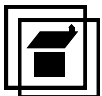


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<u>Number</u>	<u>Title</u>
5111	Eligibility of Resident/Nonresident Students (M)
5112	Entrance Age
5114	Children Displaced by Domestic Violence
5116	Education of Homeless Children
5120	Assignment of Students (M)
5130	Withdrawal from School (M)
5200	Attendance (M)
5230	Late Arrival and Early Dismissal
5240	Tardiness
5250	Excusal from Class or Program
5300	Automated External Defibrillators (AEDs) (M)
5305	Health Services Personnel
5306	Health Services To Nonpublic Schools (M)
5307	Nursing Services Plan (M)
5308	Student Health Records (M)
5310	Health Services (M)
5320	Immunization
5330	Administration of Medication (M)
5330.01	Administration of Medical Marijuana (M)
5330.04	Administering an Opioid Antidote
5331	Management of Life-Threatening Allergies in School (M)
5332	Do Not Resuscitate Orders (M)
5335	Treatment of Asthma (M)
5337	Service Animals
5338	Diabetes Management (M)
5339	Screening for Dyslexia (M)
5350	Student Suicide Prevention (M)
5410	Promotion and Retention (M)
5411	Graduation From Eighth Grade
5420	Reporting Student Progress (M)
5440	Honoring Student Achievement
5460.1	Graduation Requirements
5460.2	Bridge Year Pilot Program
5500	Expectations for Student Conduct (M)
5511	Dress and Grooming
5512	Harassment, Intimidation, and Bullying (M)
5513	Care of School Property (M)

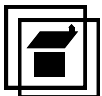


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5514	Student Use of Vehicles on School Grounds
5516	Use of Electronic Communication and Recording Devices (ECDRD) (M)
5516.01	Student Tracking Devices
5519	Dating Violence at School (M)
5520	Disorder and Demonstration
5530	Substance Abuse (M)
5533	Student Smoking (M)
5550	Disaffected Students (M)
5560	Disruptive Students (M)
5561	Use of Physical Restraint and Seclusion Techniques for Students with Disabilities (M)
5570	Sportsmanship
5600	Student Discipline/Code of Conduct (M)
5610	Suspension (M)
5611	Removal of Students for Firearms Offenses (M)
5612	Assaults on District Board of Education Members or Employees (M)
5613	Removal of Students for Assaults with Weapons Offenses (M)
5615	Suspected Gang Activity
5620	Expulsion (M)
5700	Student Rights
5701	Plagiarism
5710	Student Grievance
5721	Independent Publications
5750	Equal Educational Opportunity (M)
5751	Sexual Harassment (M)
5752	Marital Status and Pregnancy (M)
5755	Equity in Educational Programs and Services (M)
5756	Transgender Students
5770	Student Right of Privacy
5820	Student Government
5830	Student Fund Raising
5841	Secret Societies
5842	Equal Access of Student Organizations
5843	Before and After School Program
5850	Social Events and Class Trips
5860	Safety Patrol (M)
5880	Public Performances by Students



5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

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

Eligibility to Attend School

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

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board shall also admit any student that is kept in the home of a person other than the student's parent or guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the student'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 student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, if so required by the Board of Education, a sworn statement that he or she: is domiciled within the school 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 student relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. 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 student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and 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 the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or guardian returns from active military duty.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of a student attending the school district of temporary residence. When one of a student's parents or guardians temporarily resides in the school 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 student is eligible to attend this school district free of charge:

1. If the student's parent or guardian moves to another school 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 student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;
3. If the student previously resided in the school 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 student out of the school district, pursuant to N.J.S.A. 18A:38-3.b. The school district shall not be obligated for transportation costs; and
4. If the student resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.



Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A student'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 Board of Education shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4. The Board of Education 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 or subset of documents without regard to other evidence presented.

The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment. However, in the case of a dispute between the school district and the parent or guardian of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3.



Registration Forms and Procedures for Initial Assessment

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

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district 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.

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student 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.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student's name, the name(s) of the parent/guardian/resident, and the student's address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.



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Eligibility of Resident/Nonresident Students

Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student's birth certificate or other proof of a student's identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.

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

Notice of Ineligibility

When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4 et seq. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.

Removal of Currently Enrolled Students

Nothing in N.J.A.C. 6A:22 et seq. and this Policy shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal in accordance with the provisions of N.J.A.C. 6A:22-4.3. No student shall be removed from school unless the parent, guardian, adult student,



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Eligibility of Resident/Nonresident Students

or resident keeping an "affidavit student" (as defined in N.J.A.C. 6A:22-1.2) 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 student or resident keeping an "affidavit student", does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the student's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2. Hearings required pursuant to N.J.A.C. 6A:22-4.3 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 student 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

An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 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 student" eligibility determinations shall be filed by the resident keeping the student.

Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education may assess tuition, for up to one year of a student'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. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

If an appeal to the Commissioner is filed and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a). Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2.



Nonresident Students

The admission of a nonresident student to school free of charge must be approved by the Board. No student otherwise eligible shall be denied admission on the basis of the student'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 student shall be contingent upon the student's maintenance of good standards of citizenship and discipline.

Future Residents

A child otherwise eligible for attendance whose parent or guardian has signed a contract to buy, build or rent a residence in this district may be enrolled previous to the anticipated date of residency without tuition charges at the discretion of the Superintendent and the Board of Education.

Parent(s) or guardian(s) of children who are future residents shall be required to demonstrate proof of the anticipated residency. The Board of Education reserves the right to verify such claims, and to remove from school a nonresident student whose claim cannot be verified.

Former Residents

Regularly enrolled children whose parent(s) or guardian(s) have moved out of the school district during the final marking period shall be permitted to finish the school year without payment of tuition. Regularly enrolled children whose parent(s) or guardian(s) move from the district at any other time during the school year may remain enrolled for the remainder of the school year on payment of tuition prorated.

Children of Non-Resident Staff Members

The children of nonresident staff members of the district may be enrolled in the district schools without tuition upon approval of the Superintendent and the Board of Education. The following conditions shall apply in all such cases:

- Preschool students may not be enrolled in the district;
- The child being enrolled is not a special needs or education student;



- Sufficient and adequate space is available in the class(es) affected. Should the size of the class(es) increase as a result of additional resident student enrollment, the staff member's child may be excluded;
- The student abides by any and all regulations and policies of the district, including the code of conduct. Should the student fail to adhere to these regulations and policies, the child may be excluded;
- Application is made to the Superintendent annually if the staff member wishes enrollment to continue.

Under no circumstances will the Board provide transportation of non-resident students to or from the schools.

Other Nonresident Students

Other nonresident students, otherwise eligible for attendance may be admitted to this school district with payment of tuition and Board approval.

F-1 Visa Students

The school district will permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3. An F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year.

N.J.S.A. 18A:38-1 et seq.; 18A:38-3; 18A:38-3.1

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

8 CFR 214.3

Adopted: October 25, 2018

Revised: September 19, 2019



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Eligibility of Resident/Nonresident Students

June 20

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R 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

A. Definitions

1. “Affidavit student” means a student attending, or seeking to attend, school in a district pursuant to N.J.S.A. 18A:38-1.b and N.J.A.C 6A:22-3.2(a).
2. “Appeal” means contested case proceedings before the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. “Applicant” means a parent, guardian, or a resident supporting an affidavit student who seeks to enroll a student in a school district; or an unaccompanied homeless youth or adult student who seeks to enroll in a school district.
4. “Commissioner” means the Commissioner of Education or his/her designee.
5. “Guardian” means a person to whom a court of competent jurisdiction has awarded guardianship or custody of a child, provided that a residential custody order shall entitle a child to attend school in the residential custodian’s school district unless it can be proven that the child does not actually live with the custodian. “Guardian” also means the Department of Children and Families for purposes of N.J.S.A. 18A:38-1.e.

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

1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district if the student is domiciled within the district:



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- a. A student is domiciled in the school district when he or she is living with a parent or guardian whose domicile is located within the school district.
 - (1) When a student's parents or guardians are domiciled within different school districts and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the school district of the parent or guardian with whom the student lives for the majority of the school year. This provision shall apply regardless of which parent has legal custody.
 - (2) When a student's physical custody is shared on an equal-time, alternating week/month or other similar basis so the student is not living with one parent or guardian for a majority of the school year and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the present domicile of the parent or guardian with whom the student resided on the last school day prior to October 16 preceding the application date.
 - (a) When a student resided with both parents or guardians, or with neither parent or guardian, on the last school day prior to the preceding October 16, the student's domicile is the domicile of the parent or guardian with whom the parents or guardians indicate the student will be residing on the last school day prior to the ensuing October 16. When the parents or guardians do not designate or cannot agree upon the student's likely residence as of that date, or if on that date the student is not residing with the parent or guardian previously indicated, the student shall attend school in the school district of domicile of the parent or guardian with whom the student actually lives as of the last school day prior to October 16.



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Eligibility of Resident/Nonresident Students

- (b) When the domicile of the student with disabilities as defined in N.J.A.C. 6A:14 cannot be determined pursuant to N.J.A.C. 6A:22-3.1, nothing shall preclude an equitable determination of shared responsibility for the cost of such student's out-of-district placement.
 - (3) When a student is living with a person other than a parent or guardian, nothing in N.J.A.C. 6A:22-3.1 is intended to limit the student's right to attend school in the parent or guardian's school district of domicile pursuant to the provisions of N.J.A.C. 6A:22.
 - (4) No school district shall be required to provide transportation for a student residing outside the school district for all or part of the school year unless transportation is based upon the home of the parent or guardian domiciled within the school district or otherwise required by law.
- b. A student is domiciled in the school district when he or she has reached the age of eighteen or is emancipated from the care and custody of a parent or guardian and has established a domicile within the school district.
- c. A student is domiciled in the school district when the student has come from outside the State and is living with a person domiciled in the school district who will be applying for guardianship of the student upon expiration of the six-month "waiting period" of State residency required pursuant to N.J.S.A. 2A:34-54 ("home state" definition) and 2A:34-65.a(1). However, a student may later be subject to removal proceedings if application for guardianship is not made within a reasonable period of time following expiration of the mandatory waiting period or if guardianship is applied for and denied.



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Eligibility of Resident/Nonresident Students

- d. A student is domiciled in the school district when his or her parent or guardian resides within the school district on an all-year-round basis for one year or more, notwithstanding the existence of a domicile elsewhere.
 - e. A student is domiciled in the school district if the Department of Children and Families is acting as the student's guardian and has placed the student in the school district.
2. When a student's dwelling is located within two or more school districts, or bears a mailing address that does not reflect the dwelling's physical location within a municipality, the school district of domicile for school attendance purposes shall be the municipality to which the majority of the dwelling's property tax is paid, or to which the majority of the dwelling's or unit's property tax is paid.
- a. When property tax is paid in equal amounts to two or more municipalities, and there is no established assignment for students residing in the affected dwellings, the school district of domicile for school attendance purposes shall be determined through assessment of individual proofs as provided pursuant to N.J.A.C. 6A:22-3.4.
 - b. This provision shall not preclude the attendance of currently enrolled students who were permitted to attend the school district prior to December 17, 2001.
 - c. When a student's parent or guardian elects to exercise such entitlement, nothing in N.J.A.C. 6A:22-3.1 shall exclude a student's right to attend the school district of domicile although the student is qualified to attend a different school district pursuant to N.J.S.A. 18A:38-1.b or the temporary residency (less than one year) provision of N.J.S.A. 18A:38-1.d.



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Eligibility of Resident/Nonresident Students

3. Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other section of law to the contrary, a child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in any of the armed forces of the United States in a time of war or national emergency, shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. The school district shall not be responsible for providing transportation for the child if the child lives outside of the district. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.
- C. Eligibility to Attend School – Other Students Eligible to Attend School
1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b if that student is kept in the home of a person other than the student's parent or guardian, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child.
 - a. A student is not eligible to attend this school district pursuant to this provision unless:
 - (1) The student's parent or guardian has filed, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and that the student is not residing with the other person solely for the purpose of receiving a free public education; and



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Eligibility of Resident/Nonresident Students

- (2) The person keeping the student has filed, if so required by the Board of Education:
 - (a) A sworn statement that he or she is domiciled within the school district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the student pertaining to school requirements; and
 - (b) A copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner.
- b. A student shall not be deemed ineligible under this provision because required sworn statement(s) cannot be obtained when evidence is presented that the underlying requirements of the law are being met, notwithstanding the inability of the resident or student to obtain the sworn statement(s).
- c. A student shall not be deemed ineligible under this provision when evidence is presented that the student has no home or possibility of school attendance other than with a school district resident who is not the student's parent or guardian, but is acting as the sole caretaker and supporter of the student.
- d. A student shall not be deemed ineligible under this provision solely because a parent or guardian gives occasional gifts or makes limited contributions, financial or otherwise, toward the student's welfare provided the resident keeping the student receives from the parent or guardian no payment or other remuneration for regular maintenance of the student.



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- e. 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 school district commits a disorderly persons offense.
- 2. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and 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 the United States armed forces in time of war or national emergency.
 - a. Eligibility under this provision shall cease at the end of the school year during which the parent or guardian returns from active military duty.
- 3. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.d if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere.
 - a. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of the student attending the school district of temporary residence;
 - b. When one of a student's parents or guardians temporarily resides in a school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school



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shall be determined in accordance with N.J.A.C. 6A:22-3.1(a)1i. However, no student shall be eligible to attend school based upon a parent or guardian's temporary residence in a school district unless the parent or guardian demonstrates, if required by the Board of Education, the temporary residence is not solely for purposes of a student's attending the school district.

4. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.f if the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2, Education of Homeless Children.
5. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-2 if the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2. As used in this section, "court order" shall not encompass orders of residential custody under which claims of entitlement to attend a school district are governed by provisions of N.J.S.A. 18A:38-1 and the applicable standards set forth in N.J.A.C. 6A:22.
6. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-3.b if the student previously resided in the school 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 student out of the school district. A school district admitting a student pursuant to N.J.S.A. 18A:38-3.b shall not be obligated for transportation costs.



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7. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend the school district pursuant to N.J.S.A. 18A:38-7.7 et seq. if the student resides on Federal property within the State.
8. In accordance with N.J.S.A. 18A:38-1.1, a student who is not considered homeless under N.J.S.A. 18A:7B-12 and who moves to a new school district during the academic year as a result of a family crisis shall be permitted to remain enrolled in the original school district of residence for the remainder of the school year without the payment of tuition. A student attending an academic program during the summer, who is otherwise eligible except for the timing of the move, shall be permitted to remain in the school district for the remainder of the summer program if it is considered an extension of the preceding academic year.
 - a. For purposes of N.J.A.C. 6A:22-3.2(h) and Policy and Regulation 5111, “family crisis” shall include, but not be limited to:
 - (1) An instance of abuse such as domestic violence or sexual abuse;
 - (2) A disruption to the family unit caused by death of a parent or guardian; or
 - (3) An unplanned displacement from the original residence such as fire, flood, hurricane, or other circumstances that render the residence uninhabitable.
 - b. Upon notification of the move by the parent or guardian, the original school district of residence shall allow the student to continue attendance and shall provide transportation services to and from the student’s new domicile in accordance with N.J.S.A. 18A:39-1. The original school district of residence may request from the parent or guardian and may review supporting



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documentation about the reason(s) for the move; however, any such review shall not interrupt the student's continued enrollment in the school district and in the current school of attendance with the provision of transportation.

- (1) Examples of documentation include, but are not limited to, newspaper articles, insurance claims, police or fire reports, notes from health professionals, custody agreements, or any other legal document.
- c. If the parent or guardian or the relevant documentation indicates the child is homeless pursuant to N.J.S.A. 18A:7B-12, the school district liaison shall assume the coordination of enrollment procedures pursuant to N.J.A.C. 6A:17-2.5 and the student shall not be eligible for enrollment under N.J.S.A. 18A:38-1.1.
 - d. If the original school district of residence determines the situation does not meet the family crisis criteria outlined in 8.a. above, the Superintendent or designee shall notify the parent or guardian in writing. The notification shall inform the parent or guardian of his or her right to appeal the decision within twenty-one calendar days of his or her receipt of the notification, and shall state that if such appeal is denied, he or she may be assessed the costs for transportation provided to the new residence during the period of ineligible attendance. It shall also state whether the parent or guardian is required to withdraw the student by the end of the twenty-one day appeal period in the absence of an appeal.
 - (1) The parent or guardian may appeal by submitting the request in writing with supporting documentation to the Executive County Superintendent of the county in which the original school district of residence is situated.



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- (2) Within thirty calendar days of receiving the request and documentation, the Executive County Superintendent shall issue a determination whether the situation meets the family crisis criteria set forth at 8.a. above. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued.
 - (3) If the Executive County Superintendent determines the situation does not constitute a family crisis, the school district may submit to the Executive County Superintendent for approval the cost of transportation to the ineligible student's new domicile. The Executive County Superintendent shall certify the transportation costs to be assessed to the parent or guardian for the period of ineligible attendance.
- e. When the original school district of residence determines the situation constitutes a family crisis pursuant to N.J.S.A. 18A:38-1.1, the Superintendent or designee shall immediately notify the parent or guardian in writing.
- (1) When the original school district of residence anticipates the need to apply for reimbursement of transportation costs, it shall send to the Executive County Superintendent a request and documentation of the family crisis for confirmation the situation meets the criteria set forth at 8.a. above.
 - (2) Within thirty days of receiving the school district's request and documentation, the Executive County Superintendent shall issue a determination of whether the situation meets the criteria for a family crisis. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in



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accordance with N.J.S.A. 18A:39-1 until the determination is issued, and shall not be reimbursed for additional transportation costs unless the Executive County Superintendent determines the situation is a family crisis or as directed by the Commissioner upon appeal.

- f. In providing transportation to students under N.J.S.A. 18A:38-1.1, the Board shall use the most efficient and cost-effective means available and in conformance with all laws governing student transportation.
- g. At the conclusion of the fiscal year in which the Executive County Superintendent has determined the situation constitutes a family crisis, the original school district of residence may apply to the Executive County Superintendent for a reimbursement of eligible costs for transportation services.
 - (1) Eligible costs shall include transportation for students who are required to be transported pursuant to N.J.S.A. 18A:39-1.
 - (2) The school district shall provide documentation of the transportation costs for the eligible student(s) to the Executive County Superintendent who shall review and forward the information to the Department's Office of School Facilities and Finance for reimbursement payment(s) to the school district.
 - (3) Payment to the school district shall be made in the subsequent fiscal year and shall equal the approved cost less the amount of transportation aid received for the student(s).
- h. Nothing in N.J.A.C. 6A:22-3.2 shall prevent the Board of Education from allowing a student to enroll without the payment of tuition pursuant to N.J.S.A. 18A:38-3.a.



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- i. Nothing in N.J.A.C. 6A:22-3.2 shall prevent a parent or school district from appealing the Executive County Superintendent's decision(s) to the Commissioner in accordance with N.J.A.C. 6A:3-1.3. If the Commissioner of Education determines the situation is not a family crisis, his or her decision shall state which of the following shall pay the transportation costs incurred during the appeal process: the State, school district, or parent.

D. Housing and Immigration Status

1. A student's eligibility to attend school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.
2. Except as set forth in a. below, immigration/visa status shall not affect eligibility to attend school. Any student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, who is domiciled in the school district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, immigration status.
 - a. However, the provisions of N.J.S.A. 18A:38-1 and N.J.A.C. 6A:22 shall not apply to students who have obtained, or are seeking to obtain, a Certificate of Eligibility for Nonimmigrant Student Status (INS Form I-20) from the school district in order to apply to the INS for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1" Visa).

3. F-1 Visa Students

The school district is not required to, but may permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the



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provisions of Federal regulation 8 CFR 214.3. An F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

4. J-1 Visa Students

The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

- E. Nothing in Policy and Regulation 5111 or N.J.A.C. 6A:22-3.2 shall be construed to limit the discretion of the Board to admit nonresident students, or the ability of a nonresident student to attend school with or without payment of tuition, with the consent of the district Board pursuant to N.J.S.A. 18A:38-3.a.
- F. Proof of Eligibility
 - 1. The Board of Education shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district:



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- a. Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
 - b. Voter registrations; licenses; permits; financial account information; utility bills; delivery receipts; and other evidence of personal attachment to a particular location;
 - c. Court orders; State agency agreements; and other evidence of court or agency placements or directives;
 - d. Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location, or to support the student;
 - e. Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
 - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
 - g. Documents pertaining to military status and assignment; and
 - h. Any other business record or document issued by a governmental entity.
2. The Board of Education may accept forms of documentation not listed above, and shall not exclude from consideration any documentation or information presented by an applicant.



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3. The Board of Education 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 or subset of documents without regard to other evidence presented.
4. The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school. They include, but are not limited to:
 - a. Income tax returns;
 - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b);
 - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
 - d. Social security numbers.
5. The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in 4. above, or pertinent parts thereof if voluntarily disclosed by the applicant. However, the Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.
6. In the case of a dispute between the school district and the parents of a student in regard to a student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (NJMVC) the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district. The NJMVC shall disclose to a school district the information requested in accordance with procedures established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.



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G. Registration Forms and Procedures for Initial Assessment

1. The Board of Education shall use Commissioner-provided registration forms, or locally developed forms that:
 - a. Are consistent with the forms provided by the Commissioner;
 - b. Do not seek information prohibited by N.J.A.C. 6A:22 or any other provision of statute or rule;
 - c. Summarize, for the applicant's reference, the criteria for attendance set forth in N.J.S.A. 18A:38-1, and specify the nature and form of any sworn statement(s) to be filed;
 - d. Clearly state the purpose for which the requested information is being sought in relation to the criteria; and
 - e. Notify applicants that an initial eligibility determination is subject to a more thorough review and evaluation, and that an assessment of tuition is possible if an initially admitted applicant is later found ineligible.
2. The Board of Education shall make available sufficient numbers of registration forms and trained registration staff to ensure prompt eligibility determinations and enrollment. Enrollment applications may be taken by appointment, but appointments shall be promptly scheduled and shall not unduly defer a student's attendance at school.
 - a. If the school district uses separate forms for affidavit student applications rather than a single form for all types of enrollment, affidavit student forms shall comply in all respects with the provisions of G.1. above. When affidavit student forms are used, the school district shall provide them to any person attempting to register a student of whom he or she is not the parent or guardian, even if not specifically requested.



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- (1) The Board of Education or its agents shall not demand or suggest that guardianship or custody must be obtained before enrollment will be considered for a student living with a person other than the parent or guardian since such student may qualify as an affidavit student.
 - (2) The Board of Education or its agents shall not demand or suggest that an applicant seeking to enroll a student of whom the applicant has guardianship or custody produce affidavit student proofs.
- b. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.
3. Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.
 - a. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.
 - b. When a student appears ineligible based on information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, 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 school district's determination and intent to appeal to the Commissioner.



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- (1) An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed without a hearing before the Board if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.
4. When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement that the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of “neglect” for purposes of ensuring compliance with compulsory education laws, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student’s name, the name(s) of the parent/guardian/resident, and the student’s address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.
5. Enrollment or attendance in the school district shall not be conditioned on advance payment of tuition in whole or part when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information.
6. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2 - Education of Homeless Children.



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

H. Notice of Ineligibility

1. When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district shall immediately provide notice to the applicant that is consistent with Commissioner-provided sample form(s) and meets the requirements of N.J.A.C. 6A:22-4 et seq.
 - a. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside.



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2. Notices of ineligibility shall include:
 - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made:
 - (1) The description shall be sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal; and
 - (2) The description shall identify the specific subsection of N.J.S.A. 18A:38-1 under which the application was decided.
 - b. In cases of provisional eligibility, a clear description of the missing documents or information that still must be provided before a final eligibility status can be attained under the applicable provision of N.J.S.A. 18A:38-1;
 - c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the notice date, along with an informational document provided by the Commissioner describing how to file an appeal;
 - d. A clear statement of the student's right to attend school for the twenty-one day period during which an appeal can be made to the Commissioner. It also shall state the student will not be permitted to attend school beyond the twenty-first day following the notice date if missing information is not provided or an appeal is not filed;
 - e. A clear statement of the student's right to continue attending school while an appeal to the Commissioner is pending;
 - f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating the student's right to attend the school district, or the applicant withdraws the appeal, fails to prosecute or abandons the appeal by any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for



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any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;

- g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3, that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal:
 - (1) If removal is based on the student's move from the school district, the notice of ineligibility shall also provide information as to whether district Policy permits continued attendance, with or without tuition, for students who move from the school district during the school year.
- h. The name of a contact person in the school district who can assist in explaining the notice's contents; and
- i. When no appeal is filed, notice that the parent or guardian shall still comply with compulsory education laws. In the absence of a written statement from the parent or guardian that the student will be attending school in another school district or non-public school, or receiving instruction elsewhere than at a school, school district staff shall notify the school district of actual domicile/residence, or the Department of Children and Families, of a potential instance of "neglect" pursuant to N.J.S.A. 9:6-1. For purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25), staff shall provide the student's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere.



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I. Removal of Currently Enrolled Students

1. Nothing in N.J.A.C. 6A:22 and this Regulation shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.
2. When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal.
 - a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2. However, the notice shall also provide for a hearing before the Board of Education prior to a final decision on removal.
3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an "affidavit student," has been informed of his or her entitlement to a hearing before the Board of Education.
4. Once the hearing is held, or if the parent, guardian, adult student, or resident keeping an "affidavit student," does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the student's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2.
5. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board of Education or a Board committee, at the discretion of the full Board. If the hearing is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. However, no student shall be removed except by vote of the Board of Education taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.



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J. Appeal to the Commissioner

1. An applicant may appeal to the Commissioner of Education a school district determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition, which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3.
 - a. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of “affidavit student” ineligibility determinations shall be filed by the resident keeping the student.

