all Kindergarten, Elementary, Middle and High School courses.

While this Policy does not guarantee success for student achievement, it nevertheless greatly empowers students, as it is informed by mutual accountability for educational success amongst students, parents and guardians, and the South Orange and Maplewood School District.

The Superintendent is directed to establish regulations and to set budgetary guidelines to make this policy effective.

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| First Reading: | September 21, 2015 |
| Second Reading: | October 19, 2015 |
| Adoption: | October 19, 2015 |

5756 TRANSGENDER AND GENDER NONCONFORMING STUDENTS

A. Purpose

The South Orange and Maplewood Board of Education is committed to providing a safe, supportive, and inclusive learning environment for all students, including, transgender, gender nonconforming, and/or gender expansive students (TGNE), and to ensuring that every student has equal educational opportunities and equal access to the District's educational programs and activities.

This Policy establishes the Board's expectations for addressing the needs of TGNE students in compliance with applicable anti-discrimination laws. This policy does not anticipate every situation that might occur with respect to TGNE students. The school shall customize support to optimize each student's equal access to the Districts educational programs and activities and will do so by developing a Gender Diverse Student Support Plan for students who are undergoing gender transition or have already established a gender diverse identity. In all cases, the goal of all South Orange and Maplewood School District ("SOMSD") staff shall be to ensure the safety, comfort, privacy, and healthy development of all students, including transgender, gender nonconforming, and/or gender expansive students.

B. Definitions

These definitions are included here to assist the application of this policy, and to provide functional descriptors. When applying this policy to individual students' situations, TGNE staff should bear in mind that students may or may not use these terms to describe themselves.

Gender: Socially determined characteristics, roles, behaviors, and attributes a society expects from and considers appropriate for males and females; these characteristics are often referred to as "feminine" and "masculine."

Gender Identity: A person's internal, deeply held sense of their own gender, regardless of the gender they were assigned at birth.

Gender Expression: A person's gender-related appearance and behavior "whether or not stereotypically associated with the person's assigned sex at birth" (N.J.S.A. 10:5-5(5)(rr)). It is the manner in which a person represents or expresses their gender to others, such as through their behavior, clothing, hairstyles, activities, voice or mannerisms.

LGBTQ: An acronym that stands for "lesbian, gay, bisexual, transgender, and questioning."

Sexual Orientation: A person's romantic or sexual attraction to people. (N.J.S.A. 10:1 et seq) Common terms used to describe sexual orientation include, but are not limited to, heterosexual, lesbian, gay, bisexual, asexual and pansexual. Sexual orientation and gender identity are different and distinct aspects of identity. The sexual orientations of TGNE people are as varied as those of cisgender people.

Gender Nonconforming: Displaying gender traits that are not consistent with stereotypical characteristics associated with one's birth-assigned sex and/or legal gender marker, or others' perceptions of that sex. This term can be used to describe people whose gender expression differs from stereotypical expectations about how boys and girls are "supposed to" look or act.

Transgender: A term for people whose gender identity is different from those typically associated with their assigned sex at birth.

Gender Expansive: A term that conveys a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system.

Transition or Gender Transition: The process and experience in which a person begins to live both privately and publicly as their affirmed gender. This can include legal, medical and/or a social transition.

C. Determining Gender Identity

The responsibility for determining a student's gender identity rests with the student. In the case where a student is not able to advocate for themselves, particularly at the elementary school level, the parent or guardian may be relied upon as an advocate.

SOMSD staff shall accept a student's asserted gender identity when it is a sincerely held part of the student's core identity. Staff and schools shall not question or disregard the students' assertion of their gender.

There is no threshold medical or mental health diagnosis or treatment requirement that any student must meet in order to have his or her gender identity recognized and respected by the district or SOMSD staff. The Board recognizes that for many TGNE students, the experience of gender transition involves no medical intervention and that many transgender youth experience gender transition through a process referred to as "social transition," whereby they begin to live and identify as the gender consistent with their gender identity.

Similarly, a student is not required to have obtained a court-ordered name or gender change in order to have his or her requested name and gender identity recognized and respected by the district, any school or SOMSD staff member.

