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5111 ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS

The Roosevelt Board of Education shall admit to its school, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older pupil as is otherwise entitled by law to a free public education.

Eligibility to Attend School

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

The Board shall also admit any pupil that is kept in the home of a person other than the pupil's parent or guardian, where the person is domiciled in the school district and is supporting the pupil without remuneration as if the pupil were his or her own child in accordance with N.J.A.C. 6A:22-3.2 et seq. A pupil is only eligible to attend school in the district pursuant to this provision if the pupil's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the pupil due to family or economic hardship and the pupil is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the pupil must file, if so required by the district, a sworn statement that he or she: is domiciled within the district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the pupil relative to school requirements; and provides a copy of his or her lease if a tenant, or a sworn landlord's statement if residing as a tenant without a written lease. Pursuant to N.J.S.A. 18A:38-1(c), any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

A pupil is eligible to attend school free of charge pursuant to N.J.S.A. 18A:38-1(b) if the pupil is kept in the home of a person domiciled in the district, other than the parent or guardian, where the parent or guardian 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 or guardian's return from active military duty.

A pupil is eligible to attend school free of charge pursuant to N.J.S.A. 18A:38-1(d) if the pupil's parent or guardian temporarily resides within the district and elects to have the pupil attend school in the district of temporary residence, notwithstanding the existence of a domicile



elsewhere. Where required by the district, the parent or guardian shall demonstrate that such temporary residence is not solely for purposes of a pupil attending school within the district of temporary residence. Where one of a pupil's parents or guardians temporarily resides in the district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A pupil is eligible to attend school in the district free of charge:

1. If the pupil's parent or guardian moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the pupil is placed in the home of a district resident by court order (as defined in N.J.A.C. 6A:22-3.2(e)) or by a society, agency, or institution pursuant to N.J.S.A. 18A:38-2;
3. If the pupil had previously resided in the district and if the parent or guardian 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). The district shall not be obligated for transportation costs; and
4. If the pupil resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

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

A pupil's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

Proof of Eligibility

The district shall accept forms of documentation from persons attempting to demonstrate a pupil's eligibility for enrollment in the district in accordance with N.J.A.C. 6A:22-3.4 et seq. The district shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form of documentation, or a particular subset of documents, without regard to other evidence presented.



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

Initial Assessment and Enrollment

Registration, initial determinations of eligibility, and enrollment will be in accordance with N.J.A.C. 6A:22-4.1 et seq. The district shall use registration forms provided by the Commissioner of Education or locally developed forms that are consistent with the forms provided by the Commissioner. A district level school administrator designated by the Chief School Administrator will be available and clearly identified to applicants, to assist persons who are experiencing difficulties with the registration/enrollment process.

Initial determinations of eligibility shall be made upon presentation of an application for enrollment and enrollment shall take place immediately in all cases except those of clear, uncontested denials. Where an applicant has provided incomplete, unclear or questionable information, enrollment shall take place immediately, but the applicant will be placed on notice that removal will result if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2 et seq.

Where an applicant appears ineligible based on the information provided in the initial application, a preliminary written notice of ineligibility shall be provided, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and intent to appeal to the Commissioner. A pupil enrolled pursuant to this provision shall be notified that he or she will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

Where enrollment is denied and no intent to appeal is indicated, applicants shall be advised that they shall comply with compulsory education laws. In this case, the parent(s) or guardian(s) shall, where the pupil is between the ages of six and sixteen, be asked to complete a written statement that the pupil will be attending school in another district, attending a nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the event this written statement is not provided, the district level administrator designated by the Chief School Administrator shall notify the school district of actual domicile or residence, or the Department of Children and Families to report a potential instance of "neglect" pursuant to



N.J.S.A. 9:6-1, with the pupil's name, the name(s) of the parent/guardian/resident, the pupil's address to the extent known, and shall indicate that admission to the district has been denied based on residency or domicile, and that there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance in the district shall not be denied based upon absence of the certified copy of birth certificate or other proof of a pupil's identity required within thirty days of initial enrollment pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the district shall not be denied based upon absence of pupil medical information, although actual attendance at school may be deferred as necessitated by compliance with rules regarding immunization of pupils, N.J.A.C. 8:57-4.1 et seq.

Enrollment in the district, attendance at school, or educational services where attendance in the regular education program appears inappropriate, shall not be denied based upon absence of a pupil's prior educational record. However, the applicant shall be advised that the initial educational placement of the pupil may be subject to revision upon receipt of records or further assessment of the pupil by the district.

Notice of Ineligibility

If the district finds the applicant ineligible to attend the school of this district pursuant to N.J.A.C. 6A:22-1.1 et seq., or the application initially submitted is found to be deficient upon subsequent review or investigation, notice shall immediately be provided to the applicant consistent with sample form(s) to be provided by the Commissioner. Notices shall be in writing, in English and in the native language of the applicant, issued by the Chief School Administrator and directed to the address at which the applicant claims to reside. The Notice of Ineligibility shall be provided and shall include information as required in accordance with N.J.A.C. 6A:22-4.2 et seq.

Removal of Currently Enrolled Pupils

Nothing in N.J.A.C. 6A:22-4.3 et seq. and this policy shall preclude the Board from seeking to identify, through further investigation or periodic requests for current validation of previously determined eligibility status, pupils enrolled in the district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances or newly discovered information.



When a pupil, enrolled and attending school in the district based on an initial determination of eligibility, is later determined to be ineligible for continued attendance, the Chief School Administrator may apply to the Board for removal of the pupil in accordance with N.J.A.C. 6A:22-4.3(b). No pupil shall be removed from school unless the parent, guardian, adult pupil or resident keeping an "affidavit pupil" (as defined in N.J.A.C. 6A:22-1.2) as the case may be, has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult pupil or resident keeping an "affidavit pupil", as the case may be, does not respond to the Chief School Administrator's notice within the designated time frame or appear for the hearing, the Board shall make a prompt determination of the pupil's eligibility or ineligibility and shall immediately provide notice thereof in accordance with the requirements of N.J.A.C. 6A:22-4.2 et seq. The hearings required pursuant to N.J.A.C. 6A:22-4.3 et seq. may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No pupil may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

Appeal to the Commissioner

The district's determination that a pupil is ineligible to attend the school of this district may be appealed to the Commissioner by the parent, guardian, adult pupil or resident keeping an "affidavit pupil", as the case may be. Such appeals shall proceed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 et seq. and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1(b)1, appeals of "affidavit pupil" eligibility determinations must be filed by the resident keeping the pupil.

Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of a determination of ineligibility, the Board may assess tuition for any period of a pupil's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. The district may petition the Commissioner for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10, through recording, upon request of the Board pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

Nonresident Pupils

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



Nonresident Pupil Requests

The Board shall consider for approval all requests of nonresident pupils to attend Roosevelt School District in situations other than those specified below. A monthly fee will be charged each nonresident pupil enrolled in a regular class. The Board shall approve the fee annually at the reorganization meeting. An additional fee will be assessed for any additional service needed.

Former Residents

Parents/guardians moving from the district but wishing their children to continue in the Roosevelt School District will be charged the full tuition rate from the date of departure to the end of the school year. If the move occurs on or after May 15, the regular tuition rate will be waived and attendance will be subject to the same terms and conditions as any other nonresident. Attendance will be permitted provided the pupil is in good academic and discipline standing and services can be provided in-district.

Other Nonresident Children

Other nonresident pupils may be admitted to this district on payment of tuition and availability of space.

The Chief School Administrator shall develop procedures for the enrollment of nonresident children which admit such children only on the proper application of parent/guardian; verify claims of residency and submission of affidavits of guardianship; deny admission where the educational program maintained for the children of this district is inadequate to meet the needs of the applicant; do not exclude any child, otherwise eligible, on the basis of such child's race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait of any individual or ancestry; and make continued enrollment of any nonresident pupil contingent upon maintaining good standards of citizenship and discipline.

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

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.

Adopted: 24 January 2013



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 birthdate of any child for whom admission to this district is sought.

Preschool Disabled

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

Kindergarten

Any child residing in the district shall be admitted to the Kindergarten provided:

The child will have attained the age of five years on or before October 1 of that school year.

Grade One

Any child residing in the district shall be admitted to grade one provided:

1. The child will have attained the age of six years on or before October 1, of that school year; or he/she has successfully completed Kindergarten in an accredited Kindergarten program; or
2. He/she has been in the first grade in another school.

The Board of Education believes that preschool educational experiences contribute to later academic success for all children. Therefore, within the limits of the budget and as required by law, the Chief School Administrator shall recommend to the Board for approval programs designed for district children under the age required for regular admission. Programs shall address the needs of children who have been identified as requiring special education, as well as of those who have not been so identified.

The Chief School Administrator shall direct development of approved preschool programs. He/she shall ensure adherence to all applicable laws and regulations in pursuing funding at the Federal and State levels, as well as from private sources.



Implementing procedures shall address the following:

1. The preschool curriculum shall consist of developmentally appropriate experiences that provide each child with individual opportunities to develop positive self-esteem, social/emotional growth, language skills, motor development and conceptual skill development.
2. All preschool programs sponsored by this Board shall be consistent with the overall philosophy of the school district and aligned with the Core Curriculum Content Standards. They shall be coordinated with other relevant district programs such as special education and Title I and articulated with the Pre-Kindergarten through grade six curriculum.
3. Each preschool classroom shall be assigned at least one certificated teacher with required training or experience with young children, as described in administrative code. Class sizes shall not exceed limits defined in the code.
4. Proof of immunizations against communicable diseases and examinations shall be in accord with requirements for Kindergarten and first grade admission.
5. Programs shall be designed to include parents/guardians as active participants and provide them with meaningful opportunities to be involved in the educational experiences of their children.
6. Preschool classes may serve as laboratories for training teachers in cooperative agreements with colleges or universities.
7. Opportunities may be provided for high school pupils to participate in laboratory experiences to enhance their understanding of child development and preschool curricula in the interest of future child rearing and for exploration of careers in early childhood education.

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. 6A:14-3.3

Adopted: 24 January 2013



5114 CHILDREN DISPLACED BY DOMESTIC VIOLENCE

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

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

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

Adopted: 24 January 2013



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 be in compliance 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 is the Chief School Administrator. 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 Chief School Administrator or designee of the district of residence shall decide the district of enrollment of the homeless child in accordance with N.J.A.C. 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 Chief School Administrator 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 districts 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 Chief School Administrator s 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 Chief School Administrator 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.