K. Assessment and Calculation of Tuition

1. If no appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an “affidavit” student following notice of an ineligibility determination, the Board of Education may assess tuition for up to one year of a student’s ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner.
 - a. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.
2. If an appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an “affidavit” student and the petitioner does not sustain the burden of demonstrating the student’s right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition for the period during which the hearing and decision on appeal were pending, and for up to one year of a student’s ineligible attendance in a school district prior to the appeal’s filing and including the twenty-one day period to file an appeal.



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Eligibility of Resident/Nonresident Students

- a. Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition for up to one year of ineligible attendance pursuant to N.J.A.C. 6A:22-6.1(a) plus the period of ineligible attendance after the appeal was filed. If the record of the appeal includes a calculation reflecting the tuition rate(s) for the year(s) at issue, the per diem tuition rate for the current year and the date on which the student's ineligible attendance began, the Commissioner may order payment of tuition as part of his or her decision. In doing so, the Commissioner shall consider whether the ineligible attendance was due to the school district's error. If the record does not include such a calculation and the Board of Education has filed a counterclaim for tuition, the counterclaim shall proceed to a hearing notwithstanding that the petition has been abandoned.
 - b. An order of the Commissioner assessing tuition is enforceable through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division, in accordance with N.J.S.A. 2A:58-10.
3. Tuition assessed pursuant to the provisions of N.J.A.C. 6A:22-6 shall be calculated on a per-student basis for the period of a student's ineligible enrollment, up to one year, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23A-17.1. The individual student's record of daily attendance shall not affect the calculation.
 4. Nothing in N.J.A.C. 6A:22 shall preclude an equitable determination by the Board of Education or the Commissioner that tuition shall not be assessed for all or part of any period of a student's ineligible attendance in the school district when the particular circumstances of a matter so warrant. In making the determination, the Board of Education or Commissioner shall consider whether the ineligible attendance was due to the school district's error.

Adopted: October 25, 2018

Revised: October 18, 2020



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

A child is eligible for entrance into Kindergarten who will have attained the age of five years on or before October 1 of the year in which entrance is sought.

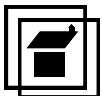
No child will be admitted to Kindergarten who has not met the age requirement set by this policy.

First Grade

A child is eligible for entrance into first grade who will have attained the age of six years on or before October 1 of the year in which entrance is sought or has completed a Kindergarten program of a public school district or an equivalent program elsewhere and has been recommended by the school administration for advancement to the first grade.

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: 25 October 2018



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 student 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 student 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: 25 October 2018



5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with Federal and State laws and New Jersey Administrative Code. The Board of Education adopts this Policy to be in compliance with law and administrative code to ensure the enrollment of homeless children in school and to respond to appeals made by parents or other parties related to the enrollment of homeless children.

The Board of Education shall determine that 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 including mobile homes; tents or other temporary shelters; parks; abandoned buildings; bus or train stations; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends where the homeless child resides out of necessity because his or her family lacks a regular or permanent residence of its own. A child is also determined homeless when he or she resides in substandard housing.

The school district of residence for a homeless child is responsible for the education of the child and shall assume all responsibilities as required in N.J.A.C. 6A:17-2.3. The school district of residence for a homeless child means the school district in which the parent of a homeless child resided prior to becoming homeless.

The Superintendent shall serve as the school district liaison for the education of homeless children. The liaison will facilitate communication and cooperation between the school district of residence and the school district where the homeless child resides and shall assume all responsibilities as outlined in N.J.A.C. 6A:17-2.4(a).

When a homeless child resides in a school district, the school district liaison shall notify the liaison of the school district of residence within twenty-four hours of receiving notification from the parent, the Department of Human Services or the Department of Children and Families, a shelter director, an involved agency, or a case manager. Upon notification of the need for enrollment of a homeless child, the liaison in the school district of residence shall coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.5(b).



The Superintendent of the school district of residence or designee shall decide in which school district the homeless child shall be enrolled in accordance with the provisions of N.J.A.C. 6A:17-2.5.

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

When a dispute occurs regarding the determination of homelessness or the determination of the school district of enrollment made by the school district of residence, the Superintendent(s) or the designee(s) of the involved district(s) or the child's parent(s) shall immediately notify the Executive County Superintendent of Schools, who, in consultation with the Department of Education's McKinney-Vento Homeless Education Coordinator or designee, shall immediately decide the child's status. If a dispute remains between the parent and the involved school district(s) following the Executive County Superintendent's determination, the parent or the involved district Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

When a school district designated as the school district of residence disputes its designation as the school district of residence, or where no designation can be agreed upon by the involved school districts, the Superintendent(s) or designee(s) of the involved school districts shall immediately notify the Executive County Superintendent of Schools, who shall immediately make a determination, if possible, but no later than within forty-eight hours.

If the dispute regarding determination of district of residence does not involve the determination of homelessness and/or district enrollment, the school district disputing the Executive County Superintendent's determination may appeal to the Department of Education pursuant to N.J.A.C. 6A:23A-19.2(d), (e), and (f) and request a determination from the Division of Administration and Finance. If an appeal of a determination of district of residence also includes an appeal of the determination of homelessness and/or school district of enrollment, the appeal shall be submitted to the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.

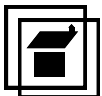
Any dispute or appeal shall not delay the homeless child's immediate enrollment or continued enrollment in the school district. The homeless child shall be enrolled in the school district in which enrollment or continued enrollment is sought by the parent, pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with a disability shall 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:17-2.8. The school 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 until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. At that time, the school district of residence shall no longer list the student on its ASSA. The State shall assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12.1 and shall pay the tuition to the school district in which the child is currently enrolled until the parent establishes a permanent residence or is deemed domiciled in another jurisdiction pursuant to N.J.S.A. 18A:38-1.d. under the circumstances outlined in N.J.A.C. 6A:17-2.8(c).

N.J.S.A. 18A:7B-12; 18A:7B-12.1
N.J.A.C. 6A:17-2.1 et seq.

Adopted: 25 October 2018



5120 ASSIGNMENT OF STUDENTS

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

Students shall generally attend the school located in the attendance area of their residence. The Superintendent may assign a student to a school other than that designated by the attendance area when such an exception is justified by circumstances and/or is in the best interest of the student. Every effort will be made to continue a student in the same elementary school once the student has been enrolled in that elementary school.

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

In accordance with the provisions of N.J.S.A. 18A:36-38.a.(1), 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.(1).

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.

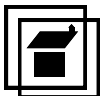
In accordance with the provisions of N.J.S.A. 18A:36-38.(2)(b), a Principal may, after consultation with the students' parent and teachers at the end of the initial grading period, request the Board make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is determined to be disruptive to any of the students in the class or classes, or if the Principal concludes the initial placement does not sufficiently support the students' 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 student 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 student’s Individualized Education Plan.

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

Adopted: 25 October 2018



5130 WITHDRAWAL FROM SCHOOL

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

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

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

Adopted: 25 October 2018



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Students

Series 5000

Conduct / Discipline

Policy 5131

Date Adopted: April 19, 1990

Date Revised: February, 16, 2006, August 17, 2006, April 24, 2008,
May 21, 2009, December 17, 2009, May 19, 2011, April 30, 2015

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The Board of Education believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of students.

The Board of Education expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment. Students are required to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority and respond to those who hold that authority.

The Board of Education believes that standards of student behavior must be set cooperatively by interaction among the students, parents/guardians, staff and community, producing an atmosphere that encourages students to grow in self-discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

Board policy requires each student of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. The Chief School Administrator shall provide to students and their parents/guardians the rules of this district regarding student conduct and the sanctions that may be imposed for breach of those rules. Provisions shall be made for informing parents/guardians whose primary language is other than English.

The Chief School Administrator shall establish the degree of order necessary to the educational program in which students are engaged.

Code of Conduct

The Chief School Administrator shall oversee the development of and the board shall approve a code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The code of conduct shall be based on parent/guardian, student and community involvement, and locally determined core ethical values. The chief school administrator has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to NJAC 6A:16-7.1 and NJAC 6A:16-7.6.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to NJSA 18A:25-2 and 18A:37-2, and 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. The board shall direct development of detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

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The district code of conduct shall contain:

- A. A description of student responsibilities that includes expectations for academic achievement, behavior and attendance;
- B. A description of behaviors that will result in suspension or expulsion;
- C. A description of the students' rights to:
 - 1. Advance notice of behaviors that will result in suspensions or expulsions;
 - 2. Education that supports student development into productive citizens;
 - 3. Attendance in safe and secure school environment;
 - 4. Attendance in school irrespective of marriage, pregnancy, or parenthood;
 - 5. Due process and appeal procedures in accordance with law and Board policy;
 - 6. Parent notifications consistent with Board policy and law for law enforcement interviews (5145.11 Questioning and Apprehension), short-term and long-term suspension (5114 Suspension and Expulsion), due process and appeal procedures, and attendance (5113 Attendance, Absences and Excuses);
 - 7. Records and privacy protections (5125 Student Records).
- D. A description of behavioral supports that promote positive student development and assist each student in fulfilling the district behavioral expectations established including intervention and referral services, remediation, and intervention and supports services for students with disabilities;
- E. A description of graded responses to violations of the code of conduct that includes remediation, is consistent with law concerning corporal punishment, and is consistent with laws and Board policies concerning violence/vandalism (5131.5) and, weapons and dangerous instruments (5131.7);
- F. Cover the Board attendance policy (5113) and the harassment, intimidation and bullying policy (5131.9);
- G. Lists community-based health and social service providers, and local legal resources.

Student Behavioral Infractions

Students who display chronic behavioral or academic problems may be referred to the child study team by the chief school administrator for an evaluation to determine disability or the need for other services. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Students so identified shall be provided with appropriate programs and services as prescribed by the child study team.

A student whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended in accordance with NJAC 6A:16-7.1 and NJAC 6A:16-7.3 or expulsion in accordance with NJAC 6A:16-7.5, following due process. However, one incident alone is not sufficient cause for an expulsion.

Any student who commits an assault (as defined by NJSA 2C:12-1) upon a Board Member, teacher, administrator or other employee of the Board of Education shall be suspended from school immediately according to procedural due process, and suspension in accordance with NJAC 6A:16-7.1 and NJAC 6A:16-7.3 or expulsion in accordance with NJAC 6A:16-7.5. However, one incident alone is not sufficient cause for an expulsion. Proceedings shall begin no later than 30 calendar days from the date of the student's suspension.

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Substance Abuse

In accordance with statute and code, penalties shall be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties shall be graded according to the severity of the offense in accordance with policy 5131.6 Substance Abuse. Infractions shall be reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality shall be protected in accordance with federal and state law.

Weapons Offenses

Any student 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 or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The chief school administrator may modify this suspension on a case-by-case basis. Each student so removed shall be placed in an alternative educational program or on home instruction pending alternative education program placement and shall be entitled to a hearing before the Board. The hearing shall take place no later than 30 days following the day the student is removed from the regular education program and shall be closed to the public.

The principal shall be responsible for the removal of such students and shall immediately report them to the chief school administrator. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Chief School Administrator shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with NJAC 6A:16-5.5(i).

Teaching staff members and other employees of this Board having authority over students shall take such lawful means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board.

Harassment, Intimidation or Bullying

The Board expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. This type of behavior interferes with a student's ability to learn and a school's ability to educate its students in a safe environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The Board prohibits acts of harassment, intimidation or bullying against any student in accordance with Board policy 5131.9 Harassment, Intimidation and Bullying, and law.

"Harassment, intimidation or bullying" is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds in accordance with law, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students and that:

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- A. A reasonable person should know, under the circumstances, will have the effect of physically or mentally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or mental harm to his/her person or damage to his/her property; or
- B. Has the effect of insulting or demeaning any student or group of students; or
- C. Creates a hostile educational environment by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.

"Electronic communication" means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager, that takes place on school grounds, at any school-sponsored function or on a school bus.

Students with Disabilities

Classified students are subject to the same disciplinary procedures as nondisabled students and may be disciplined in accordance with their IEP. However, before disciplining a classified student, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the student's needs.

Staff shall comply with state and federal law and the regulations of the New Jersey administrative code in dealing with discipline and/or suspension of all students with disabilities.

Policy & Procedure Development, Review & Dissemination

The standards and procedures developed to implement this policy shall be aligned with the Board approved code of student conduct and accepted Board approved core ethical values. Policies, standards and procedures shall be based on parent, student and community involvement which represents, where possible, the composition of the schools and community, in accordance with NJAC 6A:16-7.1.

This policy shall be reviewed annually and updated along with the code of student conduct. This process shall include:

- A. Parent, student and community involvement which represents, where possible, the composition of the schools and community;
- B. Consideration of the findings of the annual reports of student conduct, suspensions and expulsions; and incidences reported under the Electronic Violence and Vandalism Reporting System.

The Chief School Administrator shall annually:

- A. Disseminate the code of student conduct to all staff, students and parents;
- B. Report on the implementation of the code of student conduct to the Board of Education at a public meeting in accordance with NJAC 6A:16-7.1(a) 5, i-iv;
- C. Report to the New Jersey Department of Education on student conduct, including all student suspension and expulsion and incidences reported under the Electronic Violence and Vandalism Reporting System.

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Implementation

The Chief School Administrator shall ensure that the rules for this policy are applied consistently with the district's code of student conduct (NJAC. 6A:16-7) and all applicable laws and regulations and that all disciplinary sanctions are carried out with necessary due process.

This and all related policies shall be reviewed on a regular basis.

Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
18A:6-1 Corporal punishment of pupils
18A:11-1 General mandatory powers and duties
18A:25-2 Authority over pupils
18A:36-19a Newly enrolled students; records and identification
18A:37-1 et seq. Discipline of Pupils
18A:40A-1 et seq. Substance Abuse

NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6:32-12.1 Reporting requirements
6:32-12.2 School-level planning

Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127, 5131.5,
5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145, 6164.4, 6171.4, 6172

5132.7 PEDICULOSIS/HEAD LICE

Consistent with the position of the New Jersey Department of Health, National Association of School Nurses and the American Academy of Pediatrics, the Board of Education believes that the management of Pediculosis (infestation by head lice) should not disrupt the educational process. No disease is associated with head lice.

'No-nit' policies requiring that students be free of nits before they return to school have not been effective in controlling transmission and are not recommended.

The School Nurse, as a student advocate and nursing expert, is included in school district-community planning, implementation and evaluation of vector control programs for the school setting. The School Nurse's goals are to facilitate an accurate assessment of the problem, contain infestation, provide appropriate health information for treatment and prevention, prevent overexposure to potentially hazardous chemicals, and minimize school absence.

In cases that involve head lice, as in all school health issues, it is imperative that the school district and its employees prevent stigmatizing and maintain the student's privacy as well as the family's right to confidentiality.

Definitions

For the purposes of this policy, the following definitions shall apply:

- Head lice: small parasitic insects that live on the scalp and neck of a human host
- Louse: singular of lice
- Nymph: young, recently hatched louse
- Active infestation: finding a live louse or nymph on the scalp, or a viable nit within 1 cm of the scalp
- Pediculosis: an active infestation of head lice
- Nit: an egg of a female louse, attached to the hair shaft
- Non-viable nit: an egg found on the hair shaft farther than 1 cm from the scalp; already hatched
- Viable nit: an egg found on a hair shaft closer than 1 cm from the scalp; considered to be unhatched
- Ovicide: chemical which kills eggs/nits
- Pediculicide: chemical which kills nymph stage and adult lice



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Pediculosis/Head Lice

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Regulations/Procedures

Any student suspected of having an active infestation will be referred to the School Nurse for evaluation.

A student, with head lice or viable nits visualized by the School Nurse, is referred for treatment at the end of the school day. Prompt treatment at home is advised, including removal of live lice and all viable nits. Immediate removal from school is not recommended.

District-approved written information about identification and management of active head lice infestation may be provided by the School Nurse to the parent/guardian of the affected student.

At the discretion of the School Nurse, it may be appropriate to screen other children who have had close head to head contact with the student with active infestation, such as household family members, but classroom-wide or school-wide screening is not generally indicated.

Students with nits only, are not excluded from school. A student with non-viable nits will be monitored, not be referred for treatment and may remain in school.

Upon return to school after treatment, the student will be re-assessed for the presence of head lice-nits by the School Nurse. If live lice are again visualized, the School Nurse will contact the parent/guardian and reinforce the need for prompt treatment at home. The student may be permitted to return to the classroom.

If upon re-assessment by the School Nurse, nits are found, either at the time of the initial or return assessment, the student will be assessed at weekly intervals or more frequently at the discretion of the School Nurse.

The School Nurse retains the authority to, in consultation with school administrator(s), exclude a student with repeated infestations of live or viable nits, or a student with a current infestation for which there is inadequate management by the parent/guardian. The student may be referred to his/her healthcare provider and/or the Cumberland County Health Department for additional intervention(s).



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Pediculosis/Head Lice

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A copy of this policy and the New Jersey Department of Health Head Lice fact sheet are provided to parents/guardians at a time of school registration and annually thereafter.

A copy of this policy and the New Jersey Department of Health Head Lice fact sheet are provided to district employees at time of hire and may be reviewed as needed.

Legal & Other References

NJSA 18A:40-7, 8, 10, 11 Exclusion of pupils who are ill

American Academy of Pediatrics (2006). Red Book – Report of the Committee on Infectious Diseases.

Centers for Disease Control and Prevention (2010). Head lice information for schools.

Retrieved from <http://www.cdc.gov/parasites/lice/head/index.html>.

Frankowski, B.L. & Bocchinie, J.A. (2010). Clinical Report – Head Lice. Pediatrics. 126(2) 392-4031 Retrieved from <http://pediatrics.aappulckiations.org/cgi/content/abstrat/126/2/292>.

National Association of School Nurses (NASN), Pediculosis Management in the School Setting; Position Statement, January 2011.

New Jersey Department of Health: Head Lice – Frequently Asked Questions.

Retrieved from

http://www.state.nj.us/health/cd/documents/faq/headlice_faq.pdf

Adopted: November 19, 1998

Revised: September 17, 2015



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5200 ATTENDANCE

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The Board of Education requires students enrolled in the school district attend school regularly in accordance with the laws of the State.

Notwithstanding the requirement of reporting student absences in the school register for State and Federal reporting purposes, “excused” and “unexcused” student absences, for the purpose of expectations and consequences regarding truancy, student conduct, promotion, and the award of course credit is a local Board decision outlined in N.J.A.C. 6A:16-7.6 and Policy and Regulation 5200. In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of Policy and Regulation 5200, a student’s absence from school will either be excused or unexcused. Unexcused absences will counts toward truancy.

A parent or adult student shall provide advance notice to the school prior to the student being absent from school. In accordance with N.J.S.A. 18A:36-25.6, if a student is determined to be absent from school without valid excuse, and if the reason for the student’s absence is unknown to school personnel, the Principal or designee shall immediately attempt to contact the student’s parent to notify the parent of the absence and determine the reason for the absence.

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. In accordance with N.J.S.A. 18A:36-14, a student who is absent from school for observing a religious holiday shall not be deprived of any award, eligibility, or opportunity to compete for any award, or deprived of the right to take an alternate test or examination that was missed because of the absence provided there is a written excuse of such absence signed by the parent.

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



POLICY

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Students shall be subjected to the school district's response for unexcused absences that count toward truancy during the school year as outlined in N.J.A.C. 6A:16-7.6(a)4 and Regulation 5200.

Unexcused absences from school or from classes within the school day may subject a student to consequences that may include the denial of a student's participation in co-curricular activities and/or athletic competition. Repeated absences from school interfere with efforts of the Board and its staff in the maintenance of good order and the continuity of classroom instruction and such absences may result in the removal of the student from a class or course of study.

The Superintendent shall calculate and monitor the average daily attendance rate for the district and for each school in the district. Whenever the average daily attendance rate does not meet the New Jersey Department of Education requirements the Superintendent or designee shall develop a district improvement plan to improve student attendance pursuant to N.J.A.C. 6A:30-5.2.

N.J.S.A. 18A:36-14; 18A:36-25.6; 18A:38-25
N.J.S.A. 34:2-21.1 et seq.
N.J.A.C. 6A:16-7.6; 6A:30-5.2; 6A:32-8.3

Adopted: October 25, 2018
Revised: October 18, 2020



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R 5200 ATTENDANCE

A. Attendance Recording

1. School Register – N.J.A.C. 6A:32-8.1

- a. The Board of Education shall carefully and accurately track enrollment and attendance of all students in a manual school register format or in an electronic format of the school district's choosing.
- b. The Commissioner of Education will issue and publish on the New Jersey Department of Education's (NJDOE) website guidance for recording student attendance in all public schools of the State operated by district Boards , except adult high schools.
- c. Student attendance shall be recorded in the school register during school hours on each day in session, pursuant to N.J.A.C. 6A:32-8.3. An employee designated by the Superintendent shall keep in the school register, attendance of all students, and shall maintain the attendance records in accordance with N.J.A.C. 6A:32-8 and the guidance issued by the Commissioner in accordance with N.J.A.C. 6A:32-8.1(c) and A.1.b. above.
- d. A student who has been placed on home instruction shall have their attendance status recorded on the regular register for the program in which the student is enrolled. The student shall be marked absent for the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement. Absences shall not be recorded for the student while on home instruction, provided the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9 and N.J.A.C. 6A:16-10.1 and 10.2. The number of possible days in membership for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.



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- (1) “Days in membership” means the number of school days in session in which a student is enrolled in accordance with N.J.A.C. 6A:32-2.1. A student’s membership begins on the first possible day of attendance following enrollment during the school year, notwithstanding the actual day the student was recorded as present for the first time.

2. Day in Session – N.J.A.C. 6A:32-8.3

- a. A day in session shall be a day on which the school is scheduled to provide instruction and students are under the guidance and direction of a teacher(s) engaged in the teaching process. A day on which school is closed for reasons such as holidays and teachers’ institutes, or inclement weather not under conditions set forth at N.J.A.C. 6A:32-13, shall not be considered a day in session.
- b. A day in session shall consist of not less than four hours, exclusive of recess and lunch periods, except that one continuous session of two and one-half hours may be considered a full day in Kindergarten.

3. Student Attendance – N.J.A.C. 6A:32-8.4

- a. For all State attendance submissions, a student shall be recorded as present, absent, or excused for a State-excused absence, pursuant to N.J.A.C. 6A:32-8.4(e) and A.3.e. below, on every day the school is in session after the student enrolls until the date the student is transferred to another school or officially leaves the school district.
- b. A record of attendance of all students shall be kept in accordance with N.J.A.C. 6A:32-8.1(c) and A.1.b. above. The employee designated by the Superintendent shall keep the attendance records according to N.J.A.C. 6A:32-8 and the guidance issued by the Commissioner in accordance with N.J.A.C. 6A:32-8.1(c) and A.1.b. above.



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- c. A student enrolled in a school shall be recorded in the school register as present if the student participates in instruction or instruction-related activities for at least half a day in session whether the student is physically on school grounds, at an approved off-grounds location, or in a virtual or remote instruction setting, pursuant to N.J.A.C. 6A:32-13.
- d. A student enrolled in a school who is not participating in instruction or instruction-related activities pursuant to N.J.A.C. 6A:32-8.4(c) and A.3.c. above shall be recorded in the school register as absent, unless the student is recorded as a State-excused absence, pursuant to N.J.A.C. 6A:32-8.4(e) and A.3.e. below.
- e. State-excused absences shall be as follows:
 - (1) Religious observance, pursuant to N.J.S.A. 18A:36-14, 15, and 16.
 - (a) The Commissioner, with approval of the State Board of Education, shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis;
 - (2) Participation in observance of Veterans Day, pursuant to N.J.S.A. 18A:36-13.2;
 - (3) Participation in district board of election membership activities, pursuant to N.J.S.A. 18A:36-33;
 - (4) Take Our Children to Work Day;
 - (5) College visit(s), up to three days per school year for students in grades eleven and twelve;



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- (6) Closure of a busing school district that prevents a student from having transportation to the receiving school; and
- (7) Attendance at a civic event, one day per school year for students in grades six through twelve, pursuant to N.J.S.A. 18A:36-33.2.
 - (a) “Civic event” means an event sponsored by a government entity, a community-based organization, or a nonprofit organization that incorporates elements of service learning whereby students learn and develop through organized service. A civic event shall address an issue of public concern such as community health and safety or environmental, economic, or community well-being in accordance with N.J.S.A. 18A:36-33.1.
 - (b) The parent of a student shall provide a signed written notice of an intended excused absence to attend a civic event at least five school days in advance of the intended excused absence and such other documentation as the Superintendent deems necessary to prove that the student meets the requirements for an excused absence pursuant to N.J.S.A. 18A:36-33.2.b.
- f. For absences that do not meet the criteria at N.J.A.C. 6A:32-8.4(e) and A.3.e. above, the Board may adopt policies that establish locally approved or excused absences consistent with N.J.A.C. 6A:16-7.6 for the purpose of expectations and consequences regarding truancy, student conduct, promotion, retention, and the award of course credit. However, an absence designated as excused by the Board pursuant to N.J.A.C. 6A:16-7.6 shall be considered as an absence in the submission to the State for the purpose



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of chronic absenteeism reporting, as set forth at N.J.A.C. 6A:32-8.6.

4. Average Daily Attendance – N.J.A.C. 6A:32-8.5

The average daily attendance rate in a district school or program of instruction for a school year shall be the total number of the days present of all enrolled students, divided by the number of days in membership of all enrolled students. The student average daily attendance means the total number of days that a student is present in the school divided by the total possible number of days in session.