D. Gender Identity Support Planning

With student permission, a written support plan will be developed in collaboration with the student to address their needs. A TGNE student and/or their family/guardian may initiate the planning process. Whenever a TGNE student initiates the planning process, the educator or administrator should ask whether the student's family is accepting in order to avoid inadvertently putting the student at risk of greater harm by discussing the student's gender identity with their family.

Based on that information, the school and student should determine how to proceed through the collaborative process of figuring out how the school can support the student and balance the student's needs to at school with the reality that the student does not have that support at home.

This process should address the following basic topics and situations:

- The modifications or accommodations the student is seeking (e.g., use of different name, pronouns and sex-separated facilities).
- How to refer to the student when communicating with the student's parents or caregivers, both in writing and verbally.
- How to refer to the student when communicating with the student's siblings.
- What information to share with the student's teachers and other adults on campus.
- How to address questions from peers (if student's transgender status is not private).
- Services the school can provide to assist the student in coping with the lack of support at home.
- Addressing the student's needs at school provides a great short-term solution; but where possible, the goal should be to support the student's family in accepting their child's gender identity and seek opportunities to foster a better relationship between the student and their family.

E. Prohibition of Discrimination

No person shall be subjected to discrimination on the basis of actual or perceived gender identity, gender expression, gender, or sexual orientation. (N.J.S.A. 10:1 et seq, 20 U.S.C. § 1681 (Title IX)).

F. Privacy

SOMSD staff members should not disclose a student's transgender status to others, including, but not limited to, other students, parents, and/or other staff members, unless they are legally required to, or the student has authorized such disclosure. Generally, when contacting the parent or guardian of a transgender student, SOMSD staff members should use the student's legal name and the gender pronoun that corresponds to their assigned sex, unless the student, parent, or guardian has specified otherwise.

All students, including transgender students, have the right to openly discuss and express their gender identity or transgender status and to decide when, with whom, and how much to share. In sharing this information, district employees should not use a student's self-disclosure as grounds for sharing information about the student's gender identity or transgender status without the student's express permission.

G. Use of Names and Pronouns

SOMSD schools and staff shall honor and fully comply with requests of student or parent/legal guardian to have the student addressed by a name and pronoun different from those associated with the student's sex at birth. Proof of a court-ordered name or gender change is not required.

The Board recognizes that inadvertent slips or honest mistakes in the use of names or pronouns may occur. However, intentional or persistent refusals by staff or students to respect a student's gender identity by using the wrong name and gender pronoun is a violation of this policy, and may also be a violation of this Board's policies prohibiting discrimination (Policy 5750), and harassment, intimidation and bullying (Policy 5512).

H. School Records

SOMSD is required to maintain an official, permanent pupil record with the legal name and gender appearing on the student's birth certificate.

When a student or parent/legal guardian presents the school with documentation of a court-ordered legal name and/or gender change, the district will modify its official records to reflect the student's new legal name and gender, prospectively from the date of the legal change.

Maintaining student's privacy with regard to gender identity, name, and pronouns is a matter of physical and emotional safety. Whether or not a student has a court-ordered or other type of official name or gender marker change, student privacy will be maintained and the student shall be treated in accordance with the expressed gender identity. Thus, irrespective of the student's permanent pupil file, at the request of the student, SOMSD schools and staff shall use a student's requested name, gender marker, and gender pronoun on the other school-related records and documents.

In order to protect the student's privacy, the school should maintain the official, permanent pupil record in a secure location, separate from the student's other records. If the official record is maintained electronically, similar security measures should be implemented to protect student privacy. An individualized procedure to maintain privacy will be included in the student's Gender Diverse Student Support Plan.

In the event that a student identifies as transgender, but is unable to obtain consent from a parent or legal guardian to change school student records, a school administrator, counselor or psychologist should meet with the student to discuss how the student would like to be addressed at school and implement a plan to ensure that the student's privacy is protected.