Adopted: 24 January 2013



FIRST READING

5117 INTERDISTRICT PUBLIC SCHOOL CHOICE

Introduction

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

A proposed choice school district shall submit an application to the Commissioner of Education no later than April 30 in the year prior to the school year in which the choice program will be implemented.

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

The Commissioner may take appropriate action, consistent with State and Federal law, to provide that pupil population diversity in all districts participating in a choice district program is maintained in accordance with the provisions of N.J.S.A. 18A:36B-17.b.

The Commissioner shall evaluate an application submitted by a proposed choice district in accordance with the provisions of N.J.S.A. 18A:36B-18.

The parent or guardian of a pupil shall notify the sending district of the pupil's intention to participate in the choice program and shall submit an application to the choice district, indicating the school the pupil wishes to attend, no later than the date specified by the Commissioner.

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

A choice district shall not prohibit the enrollment of a pupil based upon a determination that the additional cost of educating the pupil would exceed the amount of additional State aid received as a result of the pupil's enrollment. A choice district may reject the application for enrollment of a pupil who has been classified as eligible for special education services pursuant to Chapter



46 of Title 18A of the New Jersey Statutes if that pupil's individualized education program could not be implemented in the district, or if the enrollment of that pupil would require the district to fundamentally alter the nature of its educational program, or would create an undue financial or administrative burden on the district.

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

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

Enrollment restriction percentages adopted by the resolution shall not be compounded from year to year and shall be based upon the enrollment counts for the year preceding the sending district's initial year of participation in the choice program, except that in any year of the program in which there is an increase in enrollment, the percentage enrollment restriction may be applied to the increase and the result added to the preceding year's count of pupils eligible to attend a choice district. If there is a decrease in enrollment at any time during the duration of the program, the number of pupils eligible to attend a choice district shall be the number of pupils enrolled in the choice program in the initial year of the district's participation in the program, provided that a pupil attending a choice district school shall be entitled to remain enrolled in that school until graduation.

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

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



enrolled on a tuition basis prior to the establishment of the choice program shall be entitled to remain enrolled in the choice district as a choice pupil.

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

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

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

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

N.J.S.A. 18A:36B-14 through 18A:36B-24
N.J.A.C. 6A:12.1.1 et.seq.

Adopted:

First Reading: June 27, 2013

Second Reading: July 25, 2013



5120 ASSIGNMENT OF PUPILS

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

The Superintendent shall assign an incoming transfer pupil to the school in their attendance area of their residence provided the district's school or class size requirements can accommodate the pupil's enrollment. The Building Principal may assign pupils in his/her school to grades, classes, and groups on the basis of the needs of the pupil as well as the sound administration of the school.

In accordance with the provisions of N.J.S.A. 18A:36-38.a.(a), a parent of twins or higher order multiples enrolled in the same Kindergarten through eighth grade level at the same public school may request, in writing, the children be placed in the same classroom or in separate classrooms. The Principal shall make the classroom placement requested in accordance with the provisions of N.J.S.A. 18A:36-38.a.(a).

In accordance with the provisions of N.J.S.A. 18A:36-38a.(2), a parent of twins or higher order multiples enrolled in the same ninth through twelfth grade level at the same public school may request, in writing, the children be placed in the same classroom or in separate classrooms. The placement of such children shall be made at the discretion of the Principal in the best interest of the school and its pupils. The parent may appeal the Principal's classroom placement decision to the Board of Education, which shall make a final determination on the placement.

The written request must be submitted to the Principal no later than fourteen days after the first day of each school year. Parents of twins or higher order multiples enrolling after the school year commences shall request the classroom placement in writing no later than fourteen days after the first day of attendance.

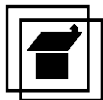
In accordance with the provisions of N.J.S.A. 18A:36-38.(2)(b), a Principal may, after consultation with the pupils' parent and teachers at the end of the initial grading period, request the Board make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is determined to be disruptive to any of the pupils in the class or classes, or if the Principal concludes the initial placement does not sufficiently support the pupils' academic or social development. Upon receiving such request, the Board shall make a final classroom placement determination.



“Higher order multiples” means triplets, quadruplets, quintuplets, or larger group siblings born at one birth. Provisions of N.J.S.A. 18A:36-38 do not apply to a school district which maintains only a single classroom for the grade level in which twins or higher order multiples are enrolled. The parent shall be responsible for any additional pupil transportation costs that are incurred by the district as a result of providing the requested classroom placement, unless the district is in agreement with the placement. In the event one of the twins or higher order multiples receives special education services, the requested placement shall not be accommodated if the placement is inconsistent with a pupil’s Individualized Education Plan.

N.J.S.A. 18A:36-38

Adopted:
First Reading: June 27, 2013
Second Reading: July 25, 2013



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/her needs. No pupil below the age of sixteen will be permitted to withdraw from school.

The Chief School Administrator shall alert teaching staff members to identify those pupils who may consider sixth grade graduation the termination of their education. Any pupil who indicates that he/she may drop out of school before entry to the seventh grade should be reported to the Building Principal and be provided with counseling.

Adopted: 24 January 2013



5200 ATTENDANCE

The Board of Education believes that the regular attendance of pupils in each class and in school in general is critical to its educational mission. The district shall endeavor to achieve the ninety percent attendance rate required by the New Jersey Quality Single Accountability Continuum (NJQSAC). Continuity of instruction is an essential element in pupil performance and allows pupils the greatest opportunity to succeed at meeting the State learning standards in the Core Curriculum Content Standards. The Chief School Administrator shall oversee the development of effective strategies that maximize pupil attendance at all scheduled periods of actual instruction or supervised study activities and strive to:

1. Encourage good attendance;
2. Discourage unexcused absences;
3. Identify patterns of absence, tardiness and early departures from school; and
4. Intervene to prevent and correct problems with attendance.

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 pupil excused for a religious holiday shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on the religious holiday.

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

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 Chief School Administrator shall calculate and monitor the average daily attendance rate for the district and for the school. 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 Chief School Administrator 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

Adopted: 24 January 2013



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(s) or legal guardian(s). Good cause may include, but need not be limited to, medical and dental appointments that cannot be scheduled outside the school day, medical disability, a motor vehicle driver's test, interviews for college entrance or employment, and court appearances.

No pupil will be permitted to leave the school before the end of the school day except in the presence of the pupil's parent(s) or legal guardian(s), or an agent of the parent(s) or legal guardian(s) who has written authorization, or in the custody of agents of the state acting in their legal capacity.

The Principal shall maintain a record of the parent(s) or legal guardian(s) of each pupil. If one parent has been assigned custody of the pupil by court order or separation agreement and wishes to limit the noncustodial parent's access to the pupil, the parent in custody must inform the Principal of any such limitation and may request that his/her authorization be required before the noncustodial 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.

Adopted: 24 January 2013



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.

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.

Adopted: 24 January 2013



5250 EXCUSAL FROM CLASS OR PROGRAM

The Board of Education directs that a pupil be excused from any part of the instructions in health education, family life education, sex education, or instruction that includes dissection of animals that the parent(s) or legal guardian(s) of the pupil or the adult pupil finds morally, conscientiously, or religiously offensive. A request for excusal must be presented in a signed statement and submitted to the Chief School Administrator.

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

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

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

Adopted: 24 January 2013



5300 AUTOMATED EXTERNAL DEFIBRILLATORS(AEDS)

The American Heart Association estimates many lives could be saved if defibrillators were more widely available. Due to technological advances, automated external defibrillators (AEDs) may be used by lay persons without any training to provide defibrillation within the first minutes of Cardiac arrest thereby increasing the victim's chances of survival. In accordance with N.J.S.A. 18A:40-41.s, the Board of Education shall ensure every school in the school district has an AED as defined in N.J.S.A. 2A:62A-24. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the school district are participating. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of N.J.S.A. 2A:62A-25.a. The school district shall be deemed to be in compliance with N.J.S.A. 2A:62A-25.a., if a State certified emergency services provider or other certified first responder is on site at the event or practice.

Each AED in the school district shall be tested and maintained according to the manufacturer's operational guidelines. Notification shall be provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location in accordance with N.J.S.A. 2A:62A-25.b and c.

The school district and its employees shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of N.J.S.A. 2A:62A-27.

In accordance with the provisions of N.J.S.A. 18A:40-41.b, the Superintendent of Schools or designee shall establish and implement an Emergency Action Plan applicable to each school in the school district for responding to a sudden cardiac even including, but not limited to, an event in which the use of an AED may be necessary. The Emergency Action Plan shall be consistent with the provisions of N.J.S.A. 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of an AED. This list shall be updated, if necessary, at least once in each semester of the school year. The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to, the



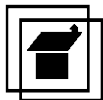
identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event; calling 911; starting cardio-pulmonary resuscitation; retrieving and using the AED; and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

N.J.S.A. 18A:40-41.a; 18A:40-41.b

Adopted:

First Reading: June 27, 2013

Second Reading: July 25, 2013



5305 HEALTH SERVICES PERSONNEL

The Board of Education shall appoint at least one school physician pursuant to N.J.S.A. 18A:40-1. The Board will appoint a lead school physician to serve as health services director if more than one school physician is required. The school physician shall be currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy whose training and scope of practice includes child and adolescent health and development. The school district shall conduct a criminal history background check on any physician before entering into an agreement for delivery of services.

The school physician shall provide, at a minimum, the following services:

1. Consultation in the development and implementation of school district policies, procedures, and mechanisms related to health, safety, and medical emergencies pursuant to N.J.A.C. 6A:16-2.1(a);
2. Consultation to school district medical staff regarding the delivery of school health services, which includes special health care needs of technology supported and medically fragile children, including those covered by 20 U.S.C. § § 1400 et seq., Individuals with Disabilities Education Improvement Act;
3. Consultation to the Board of Education, school district administrators, and staff as needed;
4. Physical examinations conducted in the school physician's office or other comparably equipped facility for pupils who do not have a medical home or whose parent(s) or legal guardian(s) has identified the school as the medical home for the purpose of a sports physical examination;
5. Provision of written notification to the parent(s) or legal guardian(s) stating approval or disapproval of the pupil's participation in athletics based upon the medical report;
6. Direction for professional duties of other medical staff;
7. Written standing orders that shall be reviewed and reissued before the beginning of each school year;
8. Establishment of standards of care for emergency situations and medically-related care involving pupils and school staff;



9. Assistance to the certified school nurse or non-certified nurse in conducting health screenings of pupils and staff and assistance with the delivery of school health services;
10. Review, as needed, of reports and orders from a pupil's medical home regarding pupil health concerns;
11. Authorization of tuberculin testing for conditions outlined in N.J.A.C. 6A:16-2.2(c);
12. Review, approval, or detail of reasons for denial of a pupil's physician's determination of anticipated confinement and resulting need for home instruction; and
13. Consultation with the school district certified school nurse(s) to obtain input for the development of the school Nursing Services Plan pursuant to N.J.A.C. 6A:16-2.1.