5. Absentee and Chronic Absenteeism Rates – N.J.A.C. 6A:32-8.6

a. A student's absentee rate shall be determined by subtracting the student's total number of days present from the student's days in membership and dividing the result by the student's days in membership.

(1) State-excused absences shall not be included in a student's days in membership for purposes of calculating a student's absentee rate.

b. If a student's absentee rate is equal to or greater than ten percent, the student shall be identified as chronically absent.

c. Each school with ten percent or more of its enrolled students identified as chronically absent shall develop a corrective action plan to improve absenteeism rates. In accordance with N.J.S.A. 18A:38-25.1, the school will annually review and revise the corrective action plan and present the revisions to the Board, until the percentage of students who are chronically absent is less than ten percent.

B. Unexcused Absences That Count Toward Truancy/Excused Absences for Board Policy

1. Notwithstanding the requirement of reporting student absences in the school register for State and Federal reporting purposes, "excused" and "unexcused" student absences for the purpose of expectations and consequences regarding truancy, student conduct, promotion, retention, and the award of course credit is a Board



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decision outlined in Policy 5200 – Attendance and this Regulation.

2. N.J.A.C. 6A:16-7.6(a)3 requires the Board policies and procedures contain, at a minimum, a definition of unexcused absence that counts toward truancy, student conduct, promotion, retention, and the award of course credit.

- a. “An unexcused absence that counts toward truancy” is a student’s absence from school for a full or a portion of a day for any reason that is not an “excused absence” as defined in B.2.b. below.
- b. “An excused absence” is a student’s absence from school for a full day or a portion of a day for the observance of a religious holiday pursuant to N.J.S.A. 18A:36-14 through 16, or any absence for the reasons listed below:

The student’s illness

- supported by a written letter from the parent upon student’s return to school;
- supported by notification to the school by the student’s parent;
- The student’s required attendance in court;
- Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 USC §794 and 705(20), and individualized health care plans;
- Family illness or death
- supported by a written letter from the parent upon the student’s return to school;
- supported by notification to the school by the student’s parent;



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- Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;
- Take Our Children to Work Day;
- Religious observance, pursuant to N.J.S.A. 18A:36-14 through 16;
- Participation in observance of Veterans Day, pursuant to N.J.S.A. 18A:36-13.2;
- Participation in district board of election membership activities, pursuant to N.J.S.A. 18A:36-33;
- Attendance at a civic event(s), pursuant to N.J.S.A. 18A:36-33.2;
- Closure of a busing school district that prevents a student from having transportation to the receiving school;
- An absence considered excused by the Commissioner and/or a NJDOE rule;
- An absence for a reason not listed above, but deemed excused by the Superintendent or his/her designee upon a written request by the student's parent stating the reason for the absence and requesting permission for the absence to be an excused absence;



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3. “Unexcused tardiness” may constitute an unexcused absence that counts toward truancy in accordance with Policy 5240 – Tardiness.]

C. Notice to School of a Student’s Absence

1. The parent or adult student shall notify the school office before the school day when the student will not be in school. However, notice for attendance at a civic event shall be provided in accordance with the procedure set forth in N.J.S.A. 18A:36-33.2.b. and A.3.e.(7)(b) above.
2. The parent of the student or an adult student who will attend the morning session, but will not attend the afternoon session shall provide notice to the school office before the start of the afternoon session.
3. The parent of a student or an adult student shall notify the school office of a future absence if the absence is foreseeable.
4. In accordance with N.J.S.A. 18A:36-25.6, if a student is determined to be absent from school without valid excuse, and if the reason for the student’s absence is unknown to school personnel, the Principal or designee shall immediately attempt to contact the student’s parent to notify the parent of the absence and determine the reason for the absence.

D. Readmission to School After an Absence

1. A student returning from an absence of 3 consecutive school days may be required to provide a written statement to the Superintendent or his/her or designee that is dated and signed by the parent or adult student listing the reason for the absence.
2. A student who has been absent by reason of having or being suspected of having a communicable disease may be required to present to the school nurse written evidence of being free of a communicable disease.



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3. The Superintendent of Schools or designee may require a student who has been absent from school due to a suspension or other reason concerning the student's conduct to receive a medical examination by a physician regarding the student's physical and/or mental fitness to return to school.
 - a. The Superintendent or designee will notify the student's parent of the specific requirements of the medical examination prior to the student's return to school.

E. Instruction

1. Teachers will cooperate in the preparation of home assignments for students who anticipate an absence of 3 school days duration.
2. Students absent for any reason are expected to make up the work missed. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
3. In general, students will be allowed a reasonable amount of time as determined by the teacher to make up the work missed.
4. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test.
5. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412 – Home Instruction Due to Health Condition. The parent must request home instruction.

F. Denial of Course Credit

1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absence in determining a final grade, except absences for the observance of a religious holiday or absence for a student's suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.



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2. An elementary student may be retained at grade level, in accordance with Policy 5410 – Promotion and Retention, when the student has been absent 10% (number, fraction, or percentage) or more school days, whatever the reason for the absence, except that absences for the observance of a religious holiday, absences for those excused in accordance with the reporting requirements of the school register, and absences due to student's suspension will not count toward the total.



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Exceptions to this rule may be made for students who have demonstrated through completion of home assignments and/or home instruction that they have mastered the proficiencies established for the assigned courses of study.]

G. School District Response To Unexcused Absences During the School Year That Count Toward Truancy – N.J.A.C. 6A:16-7.6(a)4.

1. For up to four cumulative unexcused absences that count toward truancy, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parents;
 - c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11, if a potential missing or abused child situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate;
2. For between five and nine cumulative unexcused absences that count toward truancy, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;



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- b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parents;
- c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and G.1.c. above;
- d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - (2) Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
 - (3) Consider an alternate educational placement;
 - (4) Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
 - (5) Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and G.4. below;
 - (6) Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11, if a potential missing or abused child situation is detected; and
 - (7) Engage the student's family.
- e. Cooperate with law enforcement and other authorities and agencies, as appropriate.



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3. For cumulative unexcused absences of ten or more that count toward truancy, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
 - a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and G.4. below;
 - b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
 - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required; and
4. A court referral may be made as follows:
 - a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court;
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or
 - b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g., the student may be referred to Superior Court, Chancery Division, Family Part;
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be



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forwarded to the Juvenile-Family
Crisis Intervention Unit.

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5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's Individual Education Program (IEP), pursuant to 20 USC §1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plan under 29 USC §794 and 705(20); and individualized healthcare plan and individualized emergency healthcare plan, pursuant to N.J.A.C. 6A:16-2.3(b)3.xii.
6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and G.1. above for each student with up to four cumulative unexcused absences that count toward truancy.
 - a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.
 - (1) The sending school district shall proceed in accordance with the Board's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and G.2. through G.4. above and N.J.A.C. 6A:16-7.6(b) and G.5. above, as appropriate.

H. Discipline

1. Students may be denied participation in co-curricular activities and/or athletic competition if the Board establishes attendance standards for participation.
2. No student who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.



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I. Recording Attendance

1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.
2. A record shall be maintained of each excused absence and each unexcused absence that counts toward truancy as defined in Policy 5200 – Attendance and this Regulation.
3. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

J. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.
2. A parent of a student or an adult student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410 – Promotion and Retention.
3. A parent of a student or an adult student who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:
 - a. A written appeal shall be filed with the Principal or designee within five school days of receiving notice of the action. The appeal should state the reasons for each absence, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.
 - b. The Principal or designee will respond in writing no later than seven school days after receiving the written appeal.



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- c. If the parent or adult student is not satisfied, the parent or adult student may submit a written request to the Principal for consideration by an Attendance Review Committee.
- d. In response to a request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review Committee. The Attendance Review Committee shall meet informally to hear the appeal. The student's parent, the student, and teacher(s) may attend the meeting.
- e. The Attendance Review Committee shall decide the appeal and inform the parent and student in writing within seven school days of the meeting.
- f. The parent or adult student may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board, and the Commissioner in accordance with Policy 5710 – Student Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.

K. Attendance Records

- 1. Attendance records for the school district and each school will be maintained and attendance rates will be calculated as required by the NJDOE. The school district will comply with all attendance requirements and any improvement plans as required by the NJDOE.

Adopted: October 25, 2018

Revised: October 17, 2024



5230 LATE ARRIVAL AND EARLY DISMISSAL

The Board of Education requires that students 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 student 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 student on the prior written request of the student'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 student will be permitted to leave the school before the end of the school day except in the presence of the student'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 student. If one parent has been assigned custody of the student by court order or separation agreement and wishes to limit the noncustodial parent's access to the student, 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 student may be released into the care of either parent.

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

Adopted: 25 October 2018



5240 TARDINESS

The Board of Education believes that promptness is an important element of school attendance. Students 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 students.

Tardiness to school or class that is caused by a student's illness, an emergency in the student's family, the observance of a religious holiday, a death in the student's family, or by the student'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 student 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: 25 October 2018



5250 EXCUSAL FROM CLASS OR PROGRAM

The Board of Education directs that a student 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 student or the adult student finds morally, conscientiously, or religiously offensive. A request for excusal must be presented in a signed statement and submitted to the Principal.

An excused student 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 student will be penalized by loss of credit as a result of his/her excusal, but a student will be held accountable for successful completion of any alternate program assigned.

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

Adopted: 25 October 2018



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.a, the Board of Education shall ensure the school 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 students 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 or designee shall establish and implement an Emergency Action Plan applicable to each school in the school district for responding to a sudden cardiac event 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; 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: 25 October 2018



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 may 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 students covered by 20 U.S.C. § 1400 et seq., Individuals with Disabilities Education Improvement Act;
3. Physical examinations conducted in the school physician's office or other comparably equipped facility for students who do not have a medical home or whose parent has identified the school as the medical home for the purpose of a sports physical examination;
4. Provision of written notification to the parent stating approval or disapproval of the student's participation in athletics based upon the medical report;
5. Direction for professional duties of other medical staff;
6. Written standing orders that shall be reviewed and reissued before the beginning of each school year;
7. Establishment of standards of care for emergency situations and medically-related care involving students and school staff;
8. Assistance to the certified school nurse or non-certified nurse in conducting health screenings of students and staff and assistance with the delivery of school health services;



9. Review, as needed, of reports and orders from a student's medical home regarding student health concerns;
10. Authorization of tuberculin testing for conditions outlined in N.J.A.C. 6A:16-2.2(c);
11. Review, approval, or denial with reasons of a medical home determination of a student's anticipated confinement and resulting need for home instruction; and
12. 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(b).

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 Superintendent.

The certified school nurse shall possess a standard educational certificate with a school nurse endorsement or school nurse/non-instructional endorsement pursuant to N.J.A.C. 6A:9B-14.3 or 14.4. The certified school nurse shall possess a current New Jersey registered professional nurse license issued by the New Jersey State Board of Nursing; a bachelor's degree from a regionally accredited college or university; a current Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillators (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 to comply with the American Heart Association's CPR guidelines.

The certified school nurse shall complete 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 students suspected of being under the influence of alcohol and controlled dangerous substances pursuant to N.J.S.A. 18A:40-4 and 12;



3. Maintaining student 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 students 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 student 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 students who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7, 8, and 10;
7. Directing and supervising the emergency administration of epinephrine and glucagon, and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6 and 12.14;
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. Providing classroom instruction in areas related to health pursuant to N.J.A.C. 6A:9B-14.3;
11. Reviewing and summarizing available health and medical information regarding the student 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 students' 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 student who requires them;
14. Assisting in the development of and implementing healthcare procedures for students 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:9B-14.4.

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 in accordance with the provisions of N.J.A.C. 6A:16-2.3(c). 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) and is limited to providing services only as permitted under the non-certified nurse's license issued by the State Board of Nursing.

N.J.A.C. 6A:9B-14.3; 6A:9B-14.4; 6A:16-2.3

Adopted: 25 October 2018



5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to students enrolled full-time 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 students and to full-time nonpublic school students who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-2.1(a)4. The Board may provide additional services to those required under N.J.A.C. 6A:16-2.5(a) and under conditions as outlined in N.J.A.C. 6A:16-2.5(c).

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

A nonpublic school may decline nursing services required or permitted under N.J.A.C. 6A:16-2.5 by submitting to the Board of Education notification signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29. A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any service provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the service except for a physical or medical examination to determine whether the student 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 through 3. The Superintendent or designee shall confer annually with the administrator of the nonpublic school to advise the nonpublic school of the amount of funds allocated by the Department of Education to the nonpublic school; to agree on the basic health services that shall be provided and the additional medical services that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to inform 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 that 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 submit information to the Executive County Superintendent on or before October 1 annually 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 Commissioner of Education approved form. A copy of the information submitted to the Executive County Superintendent shall also be provided to the Chief School Administrator of each nonpublic school within the school district boundaries.

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

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

Adopted: 25 October 2018



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 Superintendent, 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 students and a summary of the specific medical needs of individual students, 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 students 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: 25 October 2018



5308 STUDENT HEALTH RECORDS

The school district shall maintain mandated student health records for each student pursuant to N.J.A.C. 6A:16-2.4. The district will document student health records using a form approved by the Commissioner of Education.

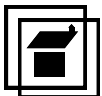
The maintenance and security of student health records shall be in accordance with N.J.A.C. 6A:32-7.4 and 6A:16-2.4. Student health records may be stored electronically or in paper format and shall be maintained separately from other student records in a secure location accessible to authorized personnel while school is in session. The health history and immunization record shall be removed from the student's health record and placed in the student's mandated record upon graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

The transfer of student health records when a student transfers to or from a school district shall be in accordance with N.J.A.C. 6A:16-7.1 et seq.

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

Access to and disclosure of information in a student's health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, and 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 student'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 student health record 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:16-2.4 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing to students or adults in connection with an emergency the information contained in the student health record if the release is necessary to protect the immediate health or safety of the student or other persons pursuant to N.J.A.C. 6A:32-7.5.

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

Adopted: 25 October 2018



5310 HEALTH SERVICES

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 shall ensure staff 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 students 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 student's parent or medical home (Policy 5332);
4. The provision of health services in emergency situations, including:
 - a. The emergency administration of epinephrine via Epi-pen auto-injector pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
 - b. The emergency administration of glucagon pursuant to N.J.S.A. 18A:40-12.14 (Policy and Regulation 5338);
 - c. The care of any student who becomes injured or ill while at school or participating in school-sponsored functions (Policy and Regulation 8441);
 - d. The transportation and supervision of any student determined to be in need of immediate care (Policy and Regulation 8441);
 - e. The notification to parents of any student determined to be in need of immediate medical care (Policy and Regulation 8441); and
 - f. The establishment and implementation of an emergency action plan for responding to a sudden cardiac event, including the use of an automated external defibrillator (AED), pursuant to N.J.S.A. 18A:40-41b (Policy and Regulation 5300).
5. The treatment of asthma in the school setting in accordance with the provisions of N.J.A.C. 6A:16-2.1(a)5 (Policy 5335);



6. Administration of student 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. Utilization of sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 12:100-4.2, Safety and Health Standards for Public Employees, and in compliance with 29 CFR 1910.1030, Public Employees Occupational Safety and Health Program (PEOSH) Bloodborne Pathogens Standards (Policy and Regulation 7420);
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);
9. Self-administration of medication by a student for asthma or other potentially life-threatening allergic reaction pursuant to N.J.S.A. 18A:40-12.3, 12.5, and 12.6, and the self-management and care of a student's diabetes as needed pursuant to N.J.S.A. 18A:40-12.15 (Policy and Regulation 5330);
10. Development of an individual healthcare plan and individualized emergency healthcare plan for students with chronic medical conditions, including life-threatening allergies, diabetes, and asthma, requiring special health services in accordance with N.J.S.A. 18A:40-12.11.c, 12.12, 12.13, and 12.15; and N.J.A.C. 6A:16-2.3(b)3xii (Policies and Regulations 5331 and 5338 and Policy 5335); and
11. Management of food allergies in the school setting and the emergency administration of epinephrine to students for anaphylaxis pursuant to N.J.S.A. 18A:40-12.6a through 12.6d (Policy and Regulation 5331).

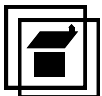
The Board of Education shall annually adopt the school district's nursing services plan at a regular meeting.

The Board of Education shall comply with the following required health services as outlined in N.J.A.C. 6A:16-2.2:

1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.24.
2. A Building Principal or designee shall not knowingly admit or retain in the school building any student whose parent 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 students using methods required by and when specifically directed to do so by the New Jersey Department of Health 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 by telephone to the health officer of the jurisdiction in which the school is located any communicable diseases identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed.
5. The school district shall have and maintain for the care of students 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 student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility pursuant to N.J.S.A. 18A:40-4.
7. The findings of required examinations under 8.b., c., d., and e. below shall include the following components:
 - a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.24;
 - b. Medical history, including allergies, past serious illnesses, injuries, 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 students receive medical examinations in accordance with N.J.A.C. 6A:16-2.2(f) and 6. above and:
 - a. Prior to participation on a school-sponsored interscholastic or intramural team or squad for students enrolled in any grades six to eight in accordance with N.J.A.C. 6A:16-2.2(h)1;
 - b. Upon enrollment in 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 a student 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 school shall have available and maintain an AED, pursuant to N.J.S.A. 18A:40-41a.a(1) and (3), and in accordance with N.J.A.C. 6A:16-2.2(i).
 - 10. The Board of Education shall make accessible information regarding the New Jersey FamilyCare Program to students who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.
 - 11. Information concerning a student'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.
 - 12. The Board of Education shall ensure that students receive health screenings as outlined in N.J.A.C. 6A:16-2.2(l).
 - 13. The school nurse or designee shall screen to ensure hearing aids worn by students who are deaf and/or hard of hearing are functioning properly. The school nurse or designee will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist students hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.
N.J.A.C. 6A:16-1.3; 6A:16-2.1; 6A:16-2.2

Adopted: 25 October 2018



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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 students against certain diseases in accordance with State statute and rules of the New Jersey State Department of Health and Senior Services.

A student shall not knowingly be admitted or retained in school if the parent 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. However, 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 and Regulation 5320.

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. For students with a medical exemption pursuant to N.J.A.C. 8:57-4.3, the school nurse shall annually review student immunization records to confirm the medical condition for the exemption from immunization continues to be applicable in accordance with N.J.A.C. 6A:16-2.3(b)3.v.

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 district schools without the express approval of the Board.

N.J.S.A. 18A:40-20

N.J.S.A. 26:4-6

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

N.J.A.C. 8:57-4.1 et seq.

Adopted: October 25, 2018

Revised: October 18, 2020



REGULATION

WEYMOUTH TOWNSHIP BOARD OF EDUCATION

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R 5320 IMMUNIZATION

A. Proof of Immunizations (N.J.A.C. 8:57-4.2)

1. The Principal or designee shall not knowingly admit or retain any child whose parent has not submitted acceptable evidence of the child's immunization according to the schedule(s) set forth in N.J.A.C. 8:57 et seq. and section I. of this Regulation, unless the student is provisionally admitted as provided in paragraph B.1. below or exempted as provided in section C. and D. of this Regulation and N.J.A.C. 8:57-4.3, and 8:57-4.4.

B. Provisional Admission (N.J.A.C. 8:57-4.5)

1. A student shall be admitted to school on a provisional basis if a physician, an advanced practice nurse, (a certified registered nurse practitioner or clinical nurse specialist) or health department can document that at least one dose of each required age-appropriate vaccine(s) or antigen(s) has been administered and that the student is in the process of receiving the remaining immunizations.
2. Provisional admission for children under age five shall be granted in compliance with the specific requirements set forth in N.J.A.C. 8:57-4.10 through 4.15 and 4.18 for a period of time consistent with the current Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) immunization schedule, but shall not exceed seventeen months for completion of all immunization requirements.
3. Provisional admission for children five years of age or older shall be granted in compliance with the specific requirements set forth in N.J.A.C. 8:57-4.10 through 4.14 and 4.16 for a period of time consistent with the current Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) immunization schedule, but shall not exceed one year for completion of all immunization requirements.



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4. Provisional status shall only be granted one time to children entering or transferring into schools in New Jersey. If a student on provisional status transfers, information on their status will be sent by the original school to the new school pursuant to N.J.A.C. 8:57-4.7(b).
 5. Children transferring into this district from out-of-State or out-of-country shall be allowed a thirty day grace period in order to obtain past immunization documentation before provisional status shall begin. The thirty day grace period does not apply to students transferring into this school district from within the State of New Jersey.
 6. The school district shall ensure that the required vaccine/antigens are being received on schedule. If at the end of the provisional admission period the child has not completed the required immunizations, the administrative head of the school, preschool, or child care center shall exclude the child from continued school attendance until appropriate documentation has been presented.
 7. Students on provisional status may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health and Senior Services or designee in accordance with the provisions of N.J.A.C. 8:57-4.5.
- C. Medical Exemptions (N.J.A.C. 8:57-4.3)
1. A child shall not be required to have any specific immunization(s) which are medically contraindicated.
 2. A written statement submitted to the school from a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction in the United States indicating that an immunization is medically contraindicated for a specific



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period of time, and the reasons for the medical contraindication, based on valid medical reasons as enumerated by the ACIP standards or the AAP guidelines, will exempt a student from the specific immunization requirements by law for the stated period of time.

3. The physician's or an advanced practice nurse's (certified registered nurse practitioner or clinical nurse specialist) statement shall be retained by the school as part of the child's immunization record and shall be reviewed annually. When the child's medical condition permits immunization, this exemption shall thereupon terminate, and the child shall be required to obtain the immunization(s) from which he/she has been exempted.
4. Those children with medical exemptions to receiving specific immunizations may be excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the New Jersey Commissioner, Department of Health and Senior Services or designee.
5. As provided by N.J.S.A. 26:4-6, the school district may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any school district teacher or student and specify the time during which the teacher or student shall remain away from school.
 - a. The Department of Health and Senior Services shall provide guidance to the school district on the appropriateness of any such prohibition.
 - b. The school district shall comply with the provisions of N.J.A.C. 8:61-2.1 regarding attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV).



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D. Religious Exemptions (N.J.A.C. 8:57-4.4)

1. A child shall be exempted from mandatory immunization if the child's parent submits to the school a written, signed statement requesting an exemption pursuant to the requirements of religious exemptions established at N.J.S.A. 26:1A-9.1, on "the ground that the immunization interferes with the free exercise of the pupil's religious rights."
 - a. The school district is prohibited from exempting a child from mandatory immunization on the sole basis of a moral or philosophical objection to immunization.
2. The written statement signed by the parent(s) will be kept by the school as part of the student's immunization record.
3. The school district may exclude children with religious exemptions from receiving immunization agents from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health and Senior Services or designee.
4. As provided by N.J.S.A. 26:4-6, the school district may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any school district teacher or student and specify the time during which the teacher or student shall remain away from school.
 - a. The Department of Health and Senior Services shall provide guidance to the school district on the appropriateness of any such prohibition.
 - b. The school district shall comply with the provisions of N.J.A.C. 8:61-2.1 regarding attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV).



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E. Documents Accepted as Evidence of Immunization
(N.J.A.C. 8:57-4.6)

1. The following documents shall be accepted as evidence of a child's immunization history provided that the type of immunization and the date when each immunization was administered is listed.
 - a. An official school record from any school or preschool indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.;
 - b. A record from any public health department indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.;
 - c. A certificate signed by a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner, or clinical nurse specialist) in any jurisdiction in the United States indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.; or
 - d. The official record of immunization from the New Jersey Immunization Information System indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.
2. All immunization records submitted by a parent in a language other than English shall be accompanied by a translation sufficient to determine compliance with the immunization requirements of N.J.A.C. 8:57-4.1 et seq. and this Regulation.
3. Laboratory evidence of protective immunity, as enumerated by the Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service, shall be accepted as evidence of immunization if a parent cannot produce a documented history of immunization.



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4. Parental verbal history or recollection of previous immunization is unacceptable documentation or evidence of immunization.
- F. Records Required (N.J.A.C. 8:57-4.7)
1. The school district shall maintain an official State of New Jersey School Immunization Record for every student. This record shall include the date of each individual immunization and shall be separated from the child's educational record and other medical records for the purpose of immunization record audit.
 2. If a child withdraws, is promoted, or transfers to another school district, the immunization record, or a certified copy thereof, along with statements pertaining to religious or medical exemptions and laboratory evidence of immunity, shall be sent to the new school district by the original school district or shall be given to the parent upon request, within twenty-four hours of such a request.
 3. Parental verbal history or recollection of previous immunization is unacceptable documentation or evidence of immunization.
 4. When a child graduates from secondary school, the record, or a certified copy thereof, shall be sent to an institution of higher education or may be given to the parent(s) upon request.
 5. Each child's official New Jersey Immunization Record, or a certified copy thereof, shall be retained by a secondary school for a minimum of four years after the student has left the school. Each child's official New Jersey Immunization Record, or a copy thereof, shall be retained by an elementary school for a minimum of one year after the child has left the school.
 6. Any computer-generated document or list developed by the school district to record immunization information shall be considered a supplement to, not a replacement of, the official New Jersey School Immunization Record.
- G. Reports to be Sent to the Department of Health and Senior Services (N.J.A.C. 8:57-4.8)



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1. A report of the immunization status of the students in each school shall be sent each year to the State Department of Health and Senior Services by the Principal or designee through mail or submitted electronically in accordance with N.J.A.C. 8:57-4.8(a).
2. The form for the report will be provided by the New Jersey Department of Health and Senior Services.
3. The report shall be submitted by January 1 of the respective academic year after a review of all appropriate immunization records.
4. A copy of this report shall be sent to the local Board of Health in whose jurisdiction the school is located.
5. If the school does not submit the annual report by January 1 it shall be considered delinquent. A delinquency may be referred to the New Jersey Department of Education or the New Jersey Department of Children and Families, as appropriate based on the length of time delinquent, number of times delinquent, and efforts made toward compliance. The local health department will also be notified of the delinquency.