I. Restroom Accessibility

Schools may maintain separate restroom facilities for male and female students. However, students shall have access to the restroom that corresponds to their gender identity (N.J.S.A. 10:5-12(11)(f)(1)). Where available, a single stall, "gender neutral" restroom (such as in the health office) may be used by any student who desires increased privacy, regardless of the underlying reason. The use of such a "gender neutral" restroom shall be a matter of choice for a student and no student shall be compelled to use such a restroom.

As a proactive measure, school principals shall take reasonable measures to identify private gender-neutral restrooms on their campus, as well as to de-stigmatize the use of such private options. Principals shall also establish and communicate clear guidelines and expectations with regards to students' physical privacy and boundaries, either through student handbooks, posted expectations, staff training or meetings, or through orientation and other processes for familiarizing students and guardians to the school and its facilities.

J. Locker Room Accessibility

Schools may maintain separate locker room facilities for male and female students. However, students shall have access to the locker room facility that corresponds to their gender identity. If any student has a need or desire for increased privacy or safety, regardless of the underlying reason, they may be provided access to a reasonable alternative changing area or locker room such as:

- Use of a private area in the public area of the locker room facility (i.e., a nearby restroom stall with a door, an area separated by a curtain, or a P.E. instructor's office in the locker room).
- A separate changing schedule (either utilizing the locker room before or after other students).
- Use of a nearby private area (i.e., a nearby restroom or a health office restroom).

However, use of such an alternative changing space shall be a matter of choice for a student and no student shall be compelled to use such an alternative. SOMSD staff members should also work to de-stigmatize the use of such options, as well as to establish, communicate and model clear guidelines and expectations with regard to respecting privacy and boundaries in changing areas and other close quarters.

K. Participation in Athletics and Physical Education Classes

Transgender students shall be permitted to participate in physical education classes, intramural sports, and competitive athletic activities in a manner consistent with their gender identity.

L. Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (i.e., overnight field trips), students may be permitted to participate in accordance with their gender identify as it is consistently asserted at school. Activities that may involve a need for accommodations to address student privacy concerns will be resolved on a case-by-case basis.

M. Dress Codes

All students have the right to dress in accordance with their gender identity and gender expression. School dress code policies and guidelines are gender-neutral, and should not be interpreted or applied so as to restrict students' clothing choices on the basis of gender or traditional stereotypes about what males and females "should" wear.

N. Resources for Transgender or Transitioning Students

If a school staff member observes that a gender identity issue is creating challenges for a student at school or if a student indicates an intention to transition, the staff member shall alert the school counselor and encourage the student to meet with the school counselor if appropriate. School staff shall make every effort to support the student and encourage the support and respect of student peers and staff during school.

When a student indicates an intention to transition, the school counselor, as appropriate, shall offer assistance and provide the student, and/or their parents/guardians as appropriate, with information, resources and referral services regarding the issues associated with gender identity and expression and/or formal gender transition. The school counselor shall also provide information regarding gender transition planning at school. The counselor shall coordinate the measures planned and taken at school for supporting the student and creating a sensitive supportive environment at school. These measures may include:

- A. Making resources available to parents/guardians who have additional questions or concerns;
- B. Developing age-appropriate lessons for students about gender diversity and acceptance: and
- C. Staff training surrounding vigilance to prevent possible harassment, intimidation and bullying issues that may arise for transgender or transitioning students.

Reports of harassment, intimidation and bullying shall be promptly investigated and resolved according to Board Policy 5512 Harassment, Intimidation and Bullying.

O. Harassment, Intimidation and Bullying Prohibited

The Board recognizes its duty to provide all students, including transgender students, with a safe and supportive learning environment that is free of discrimination, harassment, intimidation and bullying. All of this Board's policies, including Policy 5512 (Harassment, Intimidation and Bullying) and any policy or district or school rule prohibiting discrimination, apply to the treatment of transgender and gender nonconforming students.

Complaints alleging discrimination, harassment, intimidation or bullying based on a student's gender identity, gender expression, or gender nonconformity, are to be handled with the same seriousness as all other such complaints. Any complaint alleging discrimination or harassment based on a student's gender identity, gender expression, or gender nonconformity shall be given immediate attention; shall be fully and appropriately investigated in a timely manner; and shall be resolved through appropriate corrective action.