The Board shall employ a certified school nurse to provide nursing services while school is in session pursuant to N.J.S.A. 18A:40-1 and 3.3. The certified school nurse shall work under the direction of the school physician and Chief School Administrator.

The certified school nurse shall possess an educational certificate for school nurse or school nurse/non-instructional pursuant to N.J.S.A. 18A:40-3.2 and N.J.A.C. 6A:9-13.3 and 13.4. The certified school nurse shall possess a current license as a registered nurse from the State Board of Nursing and valid, current Providers Cardiopulmonary Resuscitation/Automated External Defibrillator (AED) certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health and Senior Services to comply with the American Heart Association's CPR guidelines.

The certified school nurse shall receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma, and Immunology.

The role of the certified school nurse shall include, but not be limited to:

1. Carrying out written orders of the medical home and standing orders of the school physician;



2. Conducting health screenings which include height, weight, blood pressure, hearing, vision, and scoliosis pursuant to N.J.A.C. 6A:16-2.2 and monitoring vital signs and general health status for emergent issues for pupils suspected of being under the influence of alcohol and controlled dangerous substances pursuant to N.J.S.A. 18A:40-4;
3. Maintaining pupil health records, pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;
4. Recommending to the school Principal those pupils who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the child's immunization according to the schedules specified in N.J.A.C. 8:57-4;
5. Annually reviewing pupil immunization records to confirm with the medical home that the medical condition for the exemption from immunization continues to be applicable, pursuant to N.J.A.C. 8:57-4.3;
6. Recommending to the school Principal exclusion of pupils who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7 and 8;
7. Directing and supervising the emergency administration of epinephrine and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6;
8. Administering asthma medication through use of a nebulizer;
9. Directing and supervising the health services activities of any school staff to whom the certified school nurse has delegated a nursing task;
10. Classroom instruction in areas related to health pursuant to N.J.A.C. 6A:9-13.3;
11. Reviewing and summarizing available health and medical information regarding the pupil and transmitting a summary of relevant health and medical information to the Child Study Team for the meeting pursuant to N.J.A.C. 6A:14-3.4(h);
12. Writing and updating, at least annually, the individualized health care plan and the individualized emergency healthcare plan for pupils' medical needs and instructing staff as appropriate;



13. Writing and updating, at least annually, any written healthcare provisions required under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a), for any pupil who requires them;
14. Implementing and assisting in the development of healthcare procedures for pupils in the event of an emergency;
15. Instructing teachers on communicable disease and other health concerns, pursuant to N.J.S.A. 18A:40-3; and
16. Providing other nursing services consistent with the nurse's educational services certification endorsement as a school nurse issued by the State Board of Examiners and current license approved by the State Board of Nursing.

A certified school nurse who possesses the school nurse/non-instructional certificate is not authorized to teach in areas related to health pursuant to N.J.A.C. 6A:9-13.4.

The Board may appoint a non-certified nurse under the supervision of a certified school nurse to supplement the services of a certified school nurse as outlined in N.J.S.A. 18A:40-3.3. The non-certified nurse shall be assigned to the same school building or complex as the certified school nurse pursuant to N.J.S.A. 18A:40-3.3.

A non-certified nurse shall possess a current license as a registered nurse from the State Board of Nursing and a valid, current Providers Cardiopulmonary Resuscitation/AED certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health and Senior Services to comply with American Heart Association CPR guidelines.

A non-certified nurse is limited to providing the following services:

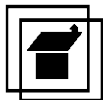
1. Carrying out written orders of the medical home and standing orders of the school physician;
2. Conducting health screenings pursuant to N.J.A.C. 6A:16-2.2 which includes height, weight, blood pressure, hearing, vision, and scoliosis;
3. Maintaining pupil health records pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;



4. Recommending to the school Principal those pupils who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the pupil's immunization according to the schedules specified in N.J.A.C. 8:57-4;
5. Recommending to the school Principal exclusion of pupils who show evidence of communicable disease pursuant to N.J.S.A. 18A:40-7 and 8;
6. Implementing school district healthcare procedures for pupils in the event of an emergency;
7. Instructing teachers on communicable disease and other health concerns pursuant to N.J.S.A. 18A:40-3; and
8. Providing other nursing services consistent with the nurse's current license approved by the State Board of Nursing.

N.J.A.C. 6A:16-2.3 et seq.

Adopted: 24 January 2013



5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to pupils enrolled in the nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.

The Board shall provide for the extension of emergency care provided to public school pupils to those pupils who are enrolled full-time in the nonpublic school who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-1.4 and 6A:16-2.1(a)4. The Board may provide additional services to those required under N.J.A.C. 6A:16-2.5(a) under conditions as outlined in N.J.A.C. 6A:16-2.5(c).

The health services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, an employee of a third-party contractor, or an independent contractor. The health services provided to the nonpublic school pupil shall not include instructional services.

A nonpublic school may decline nursing services required under N.J.A.C. 6A:16-2.5 by submitting notification to the Board of Education signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29. A pupil who is enrolled in a nonpublic school and whose parent(s) or legal guardian(s) objects to the pupil receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the pupil is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

The Board shall consider the provision of health services to nonpublic schools based upon the considerations outlined in N.J.A.C. 6A:16-2.5(h)1-3. The Chief School Administrator or designee shall confer annually with the administrator of the nonpublic school to advise the nonpublic school of the amount of funds allocated to the nonpublic school by the Department of Education; to agree on the basic health services to be provided and additional medical services which may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to assure the nonpublic school the County Office of Education shall provide assistance in the event an agreement cannot be reached regarding the health services and additional medical services to be provided to the nonpublic school; to assure the nonpublic school receiving services receives a copy of N.J.S.A. 18A:40-23 to 31 and N.J.A.C. 6A:16-2.5; and to assure a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.



The Board providing health services to a nonpublic school(s) shall annually submit information to the County Superintendent on or before October 1 that includes: a written statement verifying the required annual conference was held with the nonpublic school; a copy of the contract with another agency to provide the services, if applicable; a copy of the Board meeting minutes approving the contract; and a description of the type and number of services that were provided during the previous school year on a form approved by the Commissioner of Education. A copy of the information submitted to the County Superintendent shall also be provided to the Chief School Administrator of the nonpublic school(s).

N.J.S.A. 18A:40-23 et seq.

N.J.A.C. 6A:16-2.5 et seq.

Adopted: 24 January 2013



5307 NURSING SERVICES PLAN

The Board of Education shall annually adopt the school district's Nursing Services Plan at a regular meeting and submit it to the Executive County Superintendent of Education for review and approval.

The Chief School Administrator, or designee, shall develop the Nursing Services Plan in consultation with the school physician and certified school nurse.

The Nursing Services Plan shall include a description of the basic nursing services to be provided to all pupils and a summary of the specific medical needs of individual pupils, if any, and the nursing services required to address those needs. The Nursing Services Plan shall also include a description of how nursing services will be provided in emergency situations, detailed nursing assignments sufficient to provide the services to pupils in its school building as outlined in N.J.A.C. 6A:16-2.3(b) through (d), and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

The Board, in its determination of the number of certified school nurses and non-certified nurses needed to perform all of the required services as outlined in N.J.A.C. 6A:16 et seq. shall consider: the geographic size including the number and location of the school building; the general and special education enrollment; the number of children with medical involvement and extent of nursing services required; the requirement that non-certified nurses be assigned to the same school building or school complex as the supervising certified school nurse to ensure that the certified school nurse can provide required supervision pursuant to N.J.A.C. 6A:16-2.3(b) and (d) and N.J.S.A. 18A:40-3.3; and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

N.J.A.C. 6A:16-2.1(b)

Adopted: 24 January 2013



5308 PUPIL HEALTH RECORDS

The school district shall maintain mandated pupil health records for each pupil pursuant to N.J.A.C. 6A:16-2.4 and as defined in N.J.A.C. 6A:16-2.4(a)1 and 2. The district will document pupil health records using a form approved by the Commissioner of Education.

The maintenance and security of pupil health records shall be in accordance with N.J.A.C. 6A:32-7.4 and 6A:16-2.4(c). Pupil health records shall be maintained separately from other pupil records in a secure location, located in the school building or complex to which the pupil is assigned, and accessible to authorized personnel while school is in session. The health and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record until such time as graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

The transfer of pupil health records when a pupil transfers to or from a school district shall be in accordance with N.J.A.C. 6A:16-2.4(d).

Any Board of Education employee with knowledge of, or access to, information that identifies a pupil as having HIV infection or AIDS; information obtained by the school's alcohol or drug program which would identify the pupil as an alcohol or drug user; or information provided by a secondary school pupil while participating in a school-based alcohol or drug counseling program that indicates a parent, guardian, or other person residing in the pupil's household is dependent or illegally using a substance shall comply with restrictions for sharing such information in accordance with N.J.A.C. 6A:16-2.4(e) and as required by Federal and State statutes and regulations.

Access to and disclosure of information in a pupil's health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, incorporated herein by reference, as amended and supplemented, 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7, Student Records.

The school district shall provide access to the pupil's health record to licensed medical personnel, not holding educational certification, who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the pupil health records that are necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.



Nothing in N.J.A.C. 6A:16-2.5 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing information contained in the pupil's health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of a pupil or other persons pursuant to N.J.A.C. 6A:32-7.4.

N.J.A.C. 6A:16-2.4 et seq.; 6A:32-7.5 et seq.; 6A:32-7.4 et seq.