H. Records Available for Inspection (N.J.A.C. 8:57-4.9)

1. The Principal or designee of each school shall maintain records of their children's immunization status. Upon twenty-four hour notice, these records shall be made available for inspection by authorized representatives of the New Jersey Department of Health and Senior Services or the local Board of Health in whose jurisdiction the school is located.

I. Immunization Requirements

1. The immunization requirements for school age children shall be in accordance with the requirements of N.J.A.C. 8:57-4 – Immunization of Pupils in School as outlined below:



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MINIMAL IMMUNIZATION REQUIREMENTS FOR SCHOOL ATTENDANCE IN NEW JERSEY N.J.A.C. 8:57-4: Immunization of Pupils in School		
DISEASE(S)	REQUIREMENTS	COMMENTS
DTaP N.J.A.C. 8:57-4.10	(AGE 1-6 YEARS): 4 doses, with one dose given on or after the 4th birthday, OR any 5 doses. (AGE 7-9 YEARS): 3 doses of Td or any previously administered combination of DTP, DTaP, and DT to equal 3 doses.	Any child entering pre-school, pre-Kindergarten, or Kindergarten needs a minimum of four doses. Students after the seventh birthday should receive adult type Td. DTP/Hib vaccine and DTaP also valid DTP doses. Children 7 years of age and older, who have not been previously vaccinated with the primary DTaP series, should receive 3 doses of Tetanus, diphtheria (Td) Laboratory evidence of immunity is also acceptable.
Tdap N.J.A.C. 8:57-4.10	GRADE 6 (<i>or comparable age level special education program with an unassigned grade</i>): 1 dose	A child does not need a Tdap dose until FIVE years after the last DTP/DTaP or Td dose.
POLIO N.J.A.C. 8:57-4.11	(AGE 1-6 YEARS): 3 doses, with one dose given on or after the 4th birthday, OR any 4 doses. (AGE 7 or OLDER): Any 3 doses.	Either Inactivated Polio Vaccine (IPV) or Oral Polio Vaccine (OPV) separately or in combination is acceptable. Polio vaccine is not required of students 18 years of age or older. Laboratory evidence of immunity is also acceptable.
MEASLES N.J.A.C. 8:57-4.12	If born on or after 1-1-90, 2 doses of a live Measles-containing vaccine.	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs a minimum of 1 dose of measles vaccine. Any child entering Kindergarten needs 2 doses. Intervals between first and second measles/MMR/MR doses cannot be less than 1 month.



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MINIMAL IMMUNIZATION REQUIREMENTS FOR SCHOOL ATTENDANCE IN NEW JERSEY N.J.A.C. 8:57-4: Immunization of Pupils in School		
DISEASE(S)	REQUIREMENTS	COMMENTS
RUBELLA and MUMPS N.J.A.C. 8:57-4.13 N.J.A.C. 8:57-4.14	1 dose of live Mumps-containing vaccine on or after 1 st birthday. 1 dose of live Rubella-containing vaccine on or after 1 st birthday.	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs 1 dose of rubella and mumps vaccine. Laboratory evidence of immunity is also acceptable.
VARICELLA N.J.A.C. 8:57-4.17	1 dose on or after the first birthday.	All children 19 months of age and older enrolled into a child care/pre-school center after 9-1-04 or children born on or after 1-1-98 entering a school for the first time in Kindergarten, Grade 1, or comparable age entry level special education program with an unassigned grade, need 1 dose of varicella vaccine. Laboratory evidence of immunity, physician's statement or a parental statement of previous varicella disease is also acceptable.
HAEMOPHILUS INFLUENZAE B (Hib) N.J.A.C. 8:57-4.15	(AGE 2-11 MONTHS) ⁽¹⁾ : 2 doses (AGE 12-59 MONTHS) ⁽²⁾ : 1 dose	Mandated only for children enrolled in child care, pre-school, or pre-Kindergarten. ⁽¹⁾ Minimum of 2 doses of Hib vaccine is needed if between the ages of 2-11 months. ⁽²⁾ Minimum of 1 dose of Hib vaccine is needed after the first birthday. DTP/Hib and Hib/Hep B also valid Hib doses.
HEPATITIS B N.J.A.C. 8:57-4.16	(K-GRADE 12): 3 doses or 2 doses ⁽¹⁾	⁽¹⁾ If a child is between 11-15 years of age and has not received 3 prior doses of Hepatitis B then the child is eligible to receive 2-dose Hepatitis B Adolescent formulation. Laboratory evidence of immunity is also acceptable.



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MINIMAL IMMUNIZATION REQUIREMENTS FOR SCHOOL ATTENDANCE IN NEW JERSEY N.J.A.C. 8:57-4: Immunization of Pupils in School		
DISEASE(S)	REQUIREMENTS	COMMENTS
PNEUMOCOCCAL N.J.A.C. 8:57-4.18	(AGE 2-11 MONTHS) ⁽¹⁾ : 2 doses (AGE 12-59 MONTHS) ⁽²⁾ : 1 dose	Children enrolled in child care or pre-school on or after 9-1-08. ⁽¹⁾ Minimum of 2 doses of Pneumococcal vaccine is needed if between the ages of 2-11 months. ⁽²⁾ Minimum of 1 dose of Pneumococcal vaccine is needed on or after the first birthday.
MENINGOCOCCAL N.J.A.C. 8:57-4.20	(Entering GRADE 6 <i>(or comparable age level Special Ed program with an unassigned grade)</i>): 1 dose ⁽¹⁾ (Entering a four-year college or university, previously unvaccinated and residing in a campus dormitory): 1 dose ⁽²⁾	⁽¹⁾ For students entering Grade 6 on or after 9-1-08 and born on or after 1-1-97. ⁽²⁾ Previously unvaccinated students entering a four-year college or university after 9-1-04 and who reside in a campus dormitory, need 1 dose of meningococcal vaccine. Documentation of one prior dose is acceptable.
INFLUENZA N.J.A.C. 8:57-4.19	(AGES 6-59 MONTHS): 1 dose ANNUALLY	For children enrolled in child care, pre-school or pre-Kindergarten on or after 9-1-08. 1 dose to be given between September 1 and December 31 of each year.

AGE APPROPRIATE VACCINATIONS (FOR LICENSED CHILD CARE CENTERS/PRE-SCHOOLS)	
CHILD'S AGE	NUMBER OF DOSES CHILD SHOULD HAVE (BY AGE):
2-3 Months	1 dose DTaP, 1 dose Polio, 1 dose Hib, 1 dose PCV7
4-5 Months	2 doses DTaP, 2 doses Polio, 2 doses Hib, 2 doses PCV7
6-7 Months	3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
8-11 Months	3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
12-14 Months	3 doses DTaP, 2 doses Polio, 1 dose Hib, 2-3 doses PCV7, 1 dose Influenza
15-17 Months	3 doses DTaP, 2 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose PCV7, 1 dose Influenza
18 Months – 4 Years	4 doses DTaP, 3 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose Varicella, 1 dose PCV7, 1 dose Influenza



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PROVISIONAL ADMISSION:

Provisional admission allows a child to enter/attend school but must have a minimum of one dose of each of the required vaccines. Students must be actively in the process of completing the series. If a student is less than 5 years of age, they have 17 months to complete the immunization requirements. If a student is 5 years of age and older, they have 12 months to complete the immunization requirements.

GRACE PERIODS:

- 4-day grace period: All vaccines doses administered less than or equal to four days before either the specified minimum age or dose spacing interval shall be counted as valid and shall not require revaccination in order to enter or remain in a school, pre-school or child care facility.
- 30-day grace period: Those children transferring into a New Jersey school, pre-school, or child care center from out of State/out of country may be allowed a 30-day grace period in order to obtain past immunization documentation before provisional status shall begin.

2. The immunization requirements outlined in I.1. above may be revised by Statute, administrative code, and/or the Commission of Health and Senior Services.
- J. Emergency Powers of the Commissioner of Health and Senior Services
1. If a an outbreak or threatened outbreak of disease or other public health immunization emergency exists, as determined by the State Commissioner of Health and Senior Services or designee, the State Commissioner or designee may issue either additional immunization requirements to control the outbreak or threat of an outbreak or modify immunization requirements to meet the emergency.
 2. All children failing to meet the additional immunization requirements of N.J.A.C. 8:57-4.22 shall be excluded from school until the outbreak or threatened outbreak is over. These requirements shall remain in effect as outlined in J.3. below and N.J.A.C. 8:57-4.22(c).
 3. These requirements or amendments shall remain in effect until such time as the Commissioner, Department of Health and Senior Services or designee determines that an outbreak or a threatened



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5330 ADMINISTRATION OF MEDICATION

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

Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the student's parent, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine and hydrocortisone sodium succinate in an emergency pursuant to N.J.S.A. 18A:40-12.5, 12.6, 12.29, and 12.30.

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

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



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In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse or any other officer or agent of a Board of Education or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5 and/or hydrocortisone sodium succinate pursuant to N.J.S.A. 18A:40-12.29, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5 and N.J.S.A. 18A:40-12.29, nor shall any action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6.d and N.J.S.A. 18A:40-12.33. Good faith shall not include willful misconduct, gross negligence, or recklessness.

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

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

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



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

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

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

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3;
18A:40-12.4; 18A:40-12.5; 18A:40-12.6; 18A:40-12.7;
18A:40-12.8; 18A:40-12.29 through 12.33

N.J.S.A. 45:11-23

N.J.A.C. 6A:16-2.3(b)

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R 5330 ADMINISTRATION OF MEDICATION

A. Definitions

1. “Medication” means any prescription drug or over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. “Administration” means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. “Self-administration” means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to students with asthma, other potentially life-threatening illnesses, life-threatening allergic reaction, or adrenal insufficiency.
4. “Life-threatening illness” means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life.
5. “A pre-filled auto-injector mechanism containing epinephrine” is a medical device used for the emergency administration of epinephrine to a student for anaphylaxis.
6. “Noncertified nurse” means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by the district, and who is not certified as a school nurse by the New Jersey Department of Education (NJDOE).
7. “Substitute school nurse” means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute certificate to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6A:9B-7.6.



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8. "School physician" means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee of the district. This physician is referred to as the medical inspector in N.J.S.A. 18A:40-4.1.
9. "Advanced practice nurse" means a person who holds a current license as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
10. "Certified school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and an Educational Services Certificate with a school nurse endorsement or school nurse/non-instructional from the Department of Education pursuant to N.J.A.C. 6A:9B-14.3 and 14.4.

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

1. Permission for the administration of medication in school or at school-sponsored functions will be given only when it is necessary for the health and safety of the student.
2. Medication will not be administered to a student who is physically unfit to attend school or has a contagious disease. Any such student should not be permitted to attend school and may be excluded in accordance with Policy 8451.
3. Parent requests for the administration of medication in school must be made in writing and signed by the parent.
4. The parent must submit a certified statement written and signed by the student's physician. The statement must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;



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- d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement that the student would not be able to attend school if the medication is not administered during school hours.
5. The request for the administration of medication must be made to the Superintendent or designee prior to any administration of medication or delivery of the medication to the school. The Superintendent or designee may consult with the school nurse and the school physician in making his/her final determination to allow or deny the request.
- a. An approved request will be signed by the Superintendent or designee and given to the school nurse and the student's parent.
 - b. The parent will be informed of a reason for a denied request.

C. Administration of Epinephrine to Students

1. In accordance with N.J.S.A. 18A:40-12.5, The parent may provide the Superintendent or designee authorization for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to a student for anaphylaxis provided:
- a. The parent provides the Superintendent or designee a written authorization for the administration of epinephrine;
 - b. The parent of the student provides the Superintendent or designee with written orders from the physician or an advanced practice nurse that the student requires the administration of epinephrine for anaphylaxis;



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- c. The parent is informed in writing by the Board of Education or Superintendent or designee that the school district and its employees or agents shall have no liability as a result of any injury to a student arising from the administration of epinephrine via a pre-filled auto-injector mechanism;
- d. The parent signs a statement acknowledging their understanding the district shall incur no liability as a result of any injury arising from the administration of epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of epinephrine via a pre-filled auto-injector mechanism to the student;
- e. The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism is effective for the school year it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above;
- f. The Superintendent or designee requires:
 - (1) The placement of the student's prescribed epinephrine to be in a secure but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function. The location of the epinephrine shall be indicated on the student's emergency care plan. Back-up epinephrine shall also be available at the school if needed;
 - (2) The school nurse or trained designee to be promptly available on site at the school and school-sponsored functions in the event of an allergic reaction; and
 - (3) The transportation of the student to a hospital emergency room by emergency services personnel



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after the administration of epinephrine, even if the student's symptoms appear to have resolved.

- g. The Superintendent or designee shall also:
 - (1) Permit the school nurse or trained designee to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis or to any student whose parent has not met the requirements outlined in Regulation 5330 – Section C.1.a., b., and d. and has not received the notice required in Regulation 5330 – Section C.1.c. when the school nurse or trained designee in good faith believes the student is having an anaphylactic reaction; and
 - (2) Require each school in the district to maintain in a secure, but unlocked and easily accessible location, a supply of epinephrine auto-injectors prescribed under a standing order from a licensed physician or advanced practice nurse, and is accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.
- 2. In accordance with N.J.S.A. 18A:40-12.6, the school nurse shall have the primary responsibility for the administration of the epinephrine. The school nurse shall designate, in consultation with the Board of Education, additional employees of the school district who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis when the nurse is not physically present at the scene. In the event that a licensed athletic trainer volunteers to administer epinephrine, it shall not constitute a violation of the “Athletic Training Licensure Act,” P.L.1984, c.203 (C.45:9-37.35 et seq.).



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- a. The school nurse shall determine that:
 - (1) The designees have been properly trained in the administration of the epinephrine via a pre-filled auto-injector mechanism using standardized training protocols established by the NJDOE in consultation with the Department of Health;
 - (2) The parent of the student consented in writing to the administration of the epinephrine via a pre-filled auto-injector mechanism by the designees;
 - (3) The Board or Superintendent or designee has informed the parent of the student in writing that the district and its employees or agents shall have no liability as a result of any injury arising from the administration of the epinephrine to the student;
 - (4) The parent of the student signed a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism to the student; and
 - (5) The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements in subsections 2.a.(1) through 2.a.(4) above.
3. The NJDOE, in consultation with the Department of Health, shall require trained designees for students enrolled in a school who may require the emergency administration of epinephrine for anaphylaxis when the school nurse is not available.



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4. Nothing in N.J.S.A. 18A:40-12.6 and Regulation 5330 – Section C. shall be construed to prohibit the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis by the school nurse or other employees designated pursuant to N.J.S.A. 18A:40-12.3(a)(1) when the student is authorized to self-administer epinephrine pursuant to N.J.S.A. 18A:40-12.3, or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medication, or when the epinephrine is administered pursuant to N.J.S.A. 18A:40-12.5.f.
 5. The certified school nurse, in consultation with the Superintendent or designee, shall recruit and train volunteer designees who are determined acceptable candidates by the school nurse within each school building as deemed necessary by the nursing services plan, in accordance with N.J.S.A. 18A:40-12.6c(b).
 6. No school employee, including a school nurse, or any other officer or agent of a Board of Education, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5.f and Regulation 5330 – Section C.1.g., shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5 et seq., nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6. Good faith shall not include willful misconduct, gross negligence, or recklessness.
- D. Administration of Hydrocortisone Sodium Succinate to Students
1. In accordance with the provisions of N.J.S.A. 18A:40-12.29, the Board will permit the emergency administration of hydrocortisone sodium succinate through appropriate delivery devices and equipment to a student for adrenal insufficiency provided that:



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- a. The parent of the student provides the Superintendent or designee a written authorization for the administration of hydrocortisone sodium succinate;
 - b. The parent of the student provides the Superintendent or designee written orders from the physician or an advanced practice nurse that the student requires the administration of hydrocortisone sodium succinate for adrenal insufficiency;
 - c. The Superintendent or designee informs the parent of the student in writing that the school district and its employees or agents shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate;
 - d. The parent of the student signs a statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of hydrocortisone sodium succinate to the student; and
 - e. The permission for the administration of hydrocortisone sodium succinate is effective for the school year for which it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above.
2. In accordance with the provisions of N.J.S.A. 18A:40-12.29.b:
 - a. The placement of the student's prescribed hydrocortisone sodium succinate shall be in a secure, but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of emergency situations at school or at a school-sponsored function. The location of the prescribed hydrocortisone sodium succinate shall



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be indicated on the student's emergency care plan. Back-up hydrocortisone sodium succinate, provided by the student's parent, shall also be available at the school if needed;

- b. The school nurse or trained designee shall be promptly available on site at the school and school-sponsored functions in the event of an emergency; and
 - c. The student shall be transported to a hospital emergency room by emergency services personnel after the administration of hydrocortisone sodium succinate, even if the student's symptoms appear to have resolved.
3. In accordance with N.J.S.A. 18A:40-12.30, the school nurse has the primary responsibility for the administration of hydrocortisone sodium succinate.

The school nurse shall designate, in consultation with the Superintendent or designee, additional employees of the school district who volunteer to administer hydrocortisone sodium succinate to a student when the school nurse is not physically present at the scene.

In the event that a licensed athletic trainer volunteers to administer hydrocortisone sodium succinate, it shall not constitute a violation of the "Athletic Training Licensure Act" - N.J.S.A. 45:9-37.35 et seq.

The school nurse shall determine that:

- a. The designees have been properly trained in the administration of hydrocortisone sodium succinate using standardized training protocols established by the NJDOE in consultation with the Department of Health;
- b. The parent of the student consented in writing to the administration of hydrocortisone sodium succinate by the designee(s);
- d. The Superintendent or designee has informed the parent of the student in writing that the district and its employees or agents



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shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student;

- e. The parent of the student signed a statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of hydrocortisone sodium succinate to the student and that the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of hydrocortisone sodium succinate to the student; and
 - f. The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements in N.J.S.A. 18A:40-12.30 and D.3.a through d above.
4. Nothing in N.J.S.A. 18A:40-12.30 and D.3. above shall be construed to prohibit the emergency administration of hydrocortisone sodium succinate to a student for adrenal insufficiency by the school nurse or other employees designated pursuant to N.J.S.A. 18A:40-12.30 and D.3. above when the student is authorized to self-administer hydrocortisone sodium succinate pursuant to N.J.S.A. 18A:40-12.3.
5. The certified school nurse, in consultation with the Superintendent or designee, shall recruit and train volunteer designees who are determined acceptable candidates by the school nurse within each school building as deemed necessary by the nursing services plan, in accordance with N.J.S.A. 18A:40-12.32(b).
6. No school employee, including a school nurse, or any other officer or agent of a Board of Education shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.29 et al., nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.30. Good faith shall not include willful misconduct, gross negligence, or recklessness, in accordance with N.J.S.A. 18A:40-12.33.



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E. Permission for Self-Administration of Medication

In accordance with N.J.S.A. 18A:40-12.3, the Board shall permit the-self-administration of medication by a student for asthma, or other potentially life-threatening illnesses, a life-threatening allergic reaction, or adrenal insufficiency provided that:

1. The parent of the student provides the Board or Superintendent or designee written authorization for the self-administration of medication;
2. The parent of the student provides the Board or Superintendent or designee a signed written certification from the physician of the student that the student has asthma or another potentially life threatening illness, is subject to a life-threatening allergic reaction, or has adrenal insufficiency and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued, if applicable;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement the medication must be administered during the school day or the student would not be able to attend school.



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3. The Board or the Superintendent or designee informs the parent of the student in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the student;
4. The parent of the student signs a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parent shall indemnify and hold harmless the school district, the Board, and its employees or agents against any claims arising out of the self-administration of medication by the student;
5. The parent's written authorization and the physician's written certification is reviewed by the Principal or designee with the school nurse and the school physician. The school nurse and the school physician must agree the student is capable of self-administration of the medication. If it is determined the student may self-administer medication in accordance with the request:
 - a. The request will be signed by the Principal and given to the school nurse and the student's parent;
 - b. The parent will be informed of a reason for a denied request.
6. Permission to self-administer one medication shall not be construed as permission to self-administer other medication; and
7. Permission shall be effective on the school year for which it is granted and shall be renewed for each subsequent school year upon fulfillment of the requirements in E.1. through E.46. above.

F. Custodianship of Medication

1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent.



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- b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of students' medication, which will be properly secured.
 - d. Any unused medication must be picked up by the student's parent.
 - e. After reasonable efforts to have the parent retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or two school weeks after the student stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a student:
- a. Time being of the essence in cases of asthma or other potentially life threatening illnesses, or a life-threatening allergic reaction, or adrenal insufficiency, all medications to be self-administered by a student must be kept in the student's possession.
 - b. No student may possess medication for self-administration unless the proper permission has been granted by the Principal or designee and a record of the medication is on file in the office of the school nurse.
 - c. Students who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other students. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. The medication, if ingested by someone other than the student, shall not cause severe illness or death.
 - d. Students who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for the time period of the student's school day.



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- e. Notwithstanding any other law or regulation, a student who is permitted to self-administer medication in accordance with the provisions of N.J.S.A. 18A:40-12.3 shall be permitted to carry an inhaler or prescribed medication for allergic reactions, including a pre-filled auto-injector mechanism, or prescribed medication for adrenal insufficiency, at all times, provided the student does not endanger himself/herself or other persons through misuse.

G. Administration of Medication

1. No medication shall be administered to or taken by a student in school or at a school-sponsored function except as permitted by Board Policy 5330 and this Regulation.
2. Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 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 and to administer hydrocortisone sodium succinate in an emergency pursuant to N.J.S.A. 18A:40-12.29 and 12.30.
3. When practicable, self-administration of medication should be observed by the school nurse.
4. Students self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the student during school activities. Such individuals shall report all administrations and any side effects reported or observed to the school nurse within twenty-four hours.
5. When a student attends a school-sponsored function at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse cannot be in attendance, the student's parent will be invited to attend. If neither the school nurse nor the parent can attend and the student does not have permission to self-administer medication and there is a risk that the



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student may suffer injury from lack of medication, the student may be excused from the function.

H. Emergencies

1. Any medical emergency requiring medication of students will be handled in accordance with Policy 8441 and implementing regulations on first aid and, as appropriate, the school physician's standing orders for school nurses. Arrangements will be made to transport a student to a hospital emergency room after the administration of epinephrine in accordance with N.J.S.A. 18A:40-12.5.e.(3) and after the administration of hydrocortisone sodium succinate in accordance with N.J.S.A. 18A:40-12.29.b.(3).

I. Records

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

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

J. Notification

1. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress



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with information about the medication and administration when such release of information is in the student's best educational interest.

2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of students who have been given permission to self-administer medication.
3. The school nurse will inform the student's parent of any difficulty in the administration of medication or any side effects.
4. The school nurse will report to the school physician any student who appears to be adversely affected by the medication.

Adopted: 10/25/2018

Revised: 08/20/2020



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Administration of Medical Cannabis

Jan 21

M

5330.01 ADMINISTRATION OF MEDICAL CANNABIS

The Board of Education, in accordance with the requirements of N.J.S.A. 18A:40-12.22, must adopt a Policy authorizing parents and designated caregiver(s) to administer medical to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event. The parent of a qualifying student patient requesting the administration of medical cannabis to the student while on school grounds, aboard a school bus, or attending a school-sponsored event must comply with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. and Policy and Regulation 5330.01.

A student enrolled in the school district must be authorized to engage in the medical use of cannabis pursuant to N.J.S.A. 24:6I-1 et seq. and that the parent or designated caregiver be authorized to assist the student with the medical use of cannabis pursuant to N.J.S.A. 24:6I-1 et seq. The student and the designated primary caregiver(s) must complete registration with the Cannabis Regulatory Commission in accordance with the requirements of N.J.S.A. 24:6I-4.

The parent of the student authorized to engage in the medical use of cannabis must submit a written request with supporting documentation to the Principal requesting approval to have a designated caregiver(s) assist in the administration of medical cannabis to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event. The Principal, in consultation with the school nurse, the school physician, and the Superintendent of Schools, will review each request and upon approval will inform the parent in writing of the approval with details for the administration of medical cannabis to the qualifying student patient. The medical use of cannabis by a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event will only be authorized after the written approval from the Principal is provided to the parent.

Medical cannabis may only be administered to the qualifying student patient while the student is on school grounds, aboard a school bus, or attending a school-sponsored event by the designated caregiver(s) in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The prescribed medical cannabis must be in the possession of the designated caregiver(s) at all times, except during the administration process. The designated caregiver(s) shall comply with the requirements of the Principal's written approval for the administration of medical cannabis to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event.



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Administration of Medical Cannabis

All health records related to the administration of medical cannabis to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event shall be maintained in accordance with the requirements of N.J.A.C. 6A:16-2.4 and N.J.A.C. 6A:32-7.4.

No person shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for simply being in the presence or vicinity of the medical use of cannabis as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22. No custodial parent or person who has legal custody of a qualifying student patient who is a minor shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for assisting the minor in the medical use of cannabis as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22.

N.J.S.A. 18A:40-12.22

N.J.S.A. 24:6I-1 et seq.

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

Adopted: October 25, 2018

Revised: April 22, 2021



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outbreak no longer exists or the emergency is declared over, or for three months after the declaration of the emergency whichever one comes first. The Commissioner, Department of Health and Senior Services or designee may declare a state of emergency if the emergency has not ended.

4. The Commissioner of Health and Senior Services or designee may temporarily suspend an immunization requirement for the particular immunization in accordance with the reasons as outlined in N.J.A.C. 8:57-4.22(d).