N.J.S.A. 10:5-1 et seq. Title IX, 20 U.S.C. Section 1681 Adopted: May 23, 2016

First Reading: July 18, 2016
Second Reading: August 22, 2016
Initial Adoption: August 22, 2016

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. Except in exigent circumstances, an intrusive search of a pupil's person or intimate personal belongings shall be conducted by a certified staff member of the pupil's gender and observed by a second certified staff member of the pupil's gender. Under no circumstances shall any pupil be subjected to a strip search or a body cavity search.

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 facility may be conducted. The school principal or designee are directed to conduct, without further notice, the regular inspection of such facilities provided to pupils for the storage of property.

A search conducted by the Principal or designee shall be carried out whenever possible in the presence of the pupil, and a certified staff member other than the Principal or designee. The parents or legal guardians shall be promptly notified of such search.

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 or designee 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, 18A:37-6

Cross Reference: 5700

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

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.

The Board recognizes the Student Council as the official voice of the student body for pupils in each school. The administrator of each school shall provide bylaws for each Student Council, which shall provide for amendment thereof by the Student Council subject to approval by the administrator. All pupils shall have equal access to their student government and an equal opportunity to vote.

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

Administration concurrence with student government decisions shall not be unreasonably withheld.

Cross References: 5842

First Reading: March 12, 2001

Second Reading: March 19, 2001

Adopted: April 2, 2001

5830 PUPIL FUND RAISING

The Board of Education herein limits 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.

Permitted Activities

Pupils may solicit and collect money on behalf of approved school organizations. Fundraising is allowed for the following activities:

1. Sponsored activities as described under Policy 2430,
2. Athletic teams under Policy #2431,
3. An entire class, or
4. A school P.T.A. or Home and School Association.

All funds raised must be used for purposes as described in the charter or bylaws of the fundraising entity. Fundraising by any other organization or for any other purpose must be expressly approved by the Superintendent.

Prohibited Activities

Unsupervised solicitation by students, whether alone or in groups, is prohibited. In no event shall fundraising be contingent upon a student's performance or outcome. The Board discourages incentives or awards based upon the amount of funds raised by students or groups of students.

External Organizations

The Board recognizes that in some instances the use of an external organization may help raise funds for school purposes. These organizations may include, but are not limited to, publishers, wholesalers and manufacturers selling goods or services at a discount as well as those providing specialized services (local memberships, retail discount cards, etc.).

Approved school organizations may engage external entities to help raise funds for school purposes, provided the school organization has obtained written approval of the Superintendent or his/her designee prior to commencing fundraising activities. External organizations are expected to abide by those activities permitted and prohibited by this policy. In addition, external organizations and their representatives are prohibited from taking part in solicitations or other fundraising activities.

Funds raised by students in conjunction with external organizations must primarily benefit the school-related organization. The Superintendent is directed to report annually to the Board on the nature and number of fundraising activities that involve external organizations.

The Superintendent shall develop regulations regarding pupil fund raising that:

1. Establish the times and places in which pupil fund raising may be conducted;
2. Insure adequate accounting of funds collected, including sources and uses;
3. Provide for periodic review of school organizations charters or bylaws with respect to use of funds; and
4. Provide for periodic reporting on the role of external organizations in district fundraising activities.

Copies of this policy and accompanying regulations shall be distributed not less than annually to each organization recognized as a legitimate fundraising entity under this policy.

Cross References: 2430

First Reading: January 28, 2002

Second Reading: February 4, 2002

Adopted: February 4, 2002

5842 – EQUAL ACCESS OF PUPIL ORGANIZATIONS

Please refer to Policy 2430 – Equal Access of Student Organizations

First Reading: January 28, 2002
Second Reading: February 4, 2002
Adopted: February 4, 2002

5850 SOCIAL EVENTS AND CLASS TRIPS

While the Board of Education recognizes that social events, class trips and end-of-year activities can enhance the school experience for the pupils of this district, it also seeks to ensure that such activities do not interfere with or conflict with the educational objectives of the district.