Adopted: 24 January 2013



5310 HEALTH SERVICES

The Board of Education shall develop and adopt written policies, procedures, mechanisms, or programs governing the following school functions in accordance with N.J.A.C. 6A:16-1.4(a):

1. Care of any pupil who becomes injured or ill while at school or during participation in school sponsored activities (Policy and Regulation 8441);
2. Transportation and supervision of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441);
3. Isolation, exclusion, and readmission of any pupil or employee suspected of having a communicable disease as required by N.J.S.A. 18A:40-7 to 12 and 18A:40-16 to 18 (Policy and Regulation 8451);
4. Provision of health services including immunization, administration of medication, treatment of asthma, medical examinations, nursing services, and emergency medical situations as required in N.J.A.C. 6A:16-2 (Policies 5305 and 5307 and Policies and Regulations 5310, 5320, 5330, and 8441);
5. An annual Nursing Services Plan that details the provision of nursing services based upon pupil need in the school district pursuant to N.J.A.C. 6A:16-2.1(b)(Policy 5307);
6. Administration of medication to pupils under the written order of a school physician or medical home pursuant to N.J.A.C. 6A:16-2.3(a)3vii (Policy and Regulation 5330);
7. Emergency administration of epinephrine via epipen to a pupil for anaphylaxis pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
8. Provision of medical and nursing services to meet requirements for health history, medical examination, and health screening as an alternative for pupils who do not have a medical home or have a religious objection to the required examinations pursuant to N.J.S.A. 18A:35-4.8 (Policy and Regulation 5306);
9. Provision of nursing services to non-public schools located in the school district as required by N.J.S.A. 18A:40-23 through 31 and N.J.A.C. 6A:16-2.5 (Policy & Regulation 5310);



10. Comprehensive substance abuse prevention, intervention, and treatment referral programs pursuant to N.J.S.A. 18A:40A-8 through 18 and N.J.A.C. 6A:16-3 and 4 (Policy & Regulation 5530);
11. Confidentiality related to juvenile justice proceedings pursuant to N.J.S.A. 2A:4A-60 and N.J.A.C. 6A:16-5.4, HIV identifying information pursuant to N.J.S.A. 26:5C-5 et seq., and drug and alcohol use information pursuant to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 through 7.2, and N.J.A.C. 6A:16-3.2 (Policies 8453 and 9323 and Policy and Regulation 5530); and
12. School safety plans as required by N.J.A.C. 6A:16-5.1 (Policies and Regulations 7430, 8420, 8431 and 8468 and Regulations 8420.1 through 8420.6)

The Board of Education shall develop and adopt policies and procedures that fulfill the rules and regulations of the New Jersey Department of Health and Senior Services, New Jersey Department of Human Services, New Jersey Department of Agriculture, and local boards of health which include the following requirements in accordance with N.J.A.C. 6A:16-1.4(b):

1. Exclusion of any pupil from the school setting for failure to meet requirements for immunization against communicable disease as required in N.J.A.C. 8:57-4, Immunization of Pupils in School (Policy and Regulation 5320);
2. Exclusion of any person from the school setting if the person has uncovered weeping skin lesions as required in N.J.A.C. 8:61-2.1, Attendance at School by Pupils or Adults with HIV Infection (Policy and Regulation 8451 and Policy 8453);
3. Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-2, Participation and Attendance at School by Individuals with HIV Infection, and conforming to Centers for Disease Control and Prevention guidelines that the school implement universal precautions (Policy and Regulation 8451 and Policy 8453);
4. Assurance that any pupil with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS is not excluded from general education, transportation services, extra-curricular activities, athletic activities, assigned to home instruction, or classified as eligible for special education for reason of HIV infection pursuant to N.J.A.C. 8:61-2.1 (Policy and Regulation 8451 and Policy 8453);



5. Creation of wellness policies pursuant to 7 CFR Parts 210, 215, 220 and 245 and N.J.A.C. 2:36-1.7, Local School Nutrition Policy (Policy 8505); and
6. Ensuring accessibility of the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.

When the school district engages in pupil testing, studies, or surveys the Board procedures and materials shall meet the Federal requirements of 20 U.S.C. § 1232h, and N.J.S.A. 18A:36-34, School Surveys, parent(s) or legal guardian(s) consent required before administration in accordance with N.J.A.C. 6A:16-1.4(c)(Policies 2415.05 and 9560).

The Board of Education shall develop and adopt the following written policies, procedures, and mechanisms in accordance with N.J.A.C. 6A:16-2.1(a) for the provision of health, safety, and medical emergency services and ensure staff members are informed as appropriate:

1. The review of immunization records for completeness pursuant to N.J.A.C. 8:57-4.1 through 4.20 (Policy and Regulation 5320);
2. The administration of medication to pupils in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)2 (Policy and Regulation 5330).
3. The review of Do Not Resuscitate (DNR) Orders received from the pupil's parent(s) or legal guardian(s) or medical home (Policy 5332);
4. The provision of health services in emergency situations including:
 - a. The emergency administration of epinephrine via epipen pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
 - b. The care of any pupil who becomes injured or ill while at school or during participation in school-sponsored functions (Policy and Regulation 8441);
 - c. The transportation and supervision of any pupil determined to be in need of immediate care (Policy and Regulation 8441);
 - d. The notification to parent(s) or legal guardian(s) of any pupil determined to be in need of immediate medical care (Policy and Regulation 8441); and
 - e. The administration of medication for pupils requiring epinephrine (Policy and Regulation 5330).



5. The treatment of asthma in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)5 (Policy 5335).
6. The administration of pupil medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 (Policy and Regulation 5310);
7. Procedures for sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 8:61-1.1(f) and in compliance with the Centers for Disease Control and Prevention's guidelines which advise that the school implement universal precautions titled Universal Precaution for Prevention of Transmission of HIV and Other Bloodborne Infections (1987, updated 1996), incorporated herein by reference, as amended and supplemented, which is available from the Centers for Disease Control and Prevention, Division of Healthcare Quality Promotion, 1600 Clifton Road, Atlanta, GA 30333 (Policy and Regulation 7420); and
8. Provision of nursing services to nonpublic schools located in the school district as required by N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5 (Policy and Regulation 5306).

The Board of Education shall provide the health services as required in N.J.A.C. 6A:16-2.2 as indicated below:

1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.16.
2. A Building Principal or designee shall not knowingly admit or retain in the school building any pupil whose parent(s) or legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to the schedule specified in N.J.A.C. 8:57-4, Immunization of Pupils in School.
3. The school district shall perform tuberculosis tests on pupils using methods required by and when specifically directed to do so by the New Jersey Department of Health and Senior Services, based upon the incidence of tuberculosis or reactor rates in specific communities or population groups pursuant to N.J.S.A. 18A:40-16.
4. The school district shall immediately report any communicable diseases that are identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed, by telephone to the health officer of the jurisdiction in which the school is located.



5. The school shall have and maintain for the care of pupils at least one nebulizer in the office of the school nurse or a similar accessible location pursuant to N.J.S.A. 18A:40-12.7.
6. Each pupil medical examination shall be conducted at the medical home of the pupil. If a pupil does not have a medical home, the school district shall provide this examination at the school physician's office or other comparably equipped facility.
 - a. For the purpose of the physical examination required prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in grade six in accordance with N.J.A.C. 6A:16-2.2(h)1, the pupil's parent(s) or legal guardian(s) may choose either the school physician or their own private physician.
 - b. A full report of the examination shall be maintained as part of the pupil's health record.
7. The findings of medical examinations as required under 8. below shall be documented on a form that is approved by the Commissioner of Education and shall include the following components:
 - a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.16;
 - b. Medical history including allergies, past serious illnesses, injuries and operations, medications, and current health problems;
 - c. Health screenings including height, weight, hearing, blood pressure, and vision; and
 - d. Physical examinations.
8. The school district shall ensure that pupils receive medical examinations:
 - a. Prior to participation on a school-sponsored interscholastic athletic team or squad for pupils enrolled in grade six in accordance with N.J.A.C. 6A:16-2.2(h)1;
 - b. Upon enrollment into school in accordance with N.J.A.C. 6A:16-2.2(h)2;



- c. When applying for working papers in accordance with N.J.A.C. 6A:16-2.2(h)3;
 - d. For the purposes of the comprehensive Child Study Team evaluation pursuant to N.J.A.C. 6A:14-3.4 in accordance with N.J.A.C. 6A:16-2.2(h)4; and
 - e. When the pupil is suspected of being under the influence of alcohol or controlled dangerous substances, pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 in accordance with N.J.A.C. 6A:16-2.2(h)5.
9. The Board of Education shall make accessible information regarding the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.
 10. Information concerning a pupil's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.
 11. The school nurse shall ensure that pupils receive health screenings as outlined below in accordance with New Jersey Department of Education Health Service Guidelines:
 - a. Screening for height, weight, and blood pressure shall be conducted annually for each pupil in Kindergarten through grade six.
 - b. Screening for visual acuity shall be conducted biennially for pupils in Kindergarten through grade six.
 - c. Screening for auditory acuity shall be conducted annually for pupils in Kindergarten through grade three pursuant to N.J.S.A. 18A:40-4.
 - d. Screening for scoliosis shall be conducted biennially for pupils between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.
 - e. Screenings shall be conducted by a school physician, school nurse, physical education instructor, or other school personnel properly trained.
 - f. The school district shall provide for the notification of the parent(s) or legal guardian(s) of any pupil suspected of deviation from the recommended standard.



12. The school nurse shall screen to ensure hearing aids worn by pupils who are deaf and/or hard of hearing are functioning properly. The school nurse will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist pupils hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.

N.J.A.C. 6A:16-1.4 et seq.; 6A:16-2.2 et seq.

Adopted: 24 January 2013



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 and Senior Services.

A pupil shall not knowingly be admitted or retained in school if the parent(s) or legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to schedules specified in N.J.A.C. 8:57-4 – Immunization of Pupils in School.

Medical or religious exemptions to immunizations shall be in accordance with the requirements as outlined in N.J.A.C. 8:57-4.3 and 4.4. A child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health and Senior Services or by order of the New Jersey State Commissioner of Health and Senior Services, may be conducted in the district school 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.

Adopted: 24 January 2013



5330 ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of the illness of any pupil. However, in order for many pupils with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents and legal guardians 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 pupils. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to pupils in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the pupil's parent(s) or legal guardian(s), a pupil 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 pupil 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(s) or legal guardian(s).

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 Chief School Administrator, 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.

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(s) or legal guardian(s) 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 pupil.

The parent(s) or legal guardian(s) of the pupil 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 pupil and the parent(s) or legal guardian(s) 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 pupil.



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

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

The school nurse shall document each instance of the administration of medication to a pupil. Pupils self-administering medication shall report each incident to a teacher, coach or other individual designated by the school nurse who is supervising the pupil during the school activity when the pupil 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 pupil'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)

Adopted: 24 January 2013



5331 MANAGEMENT OF LIFE-THREATENING ALLERGIES IN THE SCHOOL

The Board of Education recognizes pupils may have allergies to certain foods and other substances and may be at risk for anaphylaxis. Anaphylaxis is a sudden, severe, serious, systemic allergic reaction that can involve various areas of the body (such as the skin, respiratory tract, gastrointestinal tract, and cardiovascular system). Anaphylaxis is a serious allergic reaction that may be rapid in onset and may cause death. Policy 5331 has been developed in accordance with the Guidelines for the Management of Life-Threatening Food Allergies in Schools developed by the New Jersey Department of Education.