Issued: October 25, 2018
Revised: October 18, 2020



5330.01 ADMINISTRATION OF MEDICAL MARIJUANA

The Board of Education, in accordance with the requirements of N.J.S.A. 18A:40-12.22, must adopt a Policy authorizing parents, guardians, and primary caregivers to administer medical marijuana to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event. The parent of a qualifying student patient requesting the administration of medical marijuana to the student while on school grounds, aboard a school bus, or attending a school-sponsored event must comply with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. and Policy and Regulation 5330.01.

A student enrolled in the school district must be authorized to engage in the medical use of marijuana and the primary caregiver, who may be the parent, must be authorized to administer medical marijuana to a qualifying student patient in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The student and the primary caregiver must complete the registration process to obtain a Registry Identification Card from the New Jersey Department of Health in accordance with the requirements of N.J.S.A. 24:6I-4.

The parent of the student authorized to engage in the medical use of marijuana must submit a written request with supporting documentation to the Principal requesting approval to have a primary caregiver assist in the administration of medical marijuana to the student while on school grounds, aboard a school bus, or attending a school-sponsored event. The Principal, in consultation with the school nurse, the school physician, and the Superintendent, will review each request and upon approval will inform the parent in writing of the approval with details for the administration of medical marijuana to the qualifying student patient. The medical use of marijuana by a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event will only be authorized after the written approval from the Principal is provided to the parent.

Medical marijuana may only be administered to the qualifying student patient while the student is on school grounds, aboard a school bus, or attending a school-sponsored event by the primary caregiver in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The prescribed medical marijuana must be in the possession of the primary caregiver at all times, except during the administration process. The primary caregiver shall comply with the requirements of the Principal's written approval for the administration of medical marijuana to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event.



All health records related to the administration of medical marijuana to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event shall be maintained in accordance with the requirements of N.J.A.C. 6A:16-2.4 and N.J.A.C. 6A:32-7.4.

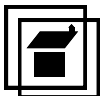
No person shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for simply being in the presence or vicinity of the medical use of marijuana as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22. No custodial parent, guardian, or person who has legal custody of a qualifying student patient who is a minor shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for assisting the minor in the medical use of marijuana as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22.

N.J.S.A. 18A:40-12.22

N.J.S.A. 24:6I-1 et seq.

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

Adopted: 25 October 2018



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Administration of Medical Cannabis

Jan 21

M

R 5330.01 ADMINISTRATION OF MEDICAL CANNABIS

A custodial parent or person having legal custody of a student requesting the administration of medical cannabis to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event must comply with the procedures and requirements of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. and this Regulation.

A. Definitions

For the purposes of Policy and Regulation 5330.01:

1. “Cannabis” has the meaning given to marijuana in Section 2 of the “New Jersey Controlled Dangerous Substances Act,” N.J.S.A. 24:21-2.
2. “Commission” means the Cannabis Regulatory Commission established pursuant to N.J.S.A. 24:6I-24.
3. “Designated caregiver(s)” means a resident of New Jersey who:
 - a. Is at least eighteen years old;
 - b. Has agreed to assist with a registered qualifying student patient’s medical use of cannabis, is not currently serving as a designated caregiver(s) for more than one other qualifying patient, and is not the qualifying student patient’s health care practitioner;
 - c. Is subject to the provisions of N.J.S.A. 24:6I-4.c.(2), has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the effective date [Oct. 1, 2010] of N.J.S.A. 24:6I-1 et seq. and was for a violation of Federal law related to possession or sale of cannabis that is authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22 et seq.;



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- d. Has registered with the Commission pursuant to N.J.S.A. 24:6I-4 and, except in the case of a designated caregiver(s) who is an immediate family member of the qualified student patient, has satisfied the criminal history background check requirement of N.J.S.A. 24:6I-4; and
 - e. Has been designated as designated caregiver(s) by the qualifying student patient when registering or renewing a registration with the Commission or in other written notification to the Commission.
4. “Health Care Practitioner” means a physician, advanced practice nurse, or physician assistant licensed or certified pursuant to N.J.S.A. 45 who:
- a. Possesses active registrations to prescribe controlled dangerous substances issued by the United States Drug Enforcement Administration and the Division of Consumer Affairs in the Department of Law and Public Safety;
 - b. Is the health care practitioner responsible for the ongoing treatment of a qualifying student patient’s qualifying medical condition, the symptoms of that condition, or the symptoms associated with the treatment of that condition, provided; however, that the ongoing treatment shall not be limited to the provision of authorization for a patient to use medical cannabis or consultations solely for that purpose; and
 - c. If the qualifying student patient is a minor, a pediatric specialist.
5. “Medical use of cannabis” means the acquisition, possession, transport, or use of cannabis or paraphernalia by a registered qualifying student patient as authorized by N.J.S.A. 24:6I-1 et seq. and N.J.S.A. 18A:40-12.22 et seq.



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6. “Parent” means the custodial parent or person who has legal custody of a qualifying student patient who may also be the designated caregiver(s) registered with the Commission by the New Jersey Department of Health to administer medical cannabis to a student in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A 24:6I-4.
 7. “Qualifying student patient” for the purpose of Policy and Regulation 5330.01 means a resident of the State who is a student enrolled and attending school in this school district who has been authorized for the medical use of cannabis by a health care practitioner in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A 24:6I-41 et seq.
 8. “Registration with the Commission” means a person has met the qualification requirements for, and has been registered by the Commission as, a registered qualifying patient, designated caregiver(s), or institutional caregiver(s). The Commission shall establish appropriate means for health care practitioners, health care facilities, medical cannabis dispensaries, law enforcement, schools, facilities providing behavioral health services or services for persons with developmental disabilities, and other appropriate entities to verify an individual’s status as a registrant with the Commission.
- B. Registration – Qualifying Student Patient and Designated Caregiver(s)
1. A qualifying student patient must be authorized to engage in the medical use of cannabis and the designated caregiver(s) must be authorized to assist the qualifying student patient with the medical use of cannabis pursuant to the provisions of N.J.S.A. 24:6I-1 et seq.
 2. A qualifying student patient and their designated caregiver(s) must complete the registration process in accordance with the provisions of N.J.S.A. 24:6I-4 and any other requirements of the Commission.
 3. The qualifying student patient’s parent shall be responsible to immediately inform the Principal of any change in the status of the student’s registration with the Commission that would deem the registration with the Commission null and void due to any reason outlined in N.J.S.A. 24:6I-1 et seq.



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4. The qualifying student patient's designated caregiver(s) shall be responsible to immediately inform the Principal of any change in the status of any designated caregiver(s)'s current registration with the Commission that would deem the registration with the Commission null and void due to any reason outlined in N.J.S.A. 24:6I-1 et seq.4
- C. Submission for Authorization for Administration of Medical Cannabis
1. A parent of a qualifying student patient requesting the administration of medical cannabis to the student while on school grounds, aboard a school bus, or attending a school-sponsored event must submit a written request to the Principal with proof of current registration with the Commission for the qualifying student patient and the designated caregiver(s) and a copy of the health care provider's order or prescription indicating dosage information and the method of administration for the medical cannabis to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event.

The Principal may request the parent provide additional documentation from the health care provider that the medical cannabis must be administered during the time of the day when the student is on school grounds, aboard a school bus, or attending a school-sponsored event and the medical cannabis cannot be administered and/or will not be effective during alternate times when the student is not on school grounds, aboard a school bus, or attending a school-sponsored event.

 - a. The parent's written request and all supporting documentation must be submitted to the Principal at least five school days before the first day of the requested administration.
 2. The Principal shall review the proof of current registration with the Commission and supporting documentation submitted by the parent with the school physician, the school nurse, and the Superintendent of Schools.



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3. Upon review and approval of the documentation submitted by the parent, the Principal will inform the parent or designated caregiver(s), if the parent is not the designated caregiver(s), in writing with the following information:
 - a. The location (school, office, etc.) where the designated caregiver(s) shall report to administer the medical cannabis;
 - b. The school staff member(s) who the designated caregiver(s) must see to coordinate the administration of medical cannabis;
 - c. The time the designated caregiver(s) shall report to administer the medical cannabis;
 - d. The specific location where the medical cannabis shall be administered to the student; and
 - e. A copy of Policy and Regulation 5330.01 – Administration of Medical Cannabis.
 4. In the event the Principal, after consultation with the school nurse, school physician, and Superintendent, has a question or concern regarding the current registration with the Commission or supporting documentation submitted by the parent, the Principal or school physician will contact the parent with the question or concern.
 5. The administration of medical cannabis on school grounds, aboard a school bus, or at a school-sponsored event, pursuant to N.J.S.A. 18A:40-12.22, will only be authorized after the approval required by Policy and Regulation 5330.01.
- D. Administration of Medical Cannabis
1. Medical cannabis shall only be administered by the designated caregiver(s) and at the approved location, times, and method as indicated in the parent's request that was approved in writing by the Principal.



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2. In accordance with the provisions of N.J.S.A. 18A:40-12.22.b.(5), medical cannabis cannot be administered to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event by smoking or other form of inhalation.
3. Prescribed medical cannabis must always be in the possession of the designated caregiver(s) and may not be in the possession of the qualifying student patient at any time on school grounds, aboard a school bus, or at a school-sponsored event.
4. The Principal, after consultation with the school nurse, school physician, and the Superintendent, will determine a specific location for the administration of the medical cannabis to the qualifying student patient.
 - a. The Principal will designate a private area, if possible, for the designated caregiver(s) to administer the medical cannabis to the qualifying student patient. The amount of privacy provided for the administration will depend on the approved method of administration and the designated location. The location may be a nurse's office, a private office, a private restroom facility, or any other location appropriate for the approved method of administration.
5. The designated caregiver(s) shall report to the approved location prior to the scheduled time for the administration of medical cannabis to the qualifying student patient. The designated caregiver(s) must show proof of current registration with the Commission and a second form of identification which shall be a photograph identification.
6. The Principal or supervising school staff member of a school-sponsored event may designate a school staff member to escort the designated caregiver(s) to the qualifying student patient at the designated time to the designated location for the administration.
7. The Principal may designate a school staff member to observe the administration of the medical cannabis on school grounds, aboard a school bus, or at a school-sponsored event.



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8. The designated caregiver(s) shall assist in the administration of medical cannabis to the qualifying student patient in accordance with the method and dosage prescribed by the health care practitioner and included in the parent's request to the Principal.
9. The qualifying student patient shall return to his/her class or event as soon as possible after the administration.
10. The designated caregiver(s) will be escorted outside the school building, away from the school bus, or away from the school-sponsored event, if applicable, by a school staff member after the administration.
 - a. The qualifying student patient and/or designated caregiver(s) may be asked to remain at the location of the administration by the school staff member in the event the student needs some additional time after the administration and before returning to their class or event.
11. The designated caregiver(s) shall be responsible for the security of the medical cannabis on school grounds, aboard a school bus, or at a school-sponsored event before, during, and after the administration. At no time shall the qualifying student patient have the medical cannabis in their possession except during the administration process by the designated caregiver(s).

Adopted: October 25, 2018

Revised: April 22, 2021



5330.04 ADMINISTERING AN OPIOID ANTIDOTE

N.J.S.A. 18A:40-12.24.a requires schools to adopt a Policy for the emergency administration of an opioid antidote to a student, staff member, or other person who is experiencing an opioid overdose.

N.J.S.A. 18A:40-12.24.a.(1) requires schools with any of the grades nine through twelve to comply with the provisions of the law and permits schools with students in other grades to comply with the provisions of N.J.S.A. 18A:40-12.24.a.(1). Therefore, the Board extends the provisions of N.J.S.A. 18A:40-12.23 through 12.27 to schools with any of the grades Kindergarten through eight.

N.J.S.A. 18A:40-12.24 requires a school to obtain a standing order for opioid antidotes pursuant to the "Overdose Prevention Act" - N.J.S.A. 24:6J-1 et seq. The school shall maintain a supply of opioid antidotes under the standing order in a secure, but unlocked and easily accessible location. The opioid antidotes shall be accessible in the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building.

The school nurse and a designated employee who volunteers to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c. are required to be trained for the administration of an opioid antidote in accordance with N.J.S.A. 18A:40-12.25.b. The school nurse or a designated employee who volunteers to administer an opioid antidote shall be promptly available on site at the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building at any time.

N.J.S.A. 18A:40-12.24 permits the school nurse or a designated trained employee to administer an opioid antidote to any person whom the nurse or the trained designated employee who in good faith believes is experiencing an opioid overdose.

An overdose victim shall be transported to a hospital emergency room by emergency medical responders after the administration of an opioid antidote, even if the person's symptoms appear to have resolved.



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In accordance with N.J.S.A. 24:6J-4.a.(1)(f), a prescriber or other health care practitioner, as appropriate, may prescribe or dispense an opioid antidote directly or through a standing order to a school, school district, or school nurse. In accordance with N.J.S.A. 24:6J-4.a.(2)(c), whenever the law expressly authorizes or requires a school or school district to obtain a standing order for opioid antidotes, the school nurse(s) employed or engaged by the school or school district shall be presumed by the prescribing or dispensing health care practitioner to be capable of administering the opioid antidote, consistent with the express statutory requirement.

Notwithstanding the provisions of N.J.S.A. 24:6J-4.a.(3)(b) to the contrary, if the law expressly authorizes or requires a school, school district, or school nurse to administer or dispense opioid antidotes pursuant to a standing order under N.J.S.A. 24:6J-4 et seq., the standing order issued shall be deemed to grant the authority specified by the law, even if such authority is not specifically indicated on the face of the standing order.

In accordance with the provisions of N.J.S.A. 18A:40-12.26, no school employee, including a school nurse or any other officer or agent of a Board of Education or charter school, or a prescriber of opioid antidotes for a school through a standing order, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.23 et seq. Good faith shall not include willful misconduct, gross negligence, or recklessness.

Any school, school district, school nurse, school employee, or any other officer or agent of a Board of Education or charter school who administers or permits the administration of an opioid antidote in good faith in accordance with the provisions of N.J.S.A. 18A:40-12.24 and pursuant to a standing order issued under N.J.S.A. 24:6J-4 shall not, as a result of any acts or omissions, be subject to any criminal or civil liability or any disciplinary action for administering, or permitting the administration of, the opioid antidote in accordance with N.J.S.A. 24:6J-1 et seq.

Notwithstanding the provisions of any law, rule, regulation, ordinance, or institutional or organizational directive to the contrary, any person or entity authorized to administer an opioid antidote pursuant to N.J.S.A. 24:6J-4, may administer to an overdose victim, with full immunity: a single dose of any type of opioid antidote that has been approved by the United States Food and Drug Administration for use in the treatment of opioid overdoses; and up to three doses of an opioid antidote that is administered through an intranasal application, or through an intramuscular auto-injector, as may be necessary to revive the overdose victim. Prior consultation with, or approval by, a third-party physician or other medical personnel shall not be required before an authorized person or entity may administer up to three doses of an opioid antidote, as provided in N.J.S.A. 24:6J-4, to the same overdose victim.



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Administering an Opioid Antidote

A school district may enter into a shared services arrangement with another school district for the provision of opioid antidotes pursuant to N.J.S.A. 18A:40-12.27 if the arrangement will result in cost savings for the districts.

This Policy and Regulation 5330.04 shall be reviewed and approved by the school physician prior to Board adoption and whenever this Policy is revised. This Policy shall be made available to school staff members, parents, and students in handbooks, on the school district's website, or through any other appropriate means of publication.

N.J.S.A. 18A:40-12.23; 18A:40-12.24; 18A:40-12.25;
18A:40-12.26; 18A:40-12.27

N.J.S.A. 24:6J-1 et seq.

Adopted: October 25, 2018
Revised: September 19, 2019



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5330.05 SEIZURE ACTION PLAN

The Board of Education requires the development of a seizure action plan, an individualized health care plan, and an individualized emergency health care plan for students with epilepsy or a seizure disorder to care for and treat these students while at school pursuant to N.J.S.A. 18A:40-12.34 et seq.

In accordance with N.J.S.A. 18A:40-12.35, the parent of the student with epilepsy or a seizure disorder seeking epilepsy or seizure disorder care while at school shall submit the student's seizure action plan annually to the school nurse.

The school nurse shall develop an individualized health care plan and an individualized emergency health care plan for the student, provided the parents annually provide to the Board written authorization for the provision of epilepsy or seizure disorder care. The school nurse shall update these plans on an annual basis and as necessary in the event there is a change in the health status of the student. These plans shall include the information outlined in N.J.S.A. 18A:40-12.35.

In accordance with N.J.S.A. 18A:40-12.35, all staff members including staff working with school-sponsored programs outside the regular school day shall be trained in the care of students with epilepsy and seizure disorders. All school bus drivers, contracted and district-employed, shall be provided notice and information if they are transporting a student with epilepsy or a seizure disorder pursuant to N.J.S.A. 18A:40-12.36. The school nurse shall obtain a release from the parent of the student to authorize the sharing of medical information in accordance with N.J.S.A. 18A:40-12.37.

No school employee, including a school nurse, school bus driver, school bus aid, or any other officer or agent of the Board, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.34 through N.J.S.A. 18A:40-12.38, nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person trained in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.34 through N.J.S.A. 18A:40-12.38. Good faith shall not include willful misconduct, gross negligence, or recklessness.

N.J.S.A. 18A:40-12.34 et seq.

Adopted: January 7, 2021



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R 5330.05 SEIZURE ACTION PLAN

A. Definitions (N.J.S.A. 18A:40-12.34)

1. “Individualized emergency health care plan” means a document developed by the school nurse, in consultation with the parent of a student with epilepsy or a seizure disorder and other appropriate medical professionals, which is consistent with the recommendations of the student’s health care providers and which provides specific actions for non-medical school staff to do in a particular emergency situation and is signed by the parent or guardian and the school nurse.
2. “Individualized health care plan” means a document developed by the school nurse, in consultation with the parent of a student with epilepsy or a seizure disorder and other appropriate medical professionals who may be providing epilepsy or seizure disorder care to the student, which is consistent with the recommendations of the student’s health care providers and which sets out the health services needed by the student at school and is signed by the parent or guardian and the school nurse.
3. “School” means an elementary or secondary public school located within this State.
4. “School employee” means a person employed by a school district.
5. “Seizure action plan” means a comprehensive document provided by the student’s physician, advanced practice nurse, or physician’s assistant which includes, but is not limited to, information regarding presentation of seizures, seizure triggers, daily seizure medications, seizure first aid, and additional treatments.



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B. Annual Submission of Student's Seizure Action Plan (N.J.S.A. 18A:40-12.35)

1. The parent of a student with epilepsy or a seizure disorder who seeks epilepsy or seizure disorder care for the student while at school shall annually submit to the school nurse the student's seizure action plan.
2. The school nurse shall develop an individualized health care plan and an individualized emergency health care plan for the student, provided that the parents of the student annually provide to the Board of Education written authorization for the provision of epilepsy or seizure disorder care.
3. The individualized health care plan and individualized emergency health care plan, developed in accordance with N.J.S.A. 18A:40-12.35, shall be annually updated by the school nurse and as necessary in the event there is a change in the health status of the student.
4. Each individualized health care plan shall include, and each individualized emergency health care plan may include, the following information:
 - a. Written orders from the student's physician or advanced practice nurse outlining the epilepsy or seizure disorder care;
 - b. The symptoms of the epilepsy or seizure disorder for that particular student and recommended care;
 - c. Full participation in exercise and sports, and any contraindications to exercise, or accommodations that must be made for that particular student;
 - d. Accommodations for school trips, after-school activities, class parties, and other school-related activities;



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- e. Education of all school personnel about epilepsy and seizure disorders, how to recognize and provide care for epilepsy and seizure disorders, and when to call for assistance;
 - f. Medical and treatment issues that may affect the educational process of the student with epilepsy or the seizure disorder;
 - g. The student's ability to manage, and the student's level of understanding of, the student's epilepsy or seizure disorder; and
 - h. How to maintain communication with the student, the student's parent and health care team, the school nurse, and the educational staff.
5. The Superintendent or designee shall coordinate the provision of epilepsy and seizure disorder care at school and ensure that all staff are trained in the care of students with epilepsy and seizure disorders, including staff working with school-sponsored programs outside of the regular school day.
6. The training required pursuant to B.5. above shall include a Department of Health approved on-line or in-person course of instruction provided by a nonprofit national organization that supports the welfare of individuals with epilepsy and seizure disorders.

C. Information Provided to Bus Driver (N.J.S.A. 18A:40-12.36)

- 1. In the event a school bus driver transports a student with epilepsy or a seizure disorder, the School Business Administrator/Board Secretary or designee shall provide the driver with:
 - a. A notice of the student's condition;
 - b. Information on how to provide care for epilepsy or the seizure disorder;



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- c. Emergency contact information;
- d. Epilepsy and seizure disorder first aid training; and
- e. Parent contact information.

D. Release to Share Medical Information (N.J.S.A. 18A:40-12.37)

- 1. The school nurse shall obtain a release from the parent of a student with epilepsy or a seizure disorder to authorize the sharing of medical information between the student's physician or advanced practice nurse and other health care providers.
 - a. The release shall also authorize the school nurse to share medical information with other staff members of the school district as necessary.

Adopted: January 7, 2021



5331 MANAGEMENT OF LIFE-THREATENING ALLERGIES IN THE SCHOOL

The Board of Education recognizes students 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 student 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 students 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 Superintendent. The Superintendent 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 student to the hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.



Management of Life-Threatening Allergies in the School

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 student 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 student 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 student 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 student to avoid the student'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 student'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 students in the school in the beginning of each school year and when a student 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: 25 October 2018



5332 DO NOT RESUSCITATE ORDERS

Federal and State legislation entitles every student to a free, appropriate public education in the least restrictive environment. Due to the high risk of medically fragile students and students 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 students 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 student'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 student 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 student who, after consultation with the student's pediatrician and other advisors, declines emergency administration of cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) to the student. "Written order" means a directive and protocol written by the student's medical home to address a healthcare need or provide a medical service for a specific student. "Medical home" means a health care provider and that provider's practice site chosen by the student'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 student, if appropriate, the school physician, the school nurse, the student'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 student. 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 Superintendent or designee. The Superintendent 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 student'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 student'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 student'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: 25 October 2018



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 students 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 student 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 student'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 student 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: 25 October 2018



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5337 SERVICE ANIMALS

In compliance with Title II of the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008, it is the Policy of the Board of Education to permit use of a service animal by an individual with a disability in all areas of the district where the public is normally permitted: in district buildings; on district property; and on vehicles owned, leased, or controlled by the district in accordance with 28 CFR §35.136.

A. Definitions

1. “Act” means the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008.
2. “Designated administrator” means Principal or person designated by the Principal to coordinate these activities.
3. “District” means this school district.
4. “Handler” means the animal’s owner who is an individual with a disability or a person, such as a trainer, assisting the owner with control of the service animal.
5. “Service animal” means a dog individually trained to do work or perform a specific job or task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability in accordance with 28 CFR §36.104.
 - a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
 - b. The work or tasks performed by a service animal must be directly related to the individual’s disability (e.g. navigation, alerting physical support and assistance, preventing or interrupting impulsive or destructive behaviors).



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- c. Work or tasks for the purposes of this definition do not include the provision of emotional support, well-being, comfort, therapy, companionship, or crime deterrence.

B. General Rules

1. The district shall permit the use of a service animal by an individual with a disability unless:
 - a. The animal is out of control and the animal's handler does not take effective action to control it;
 - b. The animal is not housebroken.
2. A student with a disability, including autism, shall be permitted access for a service animal in school buildings, including the classroom, on school buses, and on school grounds.
3. The service animal shall be under a handler's control at all times by use of a leash, tether, voice control, signal, or other suitable means in accordance with N.J.S.A. 18A:46-13.3 and 28 CFR §35.136(d).
4. If an animal is properly excluded, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises in accordance with 28 CFR §35.136(b).
5. If there are places in the district where it is determined to be unsafe for a handler and service animal, reasonable accommodations will be provided to assure the individual with a disability has equal access to the activity.



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6. A school official may inquire as to whether the service animal is required due to a disability and what task or work the service animal has been trained to perform, unless the student's disability and the work or task that the service animal will perform are readily apparent in accordance with N.J.S.A. 18A:46-13.3.

7. The district may not require documentation, including proof that the animal has been certified, trained, or licensed as a service animal; nor that the dog demonstrates its ability to perform the work or task in accordance with 28 CFR §35.136(f).

8. Individuals with a disability who have service animals are not exempt from local animal control or public health requirements.

9. A school official may require:

a. Certification from a veterinarian that the service animal is properly vaccinated and does not have a contagious disease that may harm students or staff; and

b. Documentation that any license required by the municipality in which the student resides has been obtained for the service animal.

C. Delegation of Responsibility

1. The school shall not be responsible or liable for the care or supervision of the service animal.



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- a. The district is not responsible to pay for or provide a handler to aid the individual with a disability in the control of the service animal.
 - b. The school shall provide reasonable accommodations to allow the handler to provide for the care and feeding of the service animal while on school grounds or at a school function.
2. If the district normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by their service animal in accordance with 28 CFR §35.136(h).
3. The district will designate relief areas for the service animal which will be included in mobility training and orientation of students and animals new to the school.

D. Notification and Responsibilities

1. In the event a service animal will be introduced as part of the school community, the designated administrator will develop a comprehensive implementation plan prior to introduction of the service animal into the school to include:
 - a. Notification to parents of students who may be in contact with the service animal;
 - b. Appropriate accommodations:
 - (1) For students who are allergic to the service animal; and/or
 - (2) For students who have fears regarding the service animal.



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- c. Appropriate etiquette regarding service animals to include:
 - (1) Never pet a service animal while it is working;
 - (2) Never feed a working service animal;
 - (3) Do not deliberately startle, tease, or taunt a service animal; and
 - (4) Do not hesitate to ask the handler if they would like assistance regarding directions for navigating the facility.

