



# Code of Conduct



**The School District of  
South Orange-Maplewood**  
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# 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.*

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

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/page/39>.

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

PUPILS  
5512  
Harassment, Intimidation  
and Bullying  
**M**

## 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.

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

## 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  
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### **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:

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





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[www.southorangemaplewood.org](http://www.southorangemaplewood.org) or [www.somsd.k12.nj.us](http://www.somsd.k12.nj.us)