An Individualized Healthcare Plan (IHP) and an Individualized Emergency Healthcare Plan (IEHP) will be developed for each pupil at risk for a life-threatening allergic reaction. Self-administration of medication, the placement and the accessibility of epinephrine, and the recruitment and training of designees who volunteer to administer epinephrine during school and at school-sponsored functions when the school nurse or designee is not available shall be in accordance with N.J.S.A. 18A:40-12 and Board Policy and Regulation 5330. School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur.

The school district will develop and implement appropriate strategies and prevention measures for the reduction of risk of exposure to food allergens throughout the school day, during before- and after-school programs, at all school-sponsored activities, in the cafeteria, or wherever food is present.

A description of the roles and responsibilities of parent(s) or legal guardian(s), staff, and pupils to prevent allergic reactions and during allergic reactions are outlined in Regulation 5331.

Every incident involving a life-threatening allergic reaction and/or whenever epinephrine is administered throughout the school day, during before- and after-school programs, and/or at all school-sponsored activities shall be reported to the school nurse or designee. The school nurse or designee shall be responsible to notify emergency responders, the Principal or designee, the school physician, and the Chief School Administrator. The Chief School Administrator shall inform the Board of Education after every incident including a life-threatening allergic reaction or whenever epinephrine is administered by the school nurse or designee. In addition, in accordance with the provisions of N.J.S.A. 18A:40-12.5.e.(3), the school nurse or designee shall arrange for the transportation of a pupil to the hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have resolved.



There will be occasions where food and/or beverages will be served as part of a classroom experience, field trip, and/or celebration. Because the ingredients of these food and beverage products may be unknown to the food preparation person and/or server, a pupil with anaphylaxis to food should not consume any food products that he/she is unsure of the ingredients. The teacher will provide, whenever possible, advance notice of the classroom experience, field trip, or celebration in order for the pupil to bring a food or beverage product from their home so they may participate in the activity.

When a parent(s) or legal guardian(s) informs the Building Principal and the school nurse the pupil may have an anaphylactic reaction to a substance other than food, the Building Principal will work with school staff to determine if these substances are on school grounds. The Building Principal will inform and work with the parent(s) or legal guardian(s) and the pupil to avoid the pupil's exposure to these substances if present on school grounds.

School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The school nurse or designee will provide appropriate training to school staff to understand allergies to food and other substances, to recognize symptoms of an allergic reaction, and to know the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The school nurse will work with appropriate school staff to eliminate or substitute the use of allergens in the allergic pupil's meals, educational/instructional tools and materials, arts and crafts projects, or incentives.

Policy and Regulation 5331 should be annually reviewed, evaluated, and updated where needed. Policy and Regulation 5331 will be disseminated and communicated to all parent(s) or legal guardian(s) of pupils in the school in the beginning of each school year and when a pupil enters the school after the beginning of the school year.

N.J.S.A. 18A:40-12.3 through 18A:40-12.6

New Jersey Department of Education - Guidelines for the Management of Life-Threatening Food Allergies in Schools – September 2008

Adopted: 24 January 2013



5332 DO NOT RESUSCITATE ORDERS

Federal and State legislation entitles every pupil to a free, appropriate public education in the least restrictive environment. Due to the high risk of medically fragile pupils and pupils with chronic illnesses, who in the past would not have survived to be able to attend school, families, professionals, and school personnel are challenged with new issues in caring for these pupils in the school setting. Some families may wish not to pursue life-saving medical protocols for their child due to the lack of benefit to the pupil's condition or quality of life that is likely to result from following these protocols. In accordance with N.J.A.C. 6A:16-2.1(a)3, all Do Not Resuscitate (DNR) orders received for a pupil will be thoroughly and carefully reviewed.

“Do Not Resuscitate order” or “DNR order” means a written directive signed by the parent or legal guardian of a pupil who, after consultation with the pupil's pediatrician and other advisors, declines emergency administration of cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) to the pupil. “Written order” means a directive and protocol written by the pupil's medical home to address a healthcare need or provide a medical service for a specific pupil. “Medical home” means a health care provider and that provider's practice site chosen by the pupil's parent or legal guardian for the provision of health care.

A family desiring to pursue a DNR order must submit a written order, which should be developed after a meeting with the parent(s) or legal guardian(s), the pupil, if appropriate, the school physician, the school nurse, the pupil's family healthcare provider, and the local emergency medical services provider. The written order shall include specific written emergency orders and shall specifically meet the goals for the pupil. Community emergency medical services protocols must be clearly defined in the written order.

The school nurse is responsible for providing an appropriate response to DNR orders. The school nurse will coordinate the school district's review of the written order with the Building Principal or designee, the school physician, and the Chief School Administrator or designee. The Chief School Administrator or designee will review the written order with the Board of Education and the school Board Attorney. The school physician shall be responsible for instructing school staff in DNR orders.

The existence of a DNR written order and plan shall be referenced on the pupil's health form that is approved for use by the Commissioner of Education. A copy of the DNR written order shall be placed with the pupil's individualized health record and a copy should be kept with the local emergency medical services provider. The DNR written order shall be reviewed whenever a change occurs in the pupil's condition and at least once every six months.

N.J.A.C. 6A:16-1.3; 6A:16-2.1(a)3

New Jersey Department of Education – School Health Services Guidelines, July 2001

Adopted: 24 January 2013



5335 TREATMENT OF ASTHMA

The Board of Education recognizes the primary goal for children with asthma is to allow the child to live as normal a life as possible. The child should be able to participate in normal childhood activities, experience exercise tolerance similar to peers, and attend school to grow intellectually and develop socially. In accordance with N.J.A.C. 6A:16-2.1(a)5, the Board adopts this Policy that includes procedures for the treatment of asthma in the school setting.

The school shall have and maintain for the use of pupils at least one nebulizer in the office of the school nurse or a similar location. The school nurse shall receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma and Immunology pursuant to N.J.S.A. 18A:40-12.8(a). The school nurse, upon receiving this training, is authorized to administer asthma medication through the use of a nebulizer pursuant to N.J.S.A. 18A:40-12.8(a).

Each pupil authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 and Policy 5330 or a nebulizer shall have an Asthma Action Plan (AAP) prepared by the pupil's medical home and submitted to the certified school nurse. The AAP shall identify, at a minimum, asthma triggers and information to be included in the individualized healthcare plan and individualized emergency healthcare plan, pursuant to N.J.A.C. 6A:16-2.3(b) for meeting the medical needs of the pupil while attending school or a school-sponsored function.

N.J.S.A. 18A:40-12.3; 18A:40-12.7
N.J.A.C. 6A:16-2.1(a)5

Adopted: 24 January 2013



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 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 Chief School Administrator 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

Adopted: 24 January 2013



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 such signs from another pupil or staff member should be taken with the utmost seriousness and reported immediately to the Building Principal, who shall notify the pupil's parent(s) or legal guardian(s) and other professional staff members in accordance with administrative regulations.

A potentially suicidal pupil shall be referred to the Child Study Team for appropriate evaluation and/or recommendation for independent medical or psychiatric services. 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 Child Study Team may contact the New Jersey Division of Youth and Family Services to request that agency's intervention on the pupil's behalf.

In accordance with the provisions of N.J.S.A. 18A:6-111 and 18A:6-112, as part of the required professional development for teachers as outlined in 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 Chief School Administrator 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.

Adopted: 24 January 2013



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/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. A pupil in the elementary grades will be promoted to the next succeeding grade level when he/she has completed the course requirements at the presently assigned grade; has achieved the instructional objectives set for the present grade; has demonstrated the proficiencies required for movement into the educational program of the next grade; and has demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

Promotion policies and procedures will be provided to parent(s) or legal guardian(s) as appropriate. Parent(s) or legal guardian(s) and pupils shall be regularly informed during the school year of the pupil's progress toward meeting promotion standards. A teacher who determines that a pupil's progress may not be sufficient to meet promotion standards shall notify the parent(s) or legal guardian(s) and the pupil and offer immediate consultation to the pupil's parent(s) or legal guardian(s). Every effort shall be made to remediate a pupil's deficiencies before retention is recommended. The parent(s) or legal guardian(s) and, where appropriate, the pupil shall be notified of the possibility of the pupil's retention at grade level in advance and, whenever feasible, no later than eight weeks prior to the end of the school year.

School attendance shall be a factor in the determination of a pupil's promotion or retention. Only extenuating circumstances should permit the promotion of a pupil who has been in attendance fewer than one hundred sixty days during the school year.

Classroom teachers shall recommend to the Building Principal the promotion or retention of each pupil. Parent(s) or legal guardian(s) and adult pupils may appeal a promotion or retention decision to the Chief School Administrator whose decision shall be final.

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

Adopted: 24 January 2013



5420 REPORTING PUPIL PROGRESS

The Board believes that the cooperation of school and home is vital to the growth and education of the whole child. It recognizes its responsibility to keep parents/guardians informed of pupil welfare and progress in school.

The Board directs the establishment of a system of reporting pupil progress which shall include written reports, pupil-teacher conferences, and parent/guardian-teacher conferences. If the parent/guardian's primary language is other than English, translation shall be provided whenever possible.

The Chief School Administrator shall develop procedures for reporting pupil progress which:

- A. Use various methods of reporting appropriate to grade level and curriculum content;
- B. Ensure that both pupil and parent/guardian receive ample warning of a pending grade of "failure" or one that would adversely affect the pupil's status;
- C. Enable the scheduling of parent/guardian-teacher conferences in such places and at such times as will ensure the greatest degree of participation by parents/guardians;
- D. Specify the issuance of report cards at intervals of not less than four times during the school year and issuance of deficiency notices as required during the school year;
- E. Ensure the continual review and improvement of methods of reporting pupil progress to parents/guardians and involve pupils, staff and parents/guardians in that review.

A record shall be kept indicating the legal custodian of each pupil, so that reports can be made to and conferences arranged with the proper person.

Parental Notification

The Chief School Administrator shall develop regulations to ensure that parents/guardians are notified in all instances when the law and/or the best interests of the pupil and the district require it.

N.J.A.C. 6:3-4A.1

Adopted: 24 January 2013



5440 HONORING PUPIL ACHIEVEMENT

The Board of Education values excellence and wishes to instill 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 Chief School Administrator shall develop regulations for the recognition of pupil achievement that establish fair standards for recognition, assure that all eligible pupils are offered an equal opportunity to meet those standards, and provide for appropriate recognition ceremonies and awards.