- 2. The use of a service animal introduced as part of the school community will require inclusion into the student's Individualized Education Plan (IEP) or the student's Section 504 Accommodation Plan.
- 3. The district may request, but cannot require, the owner of a service animal introduced as part of the school community and, as included in the student's IEP or Section 504 Accommodation Plan, maintain liability insurance for the service animal. The School Business Administrator/Board Secretary will ensure the school district has appropriate insurance in the event a service animal is introduced as part of the school community.

E. Miniature Horses

- 1. Miniature horses, although not included in the Act under the definition of "service animal," may only be permitted if individually trained to do work or perform tasks for the benefit of the individual with a disability and if they meet the assessment factors outlined in 3. below in accordance with 28 CFR §35.136(i).
- 2. Ponies and full size horses are not considered miniature horses.
- 3. Assessment factors to determine whether the district can reasonably modify its policies, practices, and procedures to allow for the use of miniature horses on its property, facilities, or vehicles include:



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Service Animals

- a. Type, size, and weight of the miniature horse and whether the facility can accommodate those features;
 - b. Whether the handler has sufficient control of the miniature horse;
 - c. Whether the miniature horse is housebroken; and
 - d. Whether the miniature horse's presence compromises legitimate safety requirements necessary for safe operation.
4. All requirements for the use of service animals also apply to the use of miniature horses.

N.J.S.A. 18A:46-13.3
28 CFR §35.136
28 CFR §36.104

Adopted: October 25, 2018
Revised: October 17, 2024



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, students 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 student with diabetes who seeks diabetes care for the student 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 student. 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 student.

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 students 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 student with diabetes who is experiencing severe hypoglycemia.

The school nurse shall designate, in consultation with the Superintendent or designee, additional employees of the school district who volunteer to administer glucagon to a student 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 student's individualized health care plan, the student 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 student has been evaluated and determined to be capable of doing so as reflected in the student's individualized health care plan.



The Principal or school nurse shall, for each student with diabetes whom a school bus driver transports, provide the driver with a notice of the student'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 students with diabetes.

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

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

Adopted: 25 October 2018



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Student Suicide Prevention

June 24

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5350 STUDENT SUICIDE PREVENTION

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among students. Students under severe stress cannot benefit fully from the educational program and may pose a threat to themselves or others.

The Board directs all school district staff members to be alert to a student who exhibits warning signs of self-destruction or who threatens or attempts suicide. Any such warning signs or the report of such warning signs from another student or staff member shall be taken with the utmost seriousness and reported immediately to the Principal or designee.

The Principal or designee shall immediately contact the parent(s) of the student exhibiting warning signs of suicide to inform the parent(s) the student will be referred to the Child Study Team or a Suicide Intervention Team, appointed by the Superintendent or designee, for a preliminary assessment. Upon completion of the preliminary assessment, the Principal or designee shall meet with the parent(s) to review the assessment. Based on the preliminary assessment, the parent(s) may be required to obtain medical or psychiatric services for the student. In the event the parent(s) objects to the recommendation or indicates an unwillingness to cooperate in the best interests of the student, the Principal or designee will contact the New Jersey Department of Children and Families, Division of Child Protection and Permanency to request intervention on the student's behalf.

In the event the student is required to obtain medical or psychiatric services, the parent(s) will be required to submit to the Superintendent a written medical clearance from a licensed medical professional, selected by the parent(s) and approved by the Superintendent, indicating the student has received medical services, does not present a risk to themselves or others, and is cleared to return to school. The written medical clearance may be reviewed by a Board of Education healthcare professional before the student is permitted to return to school. The parent(s) shall be required to authorize their healthcare professional(s) to release relevant medical information to the school district's healthcare professional, if requested.



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Student Suicide Prevention

In accordance with N.J.A.C. 6A:14-1.1(d), special education and related services shall be provided to students with disabilities at public expense, with no charge to the parents. A clearance by a psychiatrist or other medical professional as a requirement to return to school is considered an assessment provided at public expense. The district shall not require the parents to incur the cost of psychiatric clearance.

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:9C-3 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 training and 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 students who are members of communities identified as having members at high risk of suicide.

Not including teaching staff members subject to the requirements of N.J.S.A. 18A:6-112.a. and not including licensed mental health care professionals, a school employee or an employee of a contracted service provider who has regular and direct contact with students, as determined by the Board, shall complete a one-time training program in suicide prevention, awareness, and response identified by the New Jersey Department of Education (NJDOE) pursuant to N.J.S.A. 18A:6-112.c. A person subject to the requirements of N.J.S.A. 18A:6-112.b. shall complete the required training program not less than twelve months from the date of the identification by the NJDOE of training programs or twelve months from the person's date of hire, whichever occurs later.



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Student Suicide Prevention

Not less than twelve months following the date of the identification by the NJDOE of the training programs or not less than twelve months from the person's date of hire, and annually thereafter, the district shall provide to their employees who are subject to the requirements of N.J.S.A. 18A:6-112.a. or b., in a hard copy paper form or in an electronic form, guidelines on the district's reporting and suicide prevention, awareness, and response protocols including, but not limited to, contact information for each school's designated staff who should be notified whenever an employee believes a student may be at risk for suicide.

Each person who is required pursuant to N.J.S.A. 18A:6-112.a. or b. to complete a suicide prevention training program shall have a duty to warn and protect when the following conditions exist:

1. A student has communicated to that person a clearly identifiable threat of imminent, serious physical violence against oneself and the circumstances are such that a reasonable person would believe the student intended to carry out the threat; or
2. The circumstances are such that a reasonable person would believe the student intended to carry out an act of imminent, serious physical violence against oneself.

A person acting in good faith and who takes reasonable steps to discharge a duty to warn and protect shall be immune from civil and criminal liability in regard to that disclosure.

Any school district staff member, volunteer, or intern with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall immediately report the information to the Principal or designee or their immediate supervisor who will immediately report it to the Superintendent or designee. The Superintendent or designee shall promptly report it online to the New Jersey Department of Children and Families, or as otherwise required by the Department of Children and Families in accordance with N.J.S.A. 30:9A-24. In accordance with N.J.S.A. 30:9A-24.i., any person who reports an attempted or completed suicide shall have immunity from any civil or criminal liability on account of the report, unless the person has acted in bad faith or with malicious purpose.



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Student Suicide Prevention

The Superintendent shall prepare and disseminate guidelines to assist school district staff members in recognizing the warning signs of a student who may be contemplating suicide, to respond to a threat or attempted suicide, and to prevent contagion when a student commits suicide.

N.J.S.A. 18A:6-111; 18A:6-112

N.J.S.A. 30:9A-23; 30:9A-24

N.J.A.C. 6A:9C-3 et seq.; 6A:14-1.1

Adopted: October 25, 2018

Revised: October 17, 2024



5339 SCREENING FOR DYSLEXIA

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

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

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

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

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



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

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

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

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

Adopted: 25 October 2018



5410 PROMOTION AND RETENTION

In general, students shall be placed at the grade level to which they are best adjusted academically, socially, and emotionally. The education program shall provide for the continuous progress of students from grade to grade. Generally, students will be expected to spend one year in each grade. A small number of students, however, may benefit from staying another year in the same grade.

Guidelines for Retention

Retention shall be considered when:

1. Retention would have a reasonable chance of benefiting the child.
2. The student is achieving one or more grade levels below expected performance in reading and/or language and/or mathematics.
3. Retention would not cause an undue social and emotional adjustment.

Procedures to be followed:

1. Review and evaluation of the social, physical, and emotional characteristics by the classroom teacher, basic skills teacher(s), Superintendent, and Child Study Team when appropriate.

The following aspects should be considered:

- a. Attendance record;
- b. Attention span;
- c. Completion of classroom assignments;
- d. Completion of homework;
- e. Relationship with peers;
- f. Significant changes in academics and/or behavior;
- g. Serious personal/family conditions or relationships;
- h. Health records.



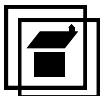
2. Identification of those students who are one or more grade levels below expected performance in the areas of reading/language arts and mathematics.
3. Review all academic records that would include the following:
 - a. Literacy folder;
 - b. Standardized and State test scores;
 - c. Report card grades;
 - d. Any other appropriate records (i.e. basic skills records, Child Study Team records, etc.).
4. Notification of parents
 - a. If it appears that retention is possible, the parent shall be notified by the classroom teacher at the completion of the second marking period.
 - b. Relevant records shall be reviewed with the parent during a parent/teacher conference.
 - c. At the end of the second quarter, if retention of the student is likely, the student must be referred to the Student Assistance Committee.
 - d. At the end of each marking period, an analysis of each possible retainee's needs will be conducted by the Principal, staff and support staff and a program of improvement may be developed, such as:
 - (1) Additional reading instruction;
 - (2) Additional math instruction;
 - (3) Provision of reinforcement materials for the parents to assist the child;
 - (4) Referral to Student Assistance Committee;
 - (5) Referral to Child Study Team, if necessary;
 - (6) Periodic checks with parent by teacher to determine progress being made by the child.



- e. The child's subsequent progress shall be reviewed by the teacher at the end of the third marking period and a conference may be held.
- f. Prior to the end of the school year, the Superintendent shall meet with any parents who do not agree with the decision and/or need further explanations of why the child should be retained. The child's total record will be reviewed with them before making a final determination.
- g. Parents shall be notified prior to the end of the school year by the Superintendent in writing, of the decision to retain.
- h. No student will be retained unless he/she has been referred to the Student Assistance Committee at the end of the second marking period.

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

Adopted: 25 October 2018



5411 GRADUATION FROM EIGHTH GRADE

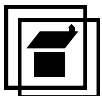
The Board of Education will recognize with fitting ceremonies a student's completion of the program of studies offered by this district in elementary school and the student's entrance to secondary school.

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

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

N.J.S.A. 18A:35-4.9; 18A:36-14; 18A:36-15;
18A:36-18; 18A:38-25 et seq.
N.J.A.C. 6:3-4A.1; 6A:8-4.4 et seq.

Adopted: 25 October 2018



5420 REPORTING STUDENT PROGRESS

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

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

Reports of individual achievement on State assessment tests shall be promptly made available to the student or the student's parent(s) or legal guardian(s).

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

Adopted: 25 October 2018



5440 HONORING STUDENT ACHIEVEMENT

The Board of Education believes that student achievement should be recognized at all levels in a manner appropriate to the student's accomplishment.

The Board directs the Superintendent to develop criteria and procedures for presenting awards to students for scholarship and outstanding accomplishments in the arts, athletics, community service, technology, attendance, citizenship, and other areas appropriate for special recognition. The Board directs the Superintendent to make certain that awards and scholarships are presented to as many students as possible.

The Superintendent shall review and advise the Board on acceptance of proposed trophies, prizes, scholarships or other awards from non-school donors. Any such proposed award shall be free from bias as outlined in the district's affirmative action program.

It is the policy of the Board that areas of recognition be unique and distinctive. Other academic awards may be established and awarded for academic achievement in specific subject fields, such as mathematics, science, etc. In addition, the Superintendent or his/her designee shall review the awards to be presented each year to ensure the Board that no duplications exist and that the awards to be presented will recognize achievement in as many areas as possible.

Academic Recognition

The Board directs the Superintendent to establish criteria and procedures for placing students in grades or on academic honor rolls.

Service Participation

School service groups shall be recognized for participation in order to emphasize the importance of good citizenship in school life as outlined in the course of study.

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

Adopted: 25 October 2018



5460.1 GRADUATION REQUIREMENTS

In order to be graduated from the Weymouth Township School eighth grade a student must:

1. Meet proficiency standards in the New Jersey Student Learning Standards (NJSLS); achieve or exceed passing grade on the NJASK 8;
2. Complete successfully the course requirements stated in the administrative code, unless those of the district are greater, in which case the districts standard must be met. The proficiencies required must include the core course proficiencies approved by the NJSLS approved by the State Board of Education.

Successful completion means that the student has demonstrated the degree of proficiency required by the district to indicate achievement of the district goals for the particular course, and has attended the required number of course sessions.

Transfer students must meet all State and local requirements in order to receive an elementary school diploma.

The Superintendent shall put into effect the procedures necessary to assess each student upon entry into the system, and, annually thereafter, to identify those students not meeting the State or district proficiency requirements in reading, writing and mathematics. He/She shall develop the programs necessary to remedy these deficiencies at the lowest possible grade level.

Basic Skills

Students shall be provided appropriate remediation based on standardized test results, teacher recommendation and grades.

Students with Limited English Proficiency

Students with limited English proficiency must be provided with the program opportunities required by law, and must fulfill the regular State and district requirements for graduation.

Special Education Students

A disabled student must meet all State and local graduation requirements in order to receive a diploma unless exempted in his/her IEP. An exemption from the proficiencies shall be granted if the student's IEP does not include the proficiencies measured by the test.



By June 30th of a disabled student's last year in the elementary program, the student's case manager, parent, and teacher(s) shall meet to review the student's IEP in view of the transition to the secondary program. Input by appropriate staff from the secondary school shall be part of the review.

The IEP for the student exiting the elementary program will address all the elements required in the administrative code. The IEP will include exemptions, if any, from regular education program options or State and local graduation requirements including State assessments.

Proficiency

In consultation with appropriate professional staff, the Superintendent shall develop and present to the Board of Education, indicators of achievement and standards of proficiency and attendance.

Adopted: 25 October 2018



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Bridge Year Pilot Program

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5460.02 BRIDGE YEAR PILOT PROGRAM

The New Jersey Commissioner of Education has established a three-year "Bridge Year Pilot Program," under which each school district with a high school shall offer students in the graduating classes of 2021 and 2022 the opportunity to pursue a Bridge Year during the year immediately following their senior year of high school, in accordance with the provisions of P.L. 2020 c.41. The purpose of the Bridge Year Pilot Program shall be to provide participating students an additional year to address learning loss and missed opportunities in extracurricular activities, including spring sports programs, as a result of the public health state of emergency caused by the COVID-19 pandemic.

For the purpose of this Policy, "host high school" means the high school that a student, who pursues a Bridge Year pursuant to the provisions of P.L. 2020 c.41, attended as a junior in high school.

Under the Bridge Year Pilot Program, each high school in a school district shall designate a school staff member as a Bridge Year Liaison to serve as the school's central point of contact for students interested in pursuing a Bridge Year and for students participating in a Bridge Year. Nothing in P.L. 2020 c.41 shall be construed to require a school district to hire an individual to serve as a Bridge Year Liaison.

To be eligible to participate in the Bridge Year Pilot Program, a student shall be nineteen years of age or younger and shall not turn twenty years of age at any time during the Bridge Year, except that a classified student shall be eligible to participate if the student will turn twenty years of age during the Bridge Year due to services provided pursuant to the student's individualized education program. To participate in the Bridge Year Pilot Program, eligible students must notify their host high school's Bridge Year Liaison by February 15 of their senior year.

The Bridge Year Liaison shall develop, in consultation with Bridge Year students, an Individual Learning Plan (ILP) for each student. To ensure ample time to plan for the implementation of services outlined in the ILP, each Bridge Year student's ILP shall be completed by May 15, but no later than June 1 of the student's senior year.



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Bridge Year Pilot Program

During the fall semester of the student's Bridge Year, the student shall take between nine and twelve credits at the host high school, the county college that serves the county of the host high school, or a combination thereof. During the spring semester of the student's Bridge Year, the student shall take between nine and twelve credits at the county college that serves the county of the host high school. During either semester of the Bridge Year, a student may also take up to three credits offered by a four-year institution of higher education at any high school in the State or at any other location to fulfill the student's credit requirement. At the conclusion of each semester of the Bridge Year, the host high school shall update the student's high school transcript to reflect any high school credits earned during the Bridge Year.

In the event that a student initially decides to pursue a Bridge Year in the fall semester, but does not continue the Bridge Year in the spring semester, the student's host high school shall release all final transcripts and other records as necessary and as may be requested. A student who decides not to continue the Bridge Year in the spring semester shall not be eligible to participate in a spring sports program or extracurricular activities pursuant to P.L. 2020 c.41.

The State Board of Education shall promulgate regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B -1 et seq.), necessary to effectuate the provisions of P.L. 2020 c.41.

The Higher Education Student Assistance Authority shall promulgate regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B -1 et seq.), necessary to effectuate the provisions of subsection d. of section 2 of this Act.

P.L. 2020 c.41

Adopted: November 18, 2021



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Bridge Year Pilot Program

May 21

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R 5460.02 BRIDGE YEAR PILOT PROGRAM

All public school districts, including charter and renaissance schools, that enroll high school students must offer all eligible students the opportunity to participate in the Bridge Year Pilot Program (P.L. 2020 c.41).

To participate in the Bridge Year Pilot Program, eligible students must notify their host high school's Bridge Year Liaison of their intent to participate by February 15 of their senior year.

A. Bridge Year Liaison

1. To facilitate compliance with the requirements of the Bridge Year Pilot Program, each public high school in a school district shall designate a school staff member as a Bridge Year Liaison.
2. The school's Bridge Year Liaison shall serve as the school's point of contact for students interested in participating in the Bridge Year Pilot Program, facilitate planning of the Bridge Year students' academic services, and regularly communicate with the respective county college regarding students' academic progress.
3. Bridge Year Liaisons shall develop, in consultation with Bridge Year students, an Individual Learning Plan (ILP) for each student.
4. The Bridge Year Liaison:
 - a. Shall collect and report attendance in accordance with the school district's policy for those students participating in classes not at the host high school consistent with N.J.A.C. 6A:16-7.6. Attendance for classes at the host high school shall be collected and recorded in the normal course;
 - b. Must receive reports from the institution of higher education that a Bridge Year student attends at least quarterly. The reports must demonstrate, in a manner specified by the student's ILP, the student's academic progress and performance; and



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Bridge Year Pilot Program

- c. Shall ensure that at the conclusion of each semester of the Bridge Year, the student's high school transcript reflects any high school and college credits earned during the Bridge Year in accordance with Policy and Regulation 5460.02.

B. Student Eligibility

1. To be eligible to participate in Bridge Year Pilot Program, a student must:
 - a. Be in the graduating classes of 2021 or 2022;
 - b. Meet all applicable high school graduation requirements by the end of their senior year of high school;
 - c. Be nineteen years old or younger during the entirety of the Bridge Year; a student that would turn twenty years old before the end of their Bridge Year is not eligible to participate;
 - (1) A student with disabilities is eligible to participate if the student will turn twenty years old during the Bridge Year due to services provided under the student's individualized education program (IEP); and
 - d. Maintain a grade point average of 2.0 during the Bridge Year.
2. Students with disabilities who receive special education and related services under the Individuals with Disabilities Education Act (IDEA) must be granted the opportunity to participate in a school district's Bridge Year Pilot Program in accordance with Federal and State special education requirements.
 - a. Regarding the Bridge Year's age requirements in B.1.c. above, school districts that have students with disabilities who have satisfied their State and local graduation requirements, but may need an extra year of services, and



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Bridge Year Pilot Program

will not turn twenty-one years old before June 30, may receive services for another year as determined by the student's IEP team, which includes the student and the student's parent(s).

- b. The school district's Bridge Year Liaison should collaborate with the student's IEP team as the services provided to students with disabilities should be focused on transition services. Services shall be delivered via the IEP.

C. Academics

1. Individual Learning Plans (ILP)

- a. Each Bridge Year student's academic and co-curricular goals for the Bridge Year shall be defined in an ILP. A student's ILP shall detail the activities and strategies for accomplishing these goals, including, but not limited to, counseling, academic support, coursework, and co-curricular or athletic participation. The New Jersey Department of Education (NJDOE) developed an ILP template for school districts, which will be available on the NJDOE's webpage.

- (1) In developing a student's ILP, a school district should utilize the considerations outlined in Bridge Year Pilot Program (P.L. 2020 c.41) Implementation Guidance.

- b. To ensure ample time to plan for the implementation of services outlined in the ILP, each Bridge Year student's ILP shall be completed by May 15, but no later than June 1 of the student's senior year.

2. Academic and Course Requirements

- a. Students participating in the Bridge Year Pilot Program shall meet the following academic and course requirements:



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- (1) During the fall semester, students shall take between nine and twelve credits at the host high school, county college in the county in which the host high school is located, or a combination thereof;
- (2) During the spring semester, students shall take between nine and twelve credits at the county college in the county in which the host high school is located;
- (3) During either semester, students may take up to three credits offered by a four-year institution of higher education at any high school in the State or any other location to fulfill the student's credit requirements described in C.2.a.(1) and (2) above;
- (4) Students who pursue a Bridge Year and participate in a spring sport sanctioned by the New Jersey State Interscholastic Athletic Association (NJSIAA) shall enroll in less than twelve college credits, or otherwise be enrolled in a number of college credits as to not be considered a full-time college student, in each of the fall and spring semesters during the student's Bridge Year;
- (5) During the Bridge Year, students do not need to participate in health, safety, and physical education as required by N.J.S.A. 18A:35-5, 7, and 8 (N.J.A.C. 6A:8-5.1(a)1.vi); and
- (6) A Bridge Year student shall be considered a non-matriculated student of the respective county college.



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Bridge Year Pilot Program

- b. School districts that do not operate on the basis of fall and spring semesters should meet the spirit of the academic and course requirements outlined in C.2.a. above and ensure that Bridge Year students meet their total credit requirements for the entirety of the Bridge Year Pilot Program.

3. Graduation

- a. As stated in B.1.b. above, all students must meet all applicable high school graduation requirements by the end of their senior year of high school before participating in the Bridge Year Pilot Program.
- b. The Bridge Year student may participate in the graduation ceremony at the end of his or her senior year or the end of his or her Bridge Year.
- c. The student's diploma will be withheld and formal matriculation from high school will be deferred until completion of the Bridge Year Pilot Program.
 - (1) Participating students are only held to the graduation requirements of their senior year and are not required to meet the graduation requirements of their Bridge Year in order to receive their high school diploma.
 - (a) For example, 12th graders in the graduating class of 2021 – whose Bridge Year would take place during the 2021-2022 school year – will be held only to the graduation requirements applicable to the class of 2021, as modified pursuant to Executive Order 214 by the Governor of New Jersey, and not to the graduation requirements for the class of 2022.



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- d. At the conclusion of each semester of the Bridge Year Pilot Program, the host high school shall update the student's high school transcript to reflect any high school credits earned during the Bridge Year.
- e. If a student decides to pursue a Bridge Year in the fall semester, but does not continue the Bridge Year in the spring semester, the student's host high school shall release all final transcripts and other records as necessary and as may be requested.

D. Data Reporting

1. NJ SMART

- a. The NJDOE will add a new field in the NJ SMART SID Management to indicate whether 12th graders are planning to participate in the Bridge Year Pilot Program in the following year (beginning in the 2020-2021 school year) or whether a 12th grader is currently participating in a Bridge Year Pilot Program (beginning in the 2021-2022 school year).
- b. School districts will be required to begin entering this information for all 12th graders beginning with the June 2021 snapshot.

2. School and District Accountability

- a. Students participating in the Bridge Year Pilot Program will continue to be included in the accountability calculations for both Every Student Succeeds Act school accountability and New Jersey Quality Single Accountability Continuum (QSAC) district accountability during their Bridge Year.
 - (1) This would include graduation rate and chronic absenteeism calculations for both school and district accountability.



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- (2) Students participating in the Bridge Year Pilot Program will not count as graduates for graduation rate calculations until they receive a diploma at the end of the Bridge Year.

E. Athletic Requirements

1. Students participating in the Bridge Year Pilot Program are eligible to participate in NJSIAA sanctioned sports at their host high school – and only at their host high school – during the spring season of their Bridge Year.
 - a. Bridge Year students are not eligible to participate in fall or winter sports during their Bridge Year.
2. Students must meet the eligibility requirements outlined by the NJSIAA.
3. A student who decides not to continue their Bridge Year in the spring semester shall not be eligible to participate in a spring sports program or extracurricular activities.
4. Bridge Year students participating in spring athletics are subject to the athletic code of conduct, and any other applicable codes, rules, or school district policies as other students participating in the spring sport.

Adopted: November 18, 2021



5500 EXPECTATIONS FOR STUDENT CONDUCT

The Board of Education believes that students should commit themselves to learning and to the development of their unique potential. Students 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 students can contribute to the effectiveness of the school and the value of their education.

The Board expects all students 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 Superintendent shall, in consultation with staff members, parent(s) or legal guardian(s), and, where appropriate, students, develop a statement of specific student behaviors that exemplify these expectations and shall publish both this policy and the statement of behaviors to all students, parent(s) or legal guardian(s), and professional staff members.

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

Adopted: 25 October 2018



5511 DRESS AND GROOMING

The purpose of this dress code is to enhance school safety, improve the learning environment, and promote good behavior. Children's attitudes toward schoolwork and behavior are related to the clothing that they wear. Therefore, clothing and footwear suitable for a working atmosphere and appropriate weather are expected. Students should be appropriately dressed for all outdoor conditions and will not be permitted to stay inside during recess due to inappropriate dress. In order to achieve this goal, the following guidelines are in place:

Shoes

- Students have recess every day; students should wear sneakers or other safe footwear to school daily. No flip-flops or open-backed shoes are allowed.

Pants, Shorts, Skirts

- Pants and shorts need to fit snugly at the waist. Sagging clothing is not acceptable. Extremely brief shorts and short skirts are not appropriate or permitted for school. Mid-thigh length or longer is appropriate.

Shirts

- Shirts with sleeves are recommended. Halter, tank, and thin-strapped, backless, see-through, short, bare-midriff, cut-out tops and/or strapless attire tops are not permitted.
- Clothing displaying obscene writing or promoting indecent or unacceptable behavior, whether stated or implied, will not be permitted.
- Outer garments that are worn over tights or leggings are to follow the same length expectations as shorts or skirts.