For purposes of this policy, a "social event" is a party, celebration, or dance organized for the participation of pupils. "Class trips" are trips taken by pupils in a single graduating class (fifth, eighth or twelfth grade). "End-of-year activities" are social events occurring during the last week of a school year. Social events, class trips and end-of-year activities are not related to an approved course of study and should not be scheduled at a time or in a manner that conflicts with the educational objectives of the district.

Social events occurring on school grounds in a classroom setting (e.g., birthday parties) may be arranged at the discretion of a classroom teacher in consultation with the building principal, who in scheduling such events shall mitigate their impact on instructional requirements. Other than end-of-year activities, social events that cannot take place in a classroom setting shall not be scheduled during the instructional day. End-of-year activities may be scheduled during the instructional day, but only during the last week of the school year and after the educational objectives for the class have been met.

Each graduating class may schedule a class trip. Every effort shall be made to minimize instructional time lost as a result of such trips. The Board reserves the right to cancel any planned or scheduled trip if the Board determines that external circumstances are such that it cannot foresee a reasonably safe travel environment.

Class trips and all social events taking place outside of a classroom setting must first be approved by the building principal. Before providing such approval, the principal shall consult with those responsible for the event or trip to ensure that it is properly planned and meets the requirements of this policy.

Class trips and social events approved by a building principal must also be approved by the Superintendent or his/her designee. In considering requests, the Superintendent or his/her designee shall ensure that the planned activities do not interfere or conflict with the educational objectives of the district and that the safety and well-being of pupils is protected at all times.

The cost of social events or class trips may be borne in whole or in part by a pupil's parents or guardians. Students formally suspended by a principal or the Board at the time of an event or class trip may not participate in the event or trip. Any loss of the privilege to attend a social event or class trip shall be in accordance with the Code of Student Conduct, Policy 5600.

Pupils who participate in approved social events and class trips remain under the supervision of the Board and continue to be subject its policies and regulations governing pupil conduct. Pupils are expected to respect the authority and follow the directions of administrators, teachers and assigned chaperones.

A pupil who violates rules or disregards the authority of supervisors at a social event or on a class trip endangers the safety of other pupils and may be dismissed from the event or trip. The principal or his/her designee shall make arrangements for the dismissed pupil's transportation to home or school as appropriate. The cost of any such transportation may be borne by the parents or legal guardians of the pupil.

The Superintendent is directed to prepare regulations for the approval and conduct of social events and class trips.

Cross References: 2340, 5600, 8540

Initial Adoption: January 27, 2003

First Reading: June 17, 2013

Second Reading: July 15, 2013

Latest Adoption: July 15, 2013

5860 SAFETY PATROL

The Board of Education recognizes the value of a school safety patrol as a means of preventing accidents, instructing pupils in good habits, and providing opportunities for leadership training.

The Board authorizes the establishment of a school safety patrol of pupils at the elementary and middle school level. Student safety patrols shall be under the direction of a faculty advisor.

All eligible pupils may apply for appointment to the safety patrol. Selection among applicants will be made on the basis of the applicant's demonstrated sense of responsibility, good citizenship, leadership capacity, maturity, and academic proficiency. Members of the safety patrol must attend a training program before they may assume duties. No pupil may serve without the written consent of his or her parent or legal guardian. A member may be removed from the safety patrol for violation of school rules or failure to maintain the high standard of conduct expected of school safety patrol members.

Members of the school safety patrol may be assigned to control and direct pupil traffic on school premises, and on sidewalks and paths adjacent to a street or roadway. The school safety patrol shall discourage other students from crossing public streets and roadways at points other than at regular crossings, and shall direct students not to cross public streets and roadways at times when the presence of traffic would render such crossings unsafe. No school safety patrol member shall be permitted to direct or place himself or herself in the path of vehicular traffic.

All pupils shall be instructed to respect the authority of school safety patrol members in the performance of their duties.