N.J.S.A. 18A:11-3

Adopted: 24 January 2013



5460 COMMENCEMENT ACTIVITIES

The Board endorses graduation activities and ceremonies. The date of graduation shall annually be recommended by the Chief School Administrator and approved by the Board.

Guidelines for Graduation Year Activities

Pupil participation in special graduation year activities will require conduct of the highest caliber in all school situations.

Criteria for exclusion from these activities concern repeated behavioral patterns and shall include, but not be limited to:

1. Repeated involvement in disciplinary action(s);
2. Suspension;
3. Collaborative evaluation by the staff.

The final decision shall be made by the Chief School Administrator.

Pupils and parents/guardians shall be given advance notification of these criteria.

Graduation Procedures and Ceremonies

No pupil shall be barred from participation in graduation ceremonies for arbitrary or discriminatory reasons. A pupil who may be prevented from participation and his/her parents/guardians shall be so notified in advance.

When a pupil or his/her parents/guardians experiences financial hardship and is unable to pay the costs of participation in graduation ceremonies, the Board shall assume the costs of the following items for graduates:

1. One year book;
2. Other, as may be determined by the Board.

The Board reserves the right to withhold a diploma and transcripts until all fines are paid.



Awarding of Diplomas

The President of the Board of Education and/or another designated member of the Board shall award the diplomas. Board members and former Board members shall be afforded the opportunity to award diplomas to their own children.

N.J.S.A. 18A:7C-1 et seq.; 18A:35-1;

18A:35-4.9; 18A:35-7; 18A:36-17

N.J.A.C. 6A:8-1 et seq.; 6A:8-5.1; 6A:8-5.2; 6A:14-4.11 et seq.

Adopted: 24 January 2013



5500 EXPECTATIONS FOR PUPIL CONDUCT

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 parent(s) or legal guardian(s), all pupils can contribute to the effectiveness of the school and the value of their education.

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

1. Prepare themselves mentally and physically for the process of learning;
2. Respect the person, property, and intellectual and creative products of others;
3. Take responsibility for their own behavior;
4. Use time and other resources responsibly;
5. Share responsibilities when working with others;
6. Meet the requirements of each course of study;
7. Monitor their own progress toward school objectives; and
8. Communicate with parent(s) or legal guardian(s) and appropriate school staff members.

The Chief School Administrator shall, in consultation with staff members, parent(s) or legal guardian(s), and, where appropriate, pupils, develop a statement of specific pupil behaviors that exemplify these expectations and shall publish both this policy and the statement of behaviors to all pupils, parent(s) or legal guardian(s), and professional staff members.

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

Adopted: 24 January 2013



5511 DRESS AND GROOMING

Pupils must be well groomed and appropriately dressed at all times. The school does not restrict pupil dress unless it is considered to be disruptive to the educational process or non-compliant with safety and health regulations. Guidelines shall be developed by the Chief School Administrator.

Questions concerning appropriate dress will be directed to the Chief School Administrator.

The Roosevelt School District believes that it is the family's responsibility to see that their children come to school dressed modestly, tastefully and healthy at all times. Apparel must not disrupt or detract from the educational program (i.e. pajamas, t-shirts with profanity, or bare midriff shirts are prohibited). Proper footwear (sneakers) must be worn in the gym and playground at all times. Hats are not to be worn in the building during school hours.

N.J.S.A. 18A:11-1; 18A:11-7; 18A:11-8; 18A:11-9

Adopted: 24 January 2013



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 that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or
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 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 school 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. This Policy requires all pupils in the school to adhere to the rules established by the school 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 Chief School Administrator must annually provide to pupils and their parents or guardians the rules of the school regarding pupil conduct. Provisions shall be made for informing parents or guardians whose primary language is other than English.

The school 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;
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.



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 pupil 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-sponsored programs, or being in the school building 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)

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 school resource officer, juvenile officer) involvement or other legal action.

The school will also impose appropriate consequences and remedial actions to a person 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, termination, and/or bans from providing services, participating in school-sponsored programs, or being in the school building 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.

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 the 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 school may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the school 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 school 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 Chief School Administrator shall appoint a school Anti-Bullying Coordinator. The Chief School Administrator shall make every effort to appoint an employee of the school to this position.

The school Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school's policies to prevent, identify, and address harassment, intimidation, or bullying of pupils;
- b. Collaborate with school Anti-Bullying Specialists in the school, the Board of Education, and the Chief School Administrator to prevent, identify, and respond to harassment, intimidation, or bullying of pupils in the school;
- c. Provide data, in collaboration with the Chief School Administrator, 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 Chief School Administrator; 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 school.



2. The Principal in the 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 the school 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 school Anti-Bullying Coordinator may request;
- g. Collaborate with the school Anti-Bullying Coordinator in the collection of school-wide data and in the development of school 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 school 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 Chief School Administrator 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 Chief School Administrator 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 Chief School Administrator 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 Chief School Administrator'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 Chief School Administrator.

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 school 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 Chief School Administrator'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 the 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 Chief School Administrator 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 or school level or by law enforcement officials.

Consequences and appropriate remedial actions for a pupil 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) 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 school 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, in conjunction with the Anti-Bullying Specialist, and for the Chief School Administrator to follow. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, or school 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. School-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 school Board of Education' Code of Pupil Conduct, per N.J.A.C. 6A:16-7.1(a)2.

The school 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 school 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 pupils 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 pupils that engages 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-sponsored programs, or being in the school building or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

K. Consequences and Appropriate Remedial Action for False Accusation

The Board prohibits any person from falsely accusing another as a means of retaliation or 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 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 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 school policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school-sponsored programs, or being in the school building 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 building or grounds privileges, or prohibiting contact with pupils or the provision of pupil services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
- L. Harassment, Intimidation, and Bullying Policy Publication and Dissemination

This Policy will be disseminated annually by the Chief School Administrator to all school employees, contracted service providers who have contact with pupils, school volunteers, pupils, and parents who have children enrolled in the school, 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 Chief School Administrator shall ensure that notice of this Policy appears in the pupil handbook and all other publications of the school that set forth the comprehensive rules, procedures, and standards for the school.

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

The Chief School Administrator shall post the name, school phone number, school address, and school email address of the school Anti-Bullying Coordinator on the home page of the school's website. The Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the school Anti-Bullying Coordinator on the home page of the school's website.

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

The Chief School Administrator and Principal shall provide training on the school's Harassment, Intimidation, and Bullying Policy to current and new 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's employee training program shall include information regarding the school'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 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 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 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 school 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 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. 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.

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

The Chief School Administrator shall develop and implement a process for annually discussing the school’s Harassment, Intimidation, and Bullying Policy with pupils.

The Chief School Administrator and the Principal shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the school’s 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 Chief School Administrator shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 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 the school in accordance with the provisions of N.J.S.A. 18A:17-46. The grade received by the school shall be posted on the homepage of the school's website and the school'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 Chief School Administrator to the Department of Education shall also be available on the school's website. This information shall be posted on the website within ten days of receipt of the grade for the school.

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

N.J.S.A. 18A:37-13 through 18A:37-32

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011

Adopted: 24 January 2013



5513 CARE OF SCHOOL PROPERTY

The Board of Education believes that the school should help pupils learn to respect property and to develop feelings of pride in community institutions. 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/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 and reserves the right to withhold a report card or diploma from any pupil whose payment of a fine is in arrears.

A pupil who demonstrates chronic and/or serious disregard for property may be referred to the Child Study Team.

The Chief School Administrator shall develop rules for the safekeeping and accounting of textbooks and prepare a schedule of fines for lost and damaged textbooks.

N.J.S.A. 18A:34-2; 18A:37-3
N.J.A.C. 6A:23-6.6

Adopted: 24 January 2013



5514 PUPIL USE OF VEHICLES

The Board of Education regards the operation by pupils of any vehicle for transportation to and from school as a matter subject to Board authority because pupil safety is of paramount concern to the Board.

The Board will permit the use of bicycles, scooters, and skateboards.

The Chief School Administrator 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.; 39:4-10.5

Adopted: 24 January 2013



5516 USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)

The Board of Education believes pupils and/or school staff members should not be subject to having a video or audio recording taken of any pupil(s) or school staff member(s) for any purpose without the consent of the pupil, the pupil's parent or guardian, and/or the school staff member. In addition to protecting the privacy rights of pupils and school staff members, the Board recognizes such recordings can be disruptive to the educational program. In addition, inappropriate recordings of educational material, pupil assessment instruments, and/or pupil assessment reviews can be used to compromise the integrity of the school's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other pupils. Therefore, the Board of Education adopts this Policy regarding pupil use of electronic communication and recording devices.

“Electronic communication and recording device (ECRD)” includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

Pupils are not permitted to have electronic communication devices such as beepers, paging devices, walkie-talkies or other forms of electronic communication with the exception of cell phones in school during the school day or while attending school-sponsored events. Excluded from this is any device with communication capabilities that has been approved for instructional purposes. Pupils may have in their possession a cell phone, which is to be turned off during the school day and kept in their locker or backpack and out of sight. This includes recess, lunch and class trips.

For the purposes of this policy, “school grounds” means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. “School grounds” also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school has exclusive use of a portion of such land.



POLICY

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Use of Electronic Communication and Recording
Devices (ECRD)

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the pupil will be subject to appropriate disciplinary action.

N.J.S.A. 2C:33-19

N.J.A.C. 6A:16-5.8

Adopted: 24 January 2013



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 Chief School Administrator, 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.

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

Adopted: 24 January 2013



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 and do not interfere with the 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 offends the rights of others. The Board specifically prohibits any assembly or expression that materially disrupts instruction; is obscene, slanderous, or grossly prejudicial; advocates the use of dangerous or harmful materials; advocates the use of force or the violation of law or school rules; or advertises goods or services for unauthorized commercial gain.

Disorderly pupils will be disciplined in accordance with law and Board Policy No. 5600; staff members who assist pupils in disorderly conduct may be subject to disciplinary measures.

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

The Chief School Administrator 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:37-1; 18A:37-2

Adopted: 24 January 2013



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 the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish and maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the school.

Definitions N.J.S.A. 18A:40A-9
 N.J.A.C. 6A:16-1.3; 6A:16-4.1

For the purposes of this policy:

“Substance” means alcoholic beverages, controlled dangerous substances, including anabolic steroids, as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4 and over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

“Substance abuse” means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.