General

- Tops and bottoms must overlap at all times, including when arms are raised.
- Hats, caps, hoods, and other headwear may not be worn during the school unless for school-sponsored activities.



- Jackets and coats (outerwear) may not be worn indoors during the school day.
- Perfume, cologne, body spray and heavily scented deodorants should not be worn to school.

This dress code does not regulate the exercise of an individual's sincerely held religious beliefs.

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

Adopted: 25 October 2018



5512 HARASSMENT, INTIMIDATION, AND BULLYING

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A. Policy Statement

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

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

B. Harassment, Intimidation, and Bullying Definition

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

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



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- b. Has the effect of insulting or demeaning any student or group of students;
or
- c. Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

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

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

C. Student Expectations

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

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

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



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

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

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

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

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

1. Walk away from acts of harassment, intimidation, and bullying when they see them;
2. Constructively attempt to stop acts of harassment, intimidation, or bullying;



3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

D. Consequences and Appropriate Remedial Actions

Consequences and Appropriate Remedial Actions – Students

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

Appropriate remedial action for a student who commits an act of harassment, intimidation, or bullying that takes into account the nature of the behavior; the nature of the student's disability, if any, and to the extent relevant; the developmental age of the student; and the student's history of problem behaviors and performance. The appropriate remedial action may also include a behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team as appropriate; and supportive interventions and referral services, including those at N.J.A.C. 6A:16-8.

Factors for Determining Consequences – Student Considerations

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



Factors for Determining Consequences – School Considerations

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

Factors for Determining Remedial Measures

Personal

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

Environmental

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

Consequences for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including



suspension or expulsion of students, as set forth in the Board's approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation, or bullying are those that are varied and graded according to the nature of the behavior; the nature of the student's disability, if any, and to the extent relevant; the developmental age of the student; and the student's history of problem behaviors and performance consistent with the Board's approved Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

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

Examples of Consequences

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

Examples of Remedial Measures

Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors;
2. Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;
3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved;



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

Personal – Target/Victim

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

Parents, Family, and Community

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

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

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);



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



30. Recommendations of a student behavior or ethics council;
31. Participation in peer support groups;
32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

Consequences and Appropriate Remedial Actions – Adults

The district will also impose appropriate consequences and remedial actions to an adult who commits an act of harassment, intimidation, or bullying of a student. The consequences may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

Target/Victim Support

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

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

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

1. Teacher aides;
2. Hallway and playground monitors;
3. Partnering with a school leader;
4. Provision of an adult mentor;
5. Assignment of an adult "shadow" to help protect the student;
6. Seating changes;
7. Schedule changes;
8. School transfers;



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9. Before- and after-school supervision;
10. School transportation supervision;
11. Counseling; and
12. Treatment or therapy.

E. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Education requires the Principal to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with students are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Principal within two school days of the verbal report.

The Principal or designee will inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal or designee shall take into account the circumstances of the incident when providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parents, and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident.

A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The Board will not take formal disciplinary action based solely on the anonymous report.

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



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

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

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

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

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
- b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;
- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
- d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
- e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.



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

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate 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/School Climate Team shall be formed to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. The School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- b. Receive copies of all reports prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of students in the school;



- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- e. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request. The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and
- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/School Climate Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying.



The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. An investigation concerning a staff member shall not be conducted by a staff member who is supervised by the staff member being investigated or who is an administrator in the district. The Principal or designee, in consultation with the Superintendent or designee, will appoint a staff member to complete these investigations.

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

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



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Harassment, Intimidation, and Bullying

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

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, and whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

A parent may request a hearing before the Board of Education after receiving the written information about the investigation. Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents. The hearing shall be held within ten business days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of the investigations to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

A parent, student, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).



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

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

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include consistent and appropriate positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) intended to remediate the problem behaviors.
2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays (when implemented with sensitivity to a student's situation or involvement with harassment, intimidation, and bullying), research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, "acts of kindness" programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, "natural helper" or peer leadership programs, "upstander" programs, parent programs, the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices, and harassment, intimidation, and bullying prevention curricula or campaigns.



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

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

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

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

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



J. Consequences and Appropriate Remedial Action for False Accusation

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

1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.
2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

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



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

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

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

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

The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to current and new school employees; including administrators, instructors, student support services, administrative/office support, transportation, food service, facilities/maintenance; contracted service providers; and volunteers who have significant contact with students; and persons contracted by the district to provide services to students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying.

The public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Each newly elected or appointed Board member must complete, during the first year of the member's first term, a training program on harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:12-33.



The school district shall provide time during the usual school schedule for the Anti-Bullying Coordinator and the school Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.

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

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

The school district will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, students, administrators, volunteers, parents, law enforcement, and community members. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

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

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

The Superintendent, Principal(s), and the Anti-Bullying Coordinator, with input from the schools' Anti-Bullying Specialists, shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, and any report(s) and/or finding(s) of the School Safety/School Climate Team(s). The Superintendent shall recommend to the Board necessary revisions and additions to the Policy consistent with N.J.S.A. 18A:37-15.c., as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.



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

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, and bullying which occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46.

O. School and District Grading Requirements

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

P. Reports to Law Enforcement

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

Q. Collective Bargaining Agreements and Individual Contracts

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

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



R. Students with Disabilities

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

S. Approved Private Schools for Students with Disabilities (APSSD)

In accordance with the provisions of N.J.A.C. 6A:16-7.7(a).2.ix.(2), the Board of Education shall investigate a complaint or report of harassment, intimidation, or bullying, pursuant to N.J.A.C. 6A:16-7.7(a).2.ix. and Section G. of this Policy, occurring on Board of Education school buses, at Board of Education school-sponsored functions, and off school grounds involving a student who attends an APSSD. The investigation shall be conducted by a Board of Education Anti-Bullying Specialist, in consultation with the APSSD.

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

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

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

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

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

Adopted: October 25, 2018

Revised: September 19, 2019



5513 CARE OF SCHOOL PROPERTY

The Board of Education believes that the school should help students learn to respect property and to develop feelings of pride in community institutions. The Board charges each student enrolled in this district with responsibility for the proper care of school property and the school supplies and equipment entrusted to his/her use.

Students 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 student whose payment of a fine is in arrears.

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

The Superintendent 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: 25 October 2018



5514 STUDENT USE OF VEHICLES ON SCHOOL GROUNDS

The safety of students, staff members, school visitors, and others while on school grounds is of significant importance to the Board of Education. A student's use of a bicycle and/or other modes of transportation on school grounds has the potential to present a safety hazard for the student operator and to other students, staff members, school visitors and others while on school grounds.

Bicycles/Walkers

Students in grades four through eight may ride their bikes to school. Parents must provide a note giving permission for their child to ride his/her bike to and from school. The note must be on file before their child may ride their bike. New Jersey State law requires all students under the age of fourteen to wear a bike helmet. The school is obligated to cooperate with this law. Bikes are to be kept in the bike racks provided near the library. A lock is encouraged. Bikers are to use the side entrance by the All Purpose Room for entrance and exit from the building.

A note from the parent is required to be on file if the child is permitted to walk to and from school.

Students are not permitted to drive an automobile, motorcycle, motorized bicycle, skateboard, scooter, roller skates, hoverboard, or any other motorized mode of transportation on school grounds during the school day.

The Principal may revoke the privilege of a student's use of a bicycle, vehicle, or mode of transportation permitted by this Policy for the student's failure to follow the provisions of this Policy and any requirements of State or local law or any school rule. The Board of Education assumes no responsibility for the loss, damage, or theft of any bicycle, vehicle, or any mode of transportation permitted on school grounds in accordance with this Policy.

Adopted: 25 October 2018



5516 USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)

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

A student is not permitted to have turned on or use an ECRD on school grounds during the school day or when the student is participating in a curricular or school-sponsored co-curricular activity. A student's personal ECRD may only be used on school grounds in an emergency situation or before and after the school day or with the permission of a school staff member supervising the student in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a student using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other students or staff members are present shall require the permission for such recording from any other student and their parent and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, athletic events, and drama production filming. A student authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from student access by the school district's acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a student from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.



Use of Electronic Communication and Recording Devices (ECRD)

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 district has exclusive use of a portion of such land.

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

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

Adopted: 25 October 2018



5516.01 STUDENT TRACKING DEVICES

The Board of Education recognizes students may have in their possession while in school, at a school-sponsored activity, or on a school bus an electronic tracking device that uses a global positioning system (GPS) or any other similar system. A tracking unit is a device, normally carried by a moving vehicle or person, that uses a GPS or similar system to determine and track its precise location, and hence that of its carrier, at intervals. The recorded location data can be stored within the tracking unit or it may be transmitted to another location, including, but not limited to, a central location database or an Internet-connected computer, using a cellular, radio, or satellite modem embedded in the unit. This allows the tracking unit's location to be displayed against a map backdrop either in real time or when analyzing the tracking path later, using tracking software. A tracking unit may be a device designed just for tracking or may be an application installed on any other electronic device.

A tracking unit may also have the ability to transmit in real time or through taping electronic communications to another location. These electronic communications may be one-way or two-way audio or video communications between the student and a person with a device at another location or an audio and/or video feature that enables a person remote from the student, with or without the permission of the student, to listen-in or have voice communications with the student and/or access video through the unit either in real time or by taping such communications.

The Board of Education permits the use of a tracking unit or an application on an electronic device that can track the location of the student while in school, at a school-sponsored event, or on a school bus. However, to protect the privacy rights of all students and to maintain the school district's legal obligation to maintain confidential student information in accordance with Federal and State law and regulations, the use of a tracking device or an application on an electronic device that enables any type of one-way or two-way audio and/or video communications or taping is not permitted.

A violation of the provisions of this Policy will result in a violation of the Student Code of Conduct Policy and appropriate discipline will be imposed.

Adopted: 25 October 2018



5519 DATING VIOLENCE AT SCHOOL

The Board of Education believes a safe and civil environment in school is necessary for children to learn. A student who is a victim of dating violence suffers academically and the student'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 student 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 student. 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 student's school day when the staff member witnesses or learns of an act or incident of dating violence at school. A written report regarding the act or incident shall be submitted to the Principal or designee by the reporting staff member no later than one day after the act or incident occurred.

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

The Board of Education, upon the recommendation of the Superintendent, 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 student 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 student 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, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

A pattern of behaviors may be an important sign a student 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 student in an unhealthy or abusive relationship may exhibit. Many of these warning signs make a connection to one student 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 students and their families information on safe, appropriate school, family, peer, and community resources available to address dating violence.

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

Upon written request to the school Principal, a parent/legal guardian of a student 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 students 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: 25 October 2018



5520 DISORDER AND DEMONSTRATION

The Board of Education is responsible for providing a thorough and efficient system of education for students in this district and is authorized to preserve order so that the system may function properly. Students 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 students will be disciplined in accordance with law and Board Policy No. 5600; staff members who assist students in disorderly conduct may be subject to disciplinary measures.

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

The Superintendent shall establish procedures for the prompt resolution of any disorder that occurs on school premises. The Building Principal shall be responsible for the identification and resolution of disorders in any school building and may summon law enforcement officers as necessary.

N.J.S.A. 2C:12-3; 2C:33-1; 2C:33-2; 2C:33-8
N.J.S.A. 18A:6-1; 18A:37-1; 18A:37-2

Adopted: 25 October 2018



5530 SUBSTANCE ABUSE

The Board of Education recognizes that a student's abuse of harmful substances seriously impedes that student'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 policies and procedures in operating programs to support the social, emotional, and physical development of students in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-4.1 et seq. The Board of Education will maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the district.

A. Definitions

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

The definitions as outlined in N.J.S.A. 18A:40A et seq., N.J.A.C. 6A:16 et seq., and those terms defined in Regulation 5530 shall be used for the purposes of this Policy and Regulation.

B. 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 according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes alcohol or other drugs will be subject to discipline in accordance with the district's Code of Student Conduct. School authorities also have the authority to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5. Discipline may include suspension or expulsion. The Board will establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.



C. Instruction

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

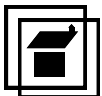
The Board shall provide an instructional program on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-3.1.

D. Reporting, Notification, and Examination

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

1. Alcohol or Other Drugs

- a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a), on school grounds shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.
- b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent of the student, the Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.
- c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student shall be returned to the



care of the parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

- e. Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.
- f. While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student 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.
- g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.
- h. The Board may provide additional intervention and referral services for the student according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.

2. Anabolic Steroids

- a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe a student has used or may be using anabolic steroids, the person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.
- b. The Principal or designee upon receiving such report shall immediately notify the parent and Superintendent and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.
- c. Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(b)3.

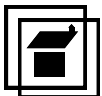


- d. A written report of the examination shall be provided by the examining physician to the parent, Principal, and Superintendent.
 - e. If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student'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.
 - f. If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student'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.
- 3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.
 - 4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.
 - 5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.
 - 6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.

E. In-Service Training

N.J.S.A. 18A:40A-15

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of students in accordance with the provisions of N.J.S.A. 18A:40A-15. The Board will provide time for the conduct of the program during the usual school schedule. The in-service training program required in N.J.S.A. 18A:40A-15 shall be updated at regular intervals in order to ensure teaching staff members have the most current information available on this subject.



F. Parent Training Program/Outreach Program

N.J.S.A. 18A:40A-16; 18A:40A-17
N.J.A.C. 6A:16-4.1(c)8

The Board will provide a parent training program/outreach program in accordance with the provisions of N.J.S.A. 18A:40A-16 and 17.

G. Records and Confidentiality of Records

42 CFR Part 2
N.J.S.A. 18A:40A-7.1; 18A:40A-7.2
N.J.A.C. 6A:16-3.2; 6A:32-7.1 et seq.

Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330 regarding confidentiality. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6A:16-6.5.

If an elementary or secondary student who is participating in a school-based drug or alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's parent or other person residing in the student'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 in accordance with N.J.S.A. 18A:40A-7.1 and N.J.A.C. 6A:16-3.2.

H. Nonpublic School Students

N.J.S.A. 18A:40A-5; 18A:40A-17(c)

The Board has the power and duty to loan to students attending nonpublic schools located in this district and to the parents of such students all educational materials on the nature and effects of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances developed and made available by the Commissioner of Education. The Board shall not be required to expend funds for the loan of these materials.



I. Civil Immunity

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

No action of any kind in any court of competent jurisdiction 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 in accordance with the provisions of N.J.S.A. 18A:40A-13.

Any educational or non-educational Board employee who in good faith reports a student to the 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.

J. Reporting Students to Law Enforcement Authorities

N.J.A.C. 6A:16-4.1; 6A:16-6.3

The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance, including anabolic steroids, or related paraphernalia or involved or implicated in distribution activities regarding controlled dangerous substances, including anabolic steroids pursuant to N.J.A.C. 6A:16-4.1(c)9. The Superintendent or designee shall not disclose the identity of the student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.

The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or other drugs, pursuant to N.J.A.C. 6A:16-4.1(c)9.i. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test was obtained as a result of a district's voluntary random drug testing program pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.



K. Policy Review and Accessibility

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

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board may solicit parent, student, 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 annually disseminated to all school staff, students, and parents through the district website or other means.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.
N.J.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.; 6A:16-6.1 et seq.

Adopted: 25 October 2018



5533 STUDENT 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 young people may have lifelong harmful consequences.

For the purpose of this Policy, “smoking” means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device pursuant to N.J.S.A. 26:3D-57. For the purpose of this Policy, “smoking” also includes the use of smokeless tobacco and snuff.

For the purpose of this Policy, “electronic smoking device” means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product pursuant to N.J.S.A. 2A:170-51.4.

For the purpose of this Policy, “school buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and any other central facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also include athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands and night field lights; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also include other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

N.J.S.A. 2A:170-51.4 prohibits the sale or distribution to any person under twenty-one years old of any cigarettes made of tobacco or any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco; and any electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product. Consequences for a student possessing such an item will be in accordance with the Student Code of Conduct.



The Board prohibits smoking by students at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus.

The Board also prohibits the possession of any item listed in N.J.S.A. 2A:170-51.4 at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus. Such items will be confiscated and may be returned to the parent, upon request.

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine.

A student who violates the provisions of this Policy shall be subject to appropriate disciplinary measures in accordance with the district's Student Discipline/Code of Conduct and may be subject to fines in accordance with law. In the event a student 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 make every reasonable effort to discourage students 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. 2A:170-51.4

N.J.S.A. 2C:35-2

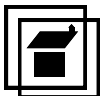
N.J.S.A. 18A:40A-1

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

N.J.A.C. 6A:16-4.3

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

Adopted: 25 October 2018



5550 DISAFFECTED STUDENTS

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

For the purposes of this policy, "disaffected student" means the student 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 students may include students unable to function properly within a traditional school program; students of average or above average intelligence and ability who achieve below their potential; students unable to establish occupational or future goals; students with a pattern of behavior problems, including problems with attendance and tardiness; students who lack motivation, direction, and decision making ability; students who possess a poor self-image; students suffering stressful family settings; students hostile toward adults and authority figures; students in difficulty with community and law enforcement agencies; and students lacking interest in school and avoiding involvement in school activities.

Teaching staff members shall be alert to students experiencing difficulty in their classes. Any such student who does not appear to be disabled may be referred to the Intervention Referral Team (IRT).

A disaffected student 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: 25 October 2018



5560 DISRUPTIVE STUDENTS

The Board of Education believes that the students of this district are entitled to an education free from undue disruption. Students 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 student's unacceptable conduct.

For the purposes of this policy, "disruptive student" means the student 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 students as well as for himself or herself.

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

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

A disruptive student 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 Superintendent shall report regularly to the Board the incidence of acts of violence and vandalism in the school district and shall prepare a remedial plan whenever the report shows a significant increase in the number of such acts.

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

Adopted: 25 October 2018



5561 USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES

The Board of Education strives to provide a safe, caring atmosphere that supports all students in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain or seclude a student with a disability in accordance with N.J.S.A. 18A:46-13.4 through 13.7.

A school district, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. A student is not restrained in the prone position, unless the student's primary care physician authorizes, in writing, the use of this restraint technique;
3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board of Education to be qualified to provide such training, and that the training is updated at least annually;
4. The parent of a student is immediately notified when physical restraint is used on the student. This notification may be by telephone or electronic communication. A post-incident written notification report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;
5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and



Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan (IEP) meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the IEP team.

A school district, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next IEP meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the IEP team.

The New Jersey Department of Education shall establish guidelines for school districts, educational services commissions, and APSSDs to ensure a review process is in place to examine the use of physical restraints or seclusion techniques in emergency situations, and for the repeated use of these methods for an individual child, within the same classroom, or by a single individual. The review process shall include educational, clinical, and administrative personnel. Pursuant to the review process the student's IEP team may, as deemed appropriate, determine to revise the behavior intervention plan or classroom supports, and a school district, educational services commission, or APSSD may determine to revise a staff member's professional development plan pursuant N.J.S.A. 18A:46-13.7.



Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

The Superintendent or designee may gather input from school staff members and parents of students with disabilities on this Policy and Regulation. All students with disabilities and their parents shall be afforded the procedural safeguards provided by the Individuals with Disabilities Education Act (IDEA).

The Superintendent or designee shall annually inform parents of students with disabilities about the Board's Policy regarding restraint and seclusion.

N.J.S.A. 18A:46-13.4; 18A:46-13.5; 18A:46-13.6; 18A:46-13.7
New Jersey Department of Education Restraint and Seclusion Guidance for
Students with Disabilities – July 10, 2018

Adopted: October 25, 2018
Revised: September 19, 2019



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5570 SPORTSMANSHIP

The Board of Education requires that all individuals involved in or attending the athletic and intramural programs sponsored by the Board exhibit sportsmanship when representing the school at any athletic event. Sportsmanship is defined as abiding by the rules of the contest as defined or accepted by the participating teams . In exhibiting sportsmanship all participants shall:

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

Unsportsmanlike conduct shall include, but not be limited to, the following :

1. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who strikes or physically abuses an official, coach, player, or spectator;
2. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who intentionally incites participants or spectators to violent or abusive action;
2. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who uses obscene gestures or profane or unduly provocative language or action towards officials, coaches, opponents, or spectators;



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4. Any person (athletic department, staff member, student athlete, or a fan or spectator associated with the school district) who engages in harassing verbal or physical conduct which exhibits bias based on any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) ;
5. Any school or athletic staff member who is publicly critical of a game official, opponents, and/or opposing coaches/players;
6. Other conduct judged by the Principal or designee to be unsportsmanlike in character; and
7. Any violation of the rules of the New Jersey State Interscholastic Athletic Association.

Schools are not permitted to conduct pre-meet/game activities of an intimidating nature, e.g., the use of fog machines, the blaring of sirens or loud music/unusual sound effects, strobe/unusual lighting effects, or similar type activities.

Failure to exhibit good sportsmanship may subject the individual to disciplinary action as deemed appropriate by the Board .

NJSIAA General Information Constitution By-laws Rules and Regulations 2023-2024 N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: October 25, 2018
Revised: October 17, 2024



5600 STUDENT DISCIPLINE/CODE OF CONDUCT

The Board of Education adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent will establish a process for the annual review and update of the district's Student Discipline/Code of Conduct Policy and Regulation that may involve a committee of parents, students, and community members that represent, where possible, the composition of the district's school and community. The Superintendent will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy and Regulation.

The Student Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, students, and parents. The Board of Education shall provide to all employees annual training on the Student Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of student conduct that violates the district's Policy and Regulation. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

For students 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), the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).

Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 12.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.



The Board of Education approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students' histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy and Regulation 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

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

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, 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 that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 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:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.



Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. 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 student 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 student and the student's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's Student Discipline/Code of Conduct Policy 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 district's Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and 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, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment, in accordance with N.J.A.C. 6A:16-7.1(d).

Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.



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In accordance with the provisions of N.J.A.C. 6A:16-7.9, when a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student 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) and N.J.A.C. 6A:32-7.5.

The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3.

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: October 25, 2018
Revised: September 19, 2019



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5610 SUSPENSION

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

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

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

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

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



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In accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature that endangers others. Students in preschool shall not receive an out-of-school suspension except as provided pursuant to the “Zero Tolerance for Guns Act,” N.J.S.A. 18A:37-7 et seq.

The district shall implement an early detection and prevention program to identify students in preschool through grade two who are experiencing behavioral or disciplinary problems and provide behavioral supports for these students which may include, but not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

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

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

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

In each instance of a short- or long-term suspension, the district shall provide academic instruction, either in school or out of school, that addresses the New Jersey Student Learning Standards pursuant to N.J.A.C. 6A:8-3.1 et seq., which



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may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be provided within five school days of the suspension. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14.

In the event a student has experienced multiple suspensions or may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school's intervention and referral services team in accordance with the provisions of N.J.S.A. 18A:37-2c.

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

N.J.S.A. 18A:37-1; 18A:37-2 et seq.; 18A:37-4; 18A:37-5
N.J.S.A. 18A:54-20g [vocational districts]
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Adopted: October 25, 2018
Revised: October 18, 2020



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R 5610 SUSPENSION PROCEDURES

A. Short-Term Suspensions

1. In each instance of a short-term suspension, the Principal or designee, shall assure the rights of a student suspended for one, but not more than ten consecutive school days by providing for the following:
 - a. As soon as practicable, oral or written notice of charges to the student.
 - (1) When charges are denied, an explanation of the evidence forming the basis of the charges also shall be provided.
 - b. Prior to the suspension, an informal hearing during which the student is given the opportunity to present his or her version of the events regarding his or her actions leading to the short-term suspension and is provided notice of the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5.
 - (1) The informal hearing shall be conducted by a school administrator or designee;
 - (2) To the extent that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension;
 - (3) The informal hearing should take place even when a school staff member has witnessed the conduct forming the basis of the charge; and



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- (4) The informal hearing and the notice given may take place at the same time.
- c. Oral or written notification to the student's parent of the student's removal from the student's educational program prior to the end of the school day on which the Principal decides to suspend the student. The notification shall include an explanation of:
 - (1) The specific charges;
 - (2) The facts on which the charges are based;
 - (3) The provision(s) of the code of student conduct the student is accused of violating;
 - (4) The student's due process rights, pursuant to N.J.A.C. 6A:16-7.1(c)3 and N.J.A.C. 6A:16-7.2; and
 - (5) The terms and conditions of the suspension.
- d. Appropriate supervision of the student while waiting for the student's parent to remove the student from school during the school day; and
- e. Academic instruction, either in school or out of school, that addresses the New Jersey Student Learning Standards.
 - (1) The student's academic instruction shall be provided within five school days of the suspension.
 - (2) At the completion of a short-term suspension, the Board of Education shall return a general education student to the general education program for which he or she was suspended.
 - (3) The academic instruction provided to a student with a disability shall be provided consistent with N.J.A.C. 6A:14.