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

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

R 5860 RULES FOR SAFETY PATROL MEMBERS

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

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

First Reading: January 28, 2002
Second Reading: February 4, 2002
Adoption: February 4, 2002

5880 PUBLIC PERFORMANCES BY PUPILS

The Board of Education recognizes that worthy and appropriate educational values accrue from pupil participation in civic and community affairs. Instructors shall be encouraged to provide students for public performances when such performances contribute to the educational process and objectives of that particular class and when it does not interfere unduly with other scheduled classes or activities within the school.

School groups may, with the permission of the Principal, participate in local public events that fall into the following classifications:

1. Events sponsored by the schools. Educational events in which the schools serve as hosts shall have priority in scheduling appearances.
2. Community functions organized in the interests of the school such as those that might be originated by the parent-teacher groups or parent councils.
3. Non-commercial civic occasions of community, county, state or national interest of sufficient breadth to enlist general sympathy and cooperation.
4. Events that are primarily patriotic in nature, such as Veteran's Day.
5. Charity benefit activities provided such activity has been specifically approved in advance by the Superintendent.
6. Programs sponsored by established character-building agencies, or programs sponsored jointly by the school system and mass communication media where the time or space given to the programs are of a public nature.

School groups may not participate in events that fall into any of the following classifications.

1. Events that are for the purpose of private gain or for the advertising of any commercial project or product. A school name, the names of school-sponsored groups or school equipment shall not be exploited in events of a commercial nature.
2. Events that are for the furtherance of any politically partisan interest.
3. Events that are primarily of a religious character or for the furtherance of any sectarian concern.
4. Events that cause an undue amount of interference with the regular school program or that cause an excessive amount of absence due to rehearsal or preparation.

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

First Reading: March 12, 2001
Second Reading: March 19, 2001
Adopted: April 2, 2001

R-5880- PUBLIC PERFORMANCES BY PUPILS

School Sponsored Groups

School Sponsored music performance groups both curricular and extra-curricular, will present music that is consistent with the goals of these regulations and the goals of policies # 2270 and #5880, as follows:

1. The faculty advisor for extra curricular performance groups will meet annually with the Supervisor of Fine Arts to review and agree upon the musical selections to be performed by that group.
2. Performances during the school day or at school functions will be consistent with the requirements of policy # 2270 and accompanying regulations.
3. No music will be assigned to students until the Supervisor of Fine Arts and the faculty advisor agree upon selections to be performed and that those selections are approved by the Supervisor.
4. Where school sponsored groups are invited to make public appearances off school premises, the following procedures will be followed:
 - a. All invitations will be reviewed by the Supervisor of Fine Arts to insure that the type of event is as permitted by policy #5880.
 - b. Students and staff members will participate on a volunteer basis.
 - c. Student participants will have written permission from a parent or guardian.
 - d. Parents will be fully informed in advance and in writing regarding the location of the activity, the occasion being celebrated, and the content of the musical selections.
 - e. School sponsored groups will be permitted to perform at off-premises events upon permission by the Supervisor of Fine Arts.

Non-School Sponsored Groups

Non-School Sponsored groups which wish to perform during the school day or at school functions will comply with the provisions of these regulations and policies # 2270 and #5880.

1. In accordance with policy #2430, non-sponsored student groups may not use the school or school district name or any other phrase that implies sponsorship by the school district.
2. Accordingly, the activities of these groups off school premises are not regulated by school district officials.

Forum for School and Community Concerns

Any student, staff member, parent/guardian or community member who believes that a particular school program, practice or employee may have violated or misapplied policy# 5880 may submit a written complaint as follows:

- a. A written complaint shall initially be directed to the building principal.
- b. If there is not satisfactory resolution of the issue at the building level, the concern will be addressed to the Superintendent of Schools.
- c. If there is not satisfactory resolution of the issue at the Superintendent's level, a request for a Board hearing may be made.
- d. The Board, in its sole discretion, will determine whether to grant a hearing, or whether to reply to the complaint/concern based on the information supplied to it by administration.
- e. A written Board level response to the complaint/concern will be made in all instances where a complaint or concern is referred to the Board.

Cross References: 2270, R2270, 2430

First Reading: September 19, 2005

Second Reading: October 10, 2005

Adoption: October 10, 2005