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

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

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



“School grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support this building, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

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

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

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

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

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

Identification, Evaluation, and Intervention

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

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



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

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

If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the pupil's physical or mental ability to perform in school, the pupil shall be immediately returned to school. If there is a positive determination from the medical examination indicating the pupil's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the pupil shall be returned to the care of the parent(s) or legal guardian(s) as soon as possible and attendance at school shall not resume until a written report verifies the pupil's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

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

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

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

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

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

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



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

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

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

The Board directs the Chief School Administrator 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; 18A:40A-17
N.J.A.C. 6A:16-4.1(c)7.

The Board will provide an outreach program to parent(s) or legal guardian(s) of pupils that includes information on the district's substance abuse curriculum, the identification of substance abusers, and rehabilitation organizations and agencies. The Chief School Administrator is directed to develop the program in consultation with local agencies recommended by the Commissioner and to offer the program at times and in places convenient to parent(s) or legal guardian(s) on school premises or in other suitable facilities.

Records §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act,
42 U.S.C., and Implementing Regulations, 42 CFR Part 2
N.J.S.A. 18A:40A-7.1

Notations concerning a pupil's involvement with substances may be entered on his/her records, subject to Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the pupil or



when the pupil leaves school. Information regarding a pupil's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290 ee-3, and implementing regulations, 42 CFR Part 2.

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

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

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

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

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

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



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

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

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

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

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

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

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.
N.J.A.C. 6A:16-4.1 et seq.

Adopted: 24 January 2013



5533 PUPIL SMOKING

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

For purposes of this policy, "smoking" means the burning of, inhaling the smoke 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 and the use of smokeless tobacco and snuff.

For the purposes of this policy, "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, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the 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 on any school grounds as defined above, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board.

A sign indicating smoking is prohibited on school grounds as defined above will be posted at each public entrance 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 and may be subject to fines in accordance with law.

In the event the 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).

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall, by example and persuasion, 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

Adopted: 24 January 2013



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/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 Intervention Referral Team (IRT).

A disaffected pupil who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy No. 2460 and Regulations No. 2460.3 and 2460.7.

N.J.A.C. 6A:16-7.1 et seq.
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 24 January 2013



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. Every reasonable effort shall be made to determine and remediate the cause or causes of a chronically disruptive pupil's unacceptable conduct.

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

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

A disruptive pupil who does not appear to be disabled may be referred to the Intervention Referral Team (IRT) in accordance with Policy No. 2417.

A disruptive pupil who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy and Regulation Nos. 2460 et seq.

The Chief School Administrator shall report regularly to the Board the incidence of acts of violence and vandalism in the school district and shall prepare a remedial plan whenever the report shows a significant increase in the number of such acts.

N.J.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 24 January 2013



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.

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

Adopted: 24 January 2013



5600 PUPIL DISCIPLINE/CODE OF CONDUCT

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

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

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

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

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

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



The Building Principal or designee shall have the authority to assign discipline to pupils. School authorities also have the right to impose a consequence on a pupil for conduct away from school grounds, including on a school bus or at a school-sponsored function pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

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

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

Remedial measures for one or more acts of harassment, intimidation, or bullying 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.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be 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 aggressor have been involved.

Consequences for acts or incidents of dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident.



Remedial measures/interventions for acts or incidents of dating violence at school may include, but are 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.

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

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

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

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

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

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



POLICY

ROOSEVELT BOARD OF EDUCATION

PUPILS

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Pupil Discipline/Code of Conduct

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

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

N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted: 24 January 2013



5610 SUSPENSION

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

Any pupil 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 pupil 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 Pupil 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 pupil from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for a term of ten consecutive school days or less and "long term suspension" means a suspension for more than ten consecutive school days.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular educational program pending a hearing before the Board of Education to remove the pupil in accordance with N.J.S.A. 18A:37-8 and Policy No. 5611.

Any pupil who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a pupil, teacher, administrator, Board member, or other school district employee, with a weapon other than a firearm, on any school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the Board of Education in accordance with N.J.S.A. 18A:37-2.2. and Policy 5612.

Any pupil who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a teacher, administrator, Board member, or other school district employee, acting in the performance of his duties in a situation where his authority to so act is apparent, or as a result of the victim's relationship to an institution of public education in New Jersey, not involving the use of a weapon or firearm, shall be immediately suspended from school consistent with procedural due process pending suspension or expulsion proceedings before the Board in accordance with N.J.S.A. 18A:37-2.1.a.



Pursuant to N.J.S.A. 18A:37-2.1.b., whenever a teacher, administrator, Board member, 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 pupil, the Principal shall file a written report with the Chief School Administrator. The Chief School Administrator, upon receiving such report shall report the alleged assault to the Board at the next regular Board meeting; provided the name of the pupil who allegedly committed the assault; although it may be disclosed to the Board members, shall be kept confidential to the public at the Board meeting. A person failing to file a report of an alleged assault may be liable to disciplinary action.

A pupil may be suspended only by the Building Principal, who shall report any suspension to the Chief School Administrator as soon as possible. The Chief School Administrator shall report the suspension to the Board at its next regular meeting.

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

In each instance of a short-term suspension, the pupil and their parent(s) or legal guardian(s) will be provided oral or written notice of the charges and an informal hearing conducted by the Building Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the pupil may be immediately removed from the pupil'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 pupil 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 pupil 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, 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 pupil with a disability shall be provided consistent with the pupil's Individualized Education Program, in accordance with N.J.A.C. 6A:14. At the completion of a short-term suspension, the general education pupil shall be returned to the general education program.

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

N.J.S.A. 18A:37-1 et seq.
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:14-2.8 et seq.
20 U.S.C. 1415

Adopted: 24 January 2013



5611 REMOVAL OF PUPILS FROM THE GENERAL EDUCATION PROGRAM FOR WEAPONS/FIREARMS OFFENSES

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

Any pupil convicted or adjudicated delinquent for possession of a firearm or committing a crime while in possession of a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular educational program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil.

Any pupil who assaults a pupil, teacher, administrator, Board member, or other school district employee, with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the Board of Education.

The Chief School Administrator determines whether the pupil is prepared to return to the regular education program or whether the pupil remains in the alternative education program or other educational placement. The Chief School Administrator's decision must be made in accordance with school district policy and New Jersey Administrative Code. If the pupil is disabled, the pupil's placement is determined by the Child Study Team and the pupil's parent(s) or legal guardian(s) in accordance with N.J.A.C. 6A:14 et seq., Special Education.

If a pupil is removed from the regular education program and a placement in an approved alternative education program is not available, or if the Chief School Administrator determines that it is not in the best interest of the pupil and the school to modify the conditions for the removal and placement of the pupil, the school district will provide home or out-of-school instruction in accordance with Policy 2481.

Pupils with disabilities who exhibit dangerous or violent behavior, may be removed immediately from the school setting and be disciplined in accordance with Policy No. 2460 and Regulation No. 2460.6.



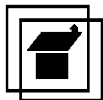
Removal of Pupils From the General Education
Program for Weapons/Firearms Offenses

The Board of Education will adopt policies and procedures to ensure cooperation between school staff and law enforcement authorities pursuant to N.J.A.C. 6A:16-6.1.

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

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5 et seq.; 6A:16-6.1 et seq.; 6A:16-7.1 et seq.;
6A:16-8.1 et seq.; 6A:16-9.1 et seq.

Adopted: 24 January 2013



5612 ASSAULT BY PUPILS ON BOARD MEMBERS OR EMPLOYEES

Any pupil who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a Board member or any district employee 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, according to the requirements of N.J.S.A. 18A:37-2.1, will be immediately suspended from school consistent with due process procedures, pending suspension or expulsion hearings before the Board.

This section shall be construed in a manner consistent with 20 U.S.C. §1400 et seq. and N.J.A.C. 6A:14-2.8. Nothing in this Policy will be construed as prohibiting the removal of a pupil with a disability or the expulsion of a general education pupil.

The Principal or designee will remove, isolate and place the pupil under the supervision of school staff until such time as the parent(s) or legal guardian(s) or appropriate agency takes custody of the pupil. The Principal will immediately report the removal of the pupil to the Chief School Administrator and notify the pupil's parent(s) or legal guardian(s) of the removal action and the pupil's due process rights.

The Board will provide a hearing no later than thirty days following the day on which the pupil is suspended. The decision of the Board will 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.

N.J.A.C. 6A:16-5.7

Adopted: 24 January 2013



5615 SUSPECTED GANG ACTIVITY

Pupils that initiate, advocate, or promote activities, openly or otherwise, and/or threaten the safety or well-being of others disrupt the school environment and are harmful to the educational process in this school district. Any physical or verbal harassing, intimidating, or bullying conduct by a pupil or group of pupils directed toward any school staff member or any other pupil or group of pupils any where on school grounds, at any school related or sponsored activity, on school buses, at school bus stops, and any other place where pupils are supervised by school district staff will not be tolerated.

In the event the Principal or designee, believe any physical or verbal harassing, intimidating, or bullying conduct was, or is being committed, for the benefit of, at the direction of, or in association with a group of three or more persons, the school staff will investigate further to determine if the conduct was committed by those pupils representing a criminal street gang (hereinafter referred to as a “gang”) as defined in N.J.S.A. 2C:44-3.h. If it is determined unacceptable conduct was committed by pupils representing a gang, the Principal or designee will assign appropriate disciplinary action and will notify the parent(s) or legal guardian(s) of the victim and the offender. The Principal or designee will also inform the Chief School Administrator and local law enforcement.

To further ensure the safety and well-being of all pupils in the district and to increase awareness within the school community regarding potential gang activity, pupils are prohibited from wearing on school grounds, at any school related or sponsored activity, on school buses, and any other place where pupils are supervised by school district staff, any type of clothing or accessory that would indicate a pupil has membership in, or affiliation with, any gang associated with criminal activities pursuant to N.J.S.A. 18A:11-9.

The parent(s) or legal guardian(s) of any pupil identified as being potentially involved in gang-related activities shall be notified by the Principal or designee. A pupil identified as being potentially involved in gang-related activities shall be offered appropriate counseling by school district staff.

School staff members shall be provided in-service training on gangs and gang related conduct and activities including, but not limited to, recruitment procedures; threats/intimidation; clothing; insignia; hand signs; symbols; graffiti; terminology; or other indicia of gang association.

Information regarding gangs shall be shared by school district staff to local law enforcement officials and the school district’s administrative staff members will encourage local law enforcement to share gang related information with school officials.



Nothing in this Policy shall supersede or negate any existing New Jersey law or Board Policy regarding pupil discipline and/or the school district's pupil discipline code. This Policy shall be made available to school staff, pupils, and parent(s) or legal guardian(s).

N.J.S.A. 18A:11-9

N.J.S.A. 2C:44-3.h.

New Jersey State Police Street Gang Bureau – Know the Signs: A Guide to Gang Identification

Adopted: 24 January 2013



5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a pupil. For the purposes of this policy, “expulsion” means the Board discontinuing the educational services or discontinuing payment of educational services for a general regular education pupil from school pursuant to N.J.S.A. 18A:37-2.

The Board may expel a general education pupil only after the Board has provided the procedural due process rights set forth in N.J.A.C. 6A:16-7.3 and 7.4 and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3, and only after the Board has provided an appropriate educational program or appropriate educational services, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2, Alternative Educational Programs, and N.J.A.C. 6A:16-10.2, Home or Out-of-School Instruction for General Education Pupils, and N.J.A.C. 6A:14-2, Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.3, Special Education, Programs and Instruction, whichever are applicable. The educational services provided, either in school or out of school, shall be comparable to those provided in the public school for pupils of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.

Any appeal of the Board’s decision regarding the cessation of the pupil’s general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3-1.3 through 1.17. The Board shall continue to provide an appropriate educational program or appropriate educational services until a final determination has been made on the appeal of the Board’s action to expel a pupil.

The Board shall comply with the mandated pupil removal from general education pursuant to N.J.A.C. 6A:16-7.4. The Board shall follow N.J.A.C. 6A:16-5.5 for pupil removal for firearm offenses, N.J.A.C. 6A:16-5.6 for pupil removal for assaults with weapons offenses, and N.J.A.C. 6A:16-5.7 for pupil removal for assaults on district Board of Education members and employees.

An expulsion of a pupil with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14.

N.J.S.A. 18A:37-2
N.J.A.C. 6A:16-7.4; 6A:16-7.5

Adopted: 24 January 2013



5700 PUPIL RIGHTS

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

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

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

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

Adopted: 24 January 2013



5701 PLAGIARISM

- A. 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:
1. Cheating on examinations, including but not limited to, the non-authorized use of books or notes, the use of crib sheets, copying from other pupils' papers, exchanging information with other pupils orally, in writing, or by signals, obtaining copies of the examination illegally and other similar activities.
 2. Plagiarism is not permitted in term papers, themes, essays, reports, images, take-home examinations, and 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.
 3. 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.
- B. 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.
- C. A teacher who believes that a pupil has been academically dishonest in his/her class should resolve the matter in the following manner:
1. Reprimand the pupil orally and/or in writing. The teacher is also authorized to withhold credit in the work tainted by the academic dishonesty.
 2. If warranted, the teacher shall file a written complaint against the pupil 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.
 3. 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.

Adopted: 24 January 2013



5710 PUPIL GRIEVANCE

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

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

A pupil grievance will be heard in the following manner:

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

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

Adopted: 24 January 2013



5750 EQUAL EDUCATIONAL OPPORTUNITY

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

The Board directs the Chief School Administrator to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will eliminate discrimination, promote mutual acceptance and respect among pupils, and enable pupils to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, 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 ensure 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.

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

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

42 U.S.C.A. 12101
N.J.S.A. 10:5-1
N.J.S.A. 18A:4A-1, et seq.; 18A:6-5 et seq.; 18A:36-20
N.J.A.C. 6A:7-1.1 et seq.; 6A:14-1.2

Adopted: 24 January 2013



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 unwelcomed 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, 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. Nonsexual touching or other nonsexual conduct does not constitute sexual harassment.

The regulation and grievance procedure shall provide a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.



The Chief School Administrator, 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.

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 cases of alleged harassment, the protections of the First Amendment must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom and in all other programs in the public school. The Chief School Administrator, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, pupils and third parties.

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 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)

Adopted: 24 January 2013



5752 MARITAL STATUS AND PREGNANCY

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

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

N.J.A.C. 6A:7-1.7(a)6

Adopted: 24 January 2013



5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

Equity In Pupil Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

The school district administration will ensure: that all pupils will have equal and barrier-free access to all school and classroom facilities, that minority and female pupils are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male pupils are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all pupils and that all limited English-proficient pupils and pupils with disabilities will have equal and bias-free access to all school programs and activities. The school district will ensure equal and bias-free access for all pupils to computers, computer classes, vocational education classes, and technologically-advanced instructional assistance, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

The Board of Education will refrain from locating new facilities in areas that will contribute to imbalanced, isolated, or racially identifiable school enrollments. The school district administration will assign pupils to ensure that the racial/national origin composition of the school's enrollment reflects the composition of the district-wide enrollment and so that school and classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability.

Pupils will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability within courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority pupils and pupils with disabilities will be utilized. Pregnant pupils will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the pupil will be provided equivalent instruction.



Equity in Guidance Programs and Services

The school district will ensure the guidance program provides access to adequate and appropriate counseling services for minority pupils, limited English-proficient pupils, non-college bound pupils, and pupils with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all pupils.

Equity in Physical Education Training

All school district physical education programs will be co-educational, with the exception of wrestling practice and a minimum of 75% of the electives are chosen by at least 30% of enrolled male and female pupils, when the physical education programs are elective.

Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male pupils to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will have relatively equal numbers of varsity and sub-varsity teams for male and female teams and equitable scheduling of night games, practice times, and numbers of games for male and female teams.

Appeal Procedure

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

N.J.A.C. 6:4-1 et seq.
Title IX of the Education Amendments of 1972
Athletic Guidelines 1986

Adopted: 24 January 2013



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 school 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/she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the pupil's age, and the pupil's disciplinary history. Except in exigent circumstances, an intrusive search of a pupil's person or intimate personal belongings shall be conducted by a person of the pupil's gender.

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

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

Whenever possible, a search will be conducted by the Principal in the presence of the pupil, the pupil's parent(s) or legal guardian(s) or a representative of the parent(s) or legal guardian(s), and a teaching staff member other than the Principal. Under no circumstances shall any pupil be subjected to a strip search or a body cavity 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 shall conduct a pupil search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the pupil or when the Principal has independent grounds to suspect the presence of an incriminating object.

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

N.J.S.A. 18A:36-19.2, 18A:37-6

Adopted: 24 January 2013



5830 PUPIL FUND RAISING

The Board of Education recognizes the value of having pupils participate in fund-raising activities, both as individuals and as groups, in order to help defray the cost of certain noncurricular field trips, or other worthwhile programs, or in support of a Board approved charitable cause.

For purposes of this policy, "pupil fund raising" shall include the solicitation and collection of money for any purpose and shall include the collection of money in exchange for tickets, papers or any other goods or services except those goods and services which are part of a Board-approved program of the school.

The Board prohibits the collection of money in school or on school property or at any school sponsored event by a pupil for personal benefit. Collection of money by school organizations approved by the Board shall be approved by the Chief School Administrator. Collections by organizations outside the schools or by pupils on behalf of such organizations shall be approved by the Chief School Administrator.

The Board shall not be responsible for the protection of or the accounting of funds collected from pupils by organizations outside the schools, by teaching staff members when not required to collect money for a Board-approved purpose, and by school-connected organizations. Funds raised by school-sponsored activities shall be deposited in the proper district accounts.

The Board prohibits door to door solicitation by students, unless accompanied by parents or guardians.

The Board of Education recognizes the value of having students participate in fund-raising activities in order to help defray the cost of the class trips.

The Chief School Administrator shall provide written guidelines addressing safety, bias and other issues and samples of fund-raising activities. Approved guidelines will be distributed within one month of the beginning of the school year.

Pupils are encouraged to plan and conduct fund-raising activities early in the school year so that they are assured of having sufficient funds for their activities.

The fund may be used for no other purpose than a duly approved student activity.

Adopted: 24 January 2013



5842 EQUAL ACCESS OF PUPIL ORGANIZATIONS

The Board of Education will permit the use of school facilities by pupil-initiated organizations for non-curricular pupil activities. A pupil-initiated organization, regardless of the size of the group, will not be denied an opportunity to meet and use school facilities on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

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

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

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

Access to school facilities by pupil organizations will be provided within the governing principles of the First Amendment of the Constitution of the United States.



An appropriately certified staff member shall be assigned to attend a pupil-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be compelled to attend a pupil-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

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

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

United State Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Adopted: 24 January 2013



5850 SOCIAL EVENTS AND CLASS TRIPS

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

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

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

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

The Board reserves the right to cancel any scheduled trip.

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

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

A pupil who possesses or consumes alcohol or drugs in the course of an approved social event or class trip will be deemed to have placed all other participating pupils at risk and shall be immediately dismissed from the event or trip. Any such pupil will be returned home by appropriate and safe means of transportation in the company of a chaperone, the pupil's parent(s)



or legal guardian(s), or a representative of the pupil's parent(s) or legal guardian(s). Any expenses incurred by the dismissal will be the responsibility of the pupil and/or the pupil's parent(s) or legal guardian(s).

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

Adopted: 24 January 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 in grade six.

All eligible pupils may apply for appointment to the safety patrol. No pupil may serve without the written consent of his/her parent(s) or legal guardian(s). All applicants must acknowledge the possible hazards of safety patrol duty and agree that in the case of injury no liability will be attached to the Board or to any employee of this Board. 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. Safety patrol members shall serve for one school year. 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 grounds, on school buses, on sidewalks and paths adjacent to a street or roadway, and across streets and roadways. 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.

No liability shall attach to the Board or any person holding office, position or employment under the Board, by virtue of the organization, maintenance or operation of a school safety patrol organized, maintained, and operated under authority of N.J.S.A. 18A:42-1.

N.J.S.A. 18A:42-1
N.J.A.C. 6A:26-12.2(a)3

Adopted: 24 January 2013



5880 PUBLIC PERFORMANCES BY PUPILS

The Board of Education recognizes the value to pupils and to the community of the demonstration of pupil talents and skills in performances of pupil organizations in public events. The Board endorses such performances when they contribute to the instructional program, do not interfere with scheduled school activities, and do not exploit or endanger participating pupils.

Public performances of pupil organizations must be approved in advance by the Chief School Administrator. The members of a pupil organization invited to perform shall be polled for their willingness to perform. No pupil may be compelled to participate in an elective public performance or penalized for his/her failure to participate. Approval for a public performance will not be granted unless the staff advisor determines that the number of pupils who agree to participate is sufficient to represent the school fairly.

No pupil, pupil organization, or employee of this Board shall receive compensation for the performance in public of pupils organized for a school activity.

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

Adopted: 24 January 2013