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2. The Principal suspending the student shall immediately report the suspension to the Superintendent, who shall report it to the Board of Education at its next regular meeting, pursuant to N.J.S.A. 18A:37-4.
 3. An appeal of the Board's decision affecting the general education student's educational program shall be made to the Commissioner, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
 4. For a student with a disability, the provisions set forth in N.J.A.C. 6A:16-7.2 shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.
- B. Long-Term Suspensions
1. In each instance of a long-term suspension, the Principal or designee shall assure the rights of a student suspended for more than ten consecutive school days by providing the following:
 - a. Notification to the student of the charges prior to the student's removal from school;
 - b. Prior to the suspension, an informal hearing during which the student is given the opportunity to present his or her version of events regarding his or her actions leading to the long-term suspension and is provided notice of the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
 - c. Immediate notification to the student's parent of the student's removal from school;
 - d. Appropriate supervision of the student while waiting for the student's parent to remove the student from school during the school day;
 - e. Written notification to the parent by the Superintendent or designee within two school days of the initiation of the suspension, stating:



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- (1) The specific charges;
 - (2) The facts on which the charges are based;
 - (3) The student's due process rights, pursuant to N.J.A.C. 6A:16-7.1(c)3 and N.J.A.C. 6A:16-7.3; and
 - (4) Further engagement by the student in conduct warranting expulsion, pursuant to N.J.S.A. 18A:37-2, shall amount to a knowing and voluntary waiver of the student's right to a free public education, in the event that a decision to expel the student is made by the Board, pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.4.
 - (a) The Board shall request from the parent and student written acknowledgement of the notification provided pursuant to N.J.A.C. 6A:16-7.3(a)5.iv subsequent to the removal of the student from his or her educational program, pursuant to N.J.A.C. 6A:16-7.3.
- f. A list of witnesses and their statements or affidavits, if any, no later than five days prior to the formal hearing, pursuant to j. below;
 - g. For a student with a disability, a manifestation determination, pursuant to N.J.A.C. 6A:14-2.8 and the Federal regulations;
 - h. Information on the student's right to secure an attorney and legal resources available in the community identified pursuant to N.J.A.C. 6A:16-7.1(c)7;
 - i. Either in- or out-of-school educational services that are comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25, which may include a public education program provided in accordance with N.J.A.C. 6A:16-9 or 10.



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- (1) The student's educational services shall be provided within five school days of the suspension.
 - (2) The Board shall make decisions regarding the appropriate educational program and support services for the suspended general education student based on the New Jersey Student Learning Standards and the following considerations:
 - (a) A behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team, as appropriate;
 - (b) The results of relevant testing, assessments, or evaluations of the student;
 - (c) The student's academic, health, and behavioral records;
 - (d) The recommendation of the Superintendent, Principal, or other relevant school or community resource;
 - (e) Considerations of parental input; or
 - (f) Consultation with the Intervention and Referral Services Team, in accordance with N.J.A.C. 6A:16-8.
 - (3) Educational services provided to a student with a disability shall be provided consistent with N.J.A.C. 6A:14.
- j. A formal hearing before the Board that shall, at a minimum:
- (1) Be conducted by the Board or delegated by the Board to a Board committee, a school administrator, or an impartial hearing officer for the purpose of determining facts or making recommendations.



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- (a) Before taking final action, the Board as a whole shall receive and consider either a transcript or detailed report on the hearing.
 - (2) Include the opportunity for the student to:
 - (a) Confront and cross-examine witnesses, if there is a question of fact; and
 - (b) Present his or her own defense, and produce oral testimony or written supporting affidavits.
 - (3) Take place no later than thirty calendar days following the day the student is suspended from the general education program; and
 - (4) Result in the Board's decision that shall be based, at a minimum, on the preponderance of competent and credible evidence.
- k. A written statement to the student's parent regarding the Board's decision within five school days after the close of the hearing. The statement shall include at a minimum:
- (1) The charges considered;
 - (2) A summary of the documentary or testimonial evidence from both the student and the administration that was brought before the Board at the hearing;
 - (3) Factual findings relative to each charge and the Board's determination of each charge;
 - (4) Identification of the educational services to be provided to the student, pursuant to i. above;
 - (5) The terms and conditions of the suspension; and



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- (6) The right to appeal to the Commissioner of Education the Board's decision regarding the student's general education program, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
 - l. If at any time it is found that the student did not commit the offense, the student shall be immediately returned to the program from which he or she was removed; and
 - m. At the completion of a long-term suspension, the Board shall return the general education student to the general education program.
2. An appeal of the Board's decision regarding the general education student's program shall be made to the Commissioner of Education, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
3. Suspension of a general education student shall not be continued beyond the Board's second regularly scheduled meeting following the suspension, unless the Board so determines, pursuant to N.J.S.A. 18A:37-5.
 - a. The Board shall determine whether to continue the suspension, pursuant to B.1. above, based on the following criteria:
 - (1) The nature and severity of the offense;
 - (2) The Board's removal decision;
 - (3) The results of relevant testing, assessments, or evaluations of the student; and
 - (4) The recommendation of the Superintendent, after considering input from the Principal or Director of the alternative education program or home or other in-school or out-of-school instruction program in which the student has been placed.



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- b. The Board shall develop and adopt policies and procedures providing for action on the continuation of student suspensions in the event of cancellation of the first or second regular Board meeting pursuant to N.J.S.A. 18A:37-4 and 5. In this unlikely event,
4. When the Board votes to continue a general education student's suspension, it shall review the case, in consultation with the Superintendent, at each subsequent Board meeting for the purpose of determining:
 - a. The status of the student's suspension;
 - b. The appropriateness of the suspended student's current educational program; and
 - c. Whether the suspended student's current placement, pursuant to i. above, should continue or whether the student should return to the general education program.
5. When the Board votes to continue a general education student's suspension, it shall make, in consultation with the Superintendent, the final determination on:
 - a. When the student is prepared to return to the general education program;
 - b. Whether the student will remain in an alternative education program or receive home or other in-school or out-of-school instruction, based on the criteria set forth in B.3.a.(1) through (4) above; or
 - c. Whether to initiate expulsion proceedings in accordance with N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4, and Policy 5620.
6. The Board shall provide a general education student suspended under N.J.A.C. 6A:16-7.3 with an appropriate educational program or services, based on the criteria set forth under B.1.i.(2) above,



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until the student graduates from high school or reaches the age of twenty, whichever comes first.

- a. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and 6A:14-2 and 4.3, whichever is applicable; or
- b. The educational services provided, either in-school or out-of-school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.

7. For a student with a disability who receives a long-term suspension, the Board shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the student's educational placement to an interim or alternate educational setting.

- a. All procedural protections set forth in N.J.A.C. 6A:14 and N.J.A.C. 6A:16-7.3 shall be afforded to a student with a disability who is subjected to a long-term suspension.
- b. All decisions concerning the student's educational program or placement shall be made by the student's Individualized Education Program team.
- c. The provisions of B.2. through B.6. above shall not apply to students with disabilities.

C. Meeting with Student - Multiple Suspensions or Possible Expulsion

1. In accordance with the provisions of N.J.S.A. 18A:37-2c, in the event a student has experienced multiple suspensions or may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school's intervention and referral services team.



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- a. The Principal may convene such a meeting, if after the student has been suspended for the first time, the Principal upon evaluation deems such a meeting appropriate.
 - b. The purpose of the meeting shall be to identify any behavior or health difficulties experienced by the student and, where appropriate, to provide supportive interventions or referrals to school or community resources that may assist the student in addressing the identified difficulties.
2. The requirements of C.1. above shall not apply when a student's immediate removal or suspension from the school's regular education program is required pursuant to:
 - a. The provisions of the "Zero Tolerance for Guns Act," (N.J.S.A. 18A:37-7 et seq.);
 - b. N.J.S.A. 18A:37-2.1 – Assault by Pupil Upon Teacher, etc.; Suspension; Expulsion Proceedings;
 - c. N.J.S.A. 18A:37-2.2 – Offense by Pupil Involving Assault, Removal from Schools Regular Education Program; or
 - d. In any other instance in which the safety and security of other students or school staff requires the student's immediate removal from school.
3. In the instances provided in C.2.a. through d. above, the meeting required in C.1. above shall take place as soon as practicable following the student's removal from the school's regular education program.
4. The provisions of N.J.S.A. 18A:37-2c and C. of this Regulation shall be construed in a manner consistent with the "Individuals with Disabilities Act," 20 U.S.C. § 1400 et seq.

Adopted: October 25, 2018
Revised: October 18, 2020



5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES

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

Policy and Regulation 5611 shall apply to a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds, convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, or found knowingly in possession of a firearm on school grounds. A student, other than a student with a disability, convicted or adjudicated delinquent for these firearm offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9.1 et seq. The Superintendent may modify on a case-by-case basis the removal of a general education student in accordance with N.J.A.C. 6A:16-5.5(b)1. A student with a disability convicted or adjudicated delinquent for these firearm offenses shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

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

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

The Superintendent shall make the final determination on whether the general education student removed in accordance with the requirements of N.J.A.C. 6A:16-5.5 and this Policy is prepared to return to the general education program or will remain in an alternative education program, pursuant to N.J.A.C. 6A:16-9.1 et seq., or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10 based on the criteria outlined in N.J.A.C. 6A:16-5.5(i).

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



POLICY

WEYMOUTH TOWNSHIP BOARD OF EDUCATION

STUDENTS

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Removal of Students for Firearms Offenses

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.5 utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3(d)1.

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

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

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.5; 6A:16-6.1 et seq.; 6A:16-7.1 et seq.;
6A:16-8.1 et seq.; 6A:16-9.1 et seq.; 6A:16-10.2

Adopted: October 25, 2018
Revised: September 19, 2019



5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES

Any student 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 teacher, administrator, other school district employee, or Board member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, shall be immediately removed from school pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7.

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

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

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

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



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WEYMOUTH TOWNSHIP BOARD OF EDUCATION

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Assaults on District Board of Education
Members or Employees

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

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

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

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

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

Adopted: October 25, 2018
Revised: September 19, 2019



5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

The Board of Education is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Education will implement policies and procedures regarding a student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5.

A student, other than a student with a disability, who commits an assault as defined above shall be immediately removed from the school's general education program for a period not exceeding one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9.1 et seq. The Superintendent may modify on a case-by-case basis the removal of a general education student in accordance with N.J.A.C. 6A:16-5.6(b)1. A student with a disability who commits an assault as defined above shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Principal or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.6(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these offense(s), the student shall be immediately returned to the program for which he or she was removed.

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10.2, until placement is available.

The Superintendent shall make the final determination on whether the general education student removed, in accordance with the requirements of N.J.A.C. 6A:16-5.6 and this Policy, is prepared to return to the general education program or will remain in an alternative education program or receive home or other out-of-school instruction based on the criteria outlined in N.J.A.C. 6A:16-5.6(i).



Removal of Students for Assaults with Weapons Offenses

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident and the circumstance surrounding the removal of students pursuant to N.J.A.C. 6A:16-5.6 utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3(e)1.

This Policy and Regulation 5613, implementing the requirements of N.J.A.C. 6A:16-5.6, shall be annually disseminated to all school staff, students, and parents.

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

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.6; 6A:16-6.1 et seq.; 6A:16-7.1 et seq.;
6A:16-8.1 et seq.; 6A:16-9.1 et seq.; 6A:16-10.2

Adopted: October 25, 2018
Revised: September 19, 2019



5615 SUSPECTED GANG ACTIVITY

Students that initiate, advocate, or promote unacceptable activities or conduct, 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. This unacceptable conduct, including but not limited to, physical or verbal harassing, intimidating, or bullying conduct; unlawful use of force; threats; violence; or other violations of the school district's student code of conduct by a student or group of students directed toward any school staff member or any other student or group of students anywhere on school grounds, at any school related or sponsored activity, on school buses, at school bus stops, and any other place where students are supervised by school district staff will not be tolerated.

In the event the Principal or designee believes any unacceptable activities or 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 students representing a "criminal street gang" (hereinafter referred to as a "gang") as defined in N.J.S.A. 2C:33-29.

In accordance with N.J.S.A. 2C:33-29, "criminal street gang" means three or more persons associated in fact. Individuals are associated in fact if: (1) two of the following seven criteria that indicate criminal street gang membership apply: (a) self-proclamation; (b) witness testimony or official statement; (c) written or electronic correspondence; (d) paraphernalia or photographs; (e) tattoos; (f) clothing or colors; (g) any other indicia of street gang activity; and (2) individually or in combination with other members of a criminal street gang, while engaging in gang-related activity, have committed or conspired or attempted to commit, within the preceding five years from the date of the present offense, excluding any period of imprisonment, one or more offenses on separate occasions of robbery, carjacking, aggravated assault, assault, aggravated sexual assault, sexual assault, arson, burglary, kidnapping, extortion, tampering with witnesses and informants or a violation of Chapter 11, Section 3, 4, 5, 6, or 7 of Chapter 35, or Chapter 39 of Title 2C of the New Jersey Statutes.

If it is determined unacceptable activities or conduct was committed by students representing a gang or by students that may be representing a gang, the Principal or designee will assign appropriate disciplinary action and will notify the parent of the victim(s) and the offender(s). The Principal or designee will also inform the Superintendent and local law enforcement.



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

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

The Superintendent, Assistant Superintendent, Principal, or other administrator employed by the school district shall attend a gang education seminar program pursuant to N.J.S.A. 52:17B-4.7 within the first year of initial employment as an administrator in the district. The Superintendent, Assistant Superintendent, Principal, or other administrator shall be exempt from this requirement if the administrator has successfully completed a gang education seminar conducted by a public school district which is substantially equivalent to the seminar required pursuant to N.J.S.A. 52:17B-4.7. Other 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.

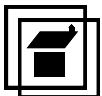
Nothing in this Policy shall supersede or negate any existing New Jersey law or Board Policy regarding student discipline and/or the school district's student code of conduct. This Policy shall be made available to school staff, students, and parents.

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

N.J.S.A. 2C:33-29

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

Adopted: 25 October 2018



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5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a student.

The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the Board has provided the following:

1. The procedural due process rights set forth in N.J.A.C. 6A:16-7.1(c) 3 and 7.3, 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
2. An appropriate educational program or service, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610.
 - a. The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 - Program Criteria; N.J.A.C. 6A:16-10.2 - Home or Out-of-School Instruction for General Education Students; N.J.A.C. 6A:14-2.1 et seq. - Special Education, Procedural Safeguards; and N.J.A.C. 6A:14-4.3 Special Education, Program Options, whichever are applicable; or
 - b. The educational services provided, either in school or out-of-school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25.

An appeal of the Board's decision regarding the cessation of the student'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 service in accordance with N.J.A.C. 6A:16-7.4(a)2 until a final determination has been made on the appeal of the Board's action to expel a student.



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Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not be expelled from school, except as provided pursuant to the “Zero Tolerance for Guns Act,” N.J.S.A. 18A:37-7 et seq. Students in preschool shall not be expelled, except as provided pursuant to the “Zero Tolerance for Guns Act,” N.J.S.A. 18A:37-7 et seq.

The district shall implement an early detection and prevention program to: identify students in preschool through grade two who are experiencing behavioral or disciplinary problems; and provide behavioral supports for these students which may include, but not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

In accordance with the provisions of N.J.S.A. 18A:37-2c, in the event a student may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school’s intervention and referral services team. The purpose of the meeting shall be to identify any behavior or health difficulties experienced by the student and, where appropriate, to provide supportive interventions or referrals to school or community resources that may assist the student in addressing the identified difficulties.

The requirements of N.J.S.A. 18A:37-2c shall not apply when a student’s immediate removal or suspension from the school’s regular education program is required pursuant to: the provisions of the “Zero Tolerance for Guns Act,” (N.J.S.A. 18A:37-7 et seq.); N.J.S.A. 18A:37-2.1 – Assault by Pupil Upon Teacher, etc; Suspension; Expulsion Proceedings; N.J.S.A. 18A:37-2.2 – Offense by Pupil Involving Assault, Removal from Schools Regular Education Program; or in any other instance in which the safety and security of other students or school staff requires the student’s immediate removal from school. In these instances, the meeting required pursuant to N.J.S.A. 18A:37-2c shall take place as soon as practicable following the student’s removal from the school’s regular education program.



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Expulsion

The provisions of N.J.S.A. 18A:37-2c shall be construed in a manner consistent with the “Individuals with Disabilities Act,” 20 U.S.C. § 1400 et seq.

A student with a disability shall only be expelled from his or her current program in accordance with N.J.A.C. 6A:14 et seq. An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14 et seq.

N.J.S.A. 18A:36A-9; 18A:37-2 et seq.
N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: October 25, 2018
Revised: October 18, 2020



5700 STUDENT RIGHTS

The Board of Education recognizes that students possess both the right to a free public education and the rights of citizenship. In granting students the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to students' ages and maturity. At the same time, the Board will respect the right of each student 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 student 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.

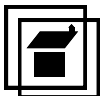
As students differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the student and the student's need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

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

N.J.S.A. 9:17B-1

N.J.S.A. 18A:36-20

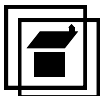
Adopted: 25 October 2018



5701 PLAGIARISM

- A. Students 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 students' papers, exchanging information with other students 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 student 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 student has been academically dishonest in his/her class should resolve the matter in the following manner:
 - 1. Reprimand the student 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 student 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 Superintendent.
 - 3. The Superintendent will determine if further discipline of the student is appropriate, and will determine the nature of the discipline on a case-by-case basis.
 - 4. If the student is not in agreement with the disciplinary action of the Superintendent, he/she may grieve the action in accordance with Policy No. 5710, Student Grievance.

Adopted: 25 October 2018



5710 STUDENT GRIEVANCE

The Board of Education believes that students are citizens who possess the right to request redress of grievances and that students 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 students will be heard.

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

A student grievance will be heard in the following manner:

1. A student 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 student sets forth the specific nature of the grievance, the facts that gave rise to it, the relief sought, and the reasons why that relief is appropriate;
3. The written grievance may be submitted to the Building Principal, the Superintendent, and the Board of Education, in that order and within a suitable period of time 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 student 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 student will be informed of the right to appeal a decision of the Board to the Commissioner of Education.

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

Adopted: 25 October 2018



5721 INDEPENDENT PUBLICATIONS

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

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

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

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

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

Adopted: 25 October 2018



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Equitable Educational Opportunity
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5750 EQUITABLE EDUCATIONAL OPPORTUNITY

The Board of Education will ensure all students enrolled in the schools of this district shall be afforded an equitable educational opportunity in strict accordance with law. No student 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 any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) . The Board shall assure that all students are free from harassment, sexual or otherwise.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the schools and classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will promote mutual acceptance and respect among students and enable students to interact effectively with others, regardless of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) :

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; and
8. Testing and other assessments.



POLICY GUIDE

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Equitable Educational Opportunity

Affirmative action shall be taken to ensure that students are protected from the effects of discrimination, in accordance with Policy 2260. Students who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation 5750 to report and/or 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 students. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a student 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 et seq.

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 ; 6A:7-1.3; 6A:14-1.2

Adopted: October 25, 2018

Revised: October 17, 2024



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Sexual Harassment of Students

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5751 SEXUAL HARASSMENT OF STUDENTS

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. Sexual harassment of students is a form of prohibited sex discrimination. In accordance with Title IX of the Education Amendments of 1972 and the Code of Federal Regulations (CFR), 34 CFR §106, the school district adopts this Policy and implement practices to investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students, or third parties pursuant to 34 CFR §106.3(c). In addition, reports of sexual harassment shall also be investigated in accordance with the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

For the purposes of Policy 5751 and in accordance with 34 CFR §106:

1. "Sexual harassment" (34 CFR §106.30(a)) means conduct on the basis of sex that satisfies one or more of the following:
 - a. An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct;
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the school district's education program or activity; or
 - c. "Sexual assault" as defined in 20 U.S.C. §1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. §12291(a)(10), "domestic violence" as defined in 34 U.S.C. §12291(a)(8), or "stalking" as defined in 34 U.S.C. §12291(a)(30).

Sexual harassment may take place electronically or on an online platform used by the school, including, but not limited to, computer and internet networks; digital platforms; and computer hardware or software owned or operated by, or used in the operations of the school.

In accordance with 34 CFR §106.8(a), any person may report sex discrimination, including sexual harassment using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.



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Sexual Harassment of Students

A school district with “actual knowledge” of sexual harassment in the educational program or activity of the school district against a student, must respond promptly in a manner that is not “deliberately indifferent”.

Any school employee who receives a complaint of sexual harassment or is aware of behavior that could constitute sexual harassment is required to report that information to the Title IX Coordinator in accordance with the provisions of 34 CFR §106.8(a) and B.1. of Regulation 5751. The district must report any potential child abuse in accordance with N.J.S.A. 18A:36-24; N.J.S.A. 18A:36-25; N.J.A.C. 6A:16-11.1; and Policy and Regulation 8462.

The Title IX Coordinator shall notify persons entitled to a notification pursuant to 34 CFR §106.8(a)(1) that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and Policy and Regulation 5751 not to discriminate in such a manner in accordance with 34 CFR §106.8(b)(1).

The Title IX Coordinator shall prominently display the contact information required to be listed for the Title IX Coordinator pursuant to 34 CFR §106.8(b)(2)(i) on the school district’s website and in each handbook or catalog the school district makes available to persons entitled to a notification in accordance with 34 CFR §106.8(a). Policy and Regulation 5751 shall be prominently displayed on the district’s website and accessible to anyone.

Supportive measures shall be available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals.

The school district shall use the grievance process outlined in 34 CFR §106.45 and Regulation 5751 to address formal complaints of sexual harassment. The school district shall offer both parties an appeal process as outlined in 34 CFR §106.45 and Regulation 5751 from a determination regarding responsibility for sexual harassment and from the Title IX Coordinator’s dismissal of a formal complaint or any allegations of sexual harassment.

The Title IX Coordinator shall be responsible for effective implementation of any remedies in accordance with 34 CFR §106.45(b)(7)(iv). The appropriate school official designated by the Superintendent, after consultation with the Title IX Coordinator, will determine sanctions imposed and remedies provided, if any.



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Sexual Harassment of Students

Consistent with the laws of New Jersey a student's parent must be permitted to exercise the rights granted to their child under this Policy, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process.

The Superintendent or designee shall ensure that Title IX Coordinators, investigators, decision-makers, appeal officer, and any person who facilitates an informal resolution process, receive training in accordance with 34 CFR §106.45(b)(1)(iii).

The school district or any employee of the school district shall not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or Policy 5751, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy, in accordance with 34 CFR §106.71(a).

For each school district response to sexual harassment required under 34 CFR §106.44, the school district shall create and maintain for a period of seven years, records in accordance with 34 CFR §106.45(b)(10).

The Superintendent or designee shall consult with the Board Attorney to ensure the school district's response to allegations of sexual harassment and the school district's grievance process are in accordance with 34 CFR §106.44 and 34 CFR §106.45.

Any time a report is made to the Title IX Coordinator or formal complaint is filed pursuant to this Policy and in accordance with 34 CFR §106, the Title IX Coordinator shall forward the report or complaint to the Principal of the school building attended by the alleged victim for the Principal to follow the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

34 CFR §106

United States Department of Education, Office for Civil Rights – Questions and Answers on the Title IX Regulations on Sexual Harassment (July 20, 2021)

Adopted: October 25, 2018

Revised: November 18, 2021



R 5751 SEXUAL HARASSMENT OF STUDENTS

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. The school district shall investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students, or third parties pursuant to 34 CFR §106.3(c) and Policy and Regulation 5751. In addition, reports of sexual harassment shall also be investigated in accordance with the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

A. Definitions

1. For the purpose of Policy and Regulation 5751 and in accordance with 34 CFR §106:
 - a. "Sexual harassment" (34 CFR §106.30(a)) means conduct on the basis of sex that satisfies one or more of the following:
 - (1) An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct;
 - (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the school district's education program or activity; or
 - (3) "Sexual assault" as defined in 20 U.S.C. §1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. §12291(a)(10), "domestic violence" as defined in 34 U.S.C. §12291(a)(8), or "stalking" as defined in 34 U.S.C. §12291(a)(30).



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- b. “Complainant” (34 CFR §106.30(a)) means a student currently enrolled who is alleged to be the Complainant of conduct that could constitute sexual harassment.
 - (1) A parent may act on behalf of the Complainant in accordance with State law, court orders, child custody arrangements, or other sources granting legal rights to parents.
 - (2) A parent has a legal right to act on a Complainant’s behalf, this right applies throughout all aspects of the Title IX matter, including throughout the grievance process.
- c. “Decision-maker” (34 CFR §106.45(b)(7)) means a staff member(s) who is not the Title IX Coordinator or the school staff member who conducted the investigation, designated by the Superintendent of Schools, to objectively evaluate the relative evidence and reach conclusions about whether the Respondent is responsible for the alleged sexual harassment in accordance with the provisions of 34 CFR. §106.
- d. “Education program or activity” (34 CFR §106.44(a)) includes locations, events, or circumstances over which the school district exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.
- e. “Formal complaint” (34 CFR §106.30(a)) means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the school district investigate the allegation of sexual harassment. As used in this definition paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the school district) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.



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- f. “Investigator” (34 CFR §106.45(b)(5)) means a staff member or staff members who may be the Title IX Coordinator and who is not a decision-maker, designated by the Superintendent of Schools, to investigate alleged sexual harassment in accordance with 34 CFR §106. The investigator may be the school district’s Affirmative Action Officer only if the Affirmative Action Officer is not the decision-maker.
- g. “Program or activity” and “program” (34 CFR §106.2(h)(2)(ii)) means all of the operations of a local educational agency (as defined in 20 U.S.C. §8801), system of vocational education, or other school system.
- h. “Respondent” (34 CFR §106.30(a)) means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
 - (1) A parent may act on behalf of the Respondent in accordance with State law, court orders, child custody arrangements, or other sources granting legal rights to parents.
 - (2) If a parent has a legal right to act on a Respondent’s behalf, this right applies throughout all aspects of the Title IX matter, including throughout the grievance process.
- i. “Title IX Coordinator” (34 CFR §106.8(a)) means an individual designated and approved by the Board to coordinate its efforts to comply with its responsibilities under 34 CFR §106 and this Policy. The individual must be referred to as the “Title IX Coordinator” and may also be the investigator but cannot be the decision-maker.

B. Reporting and Notification Requirements

- 1. Sexual harassment may take place electronically or on an online platform used by the school, including, but not limited to, computer and internet networks; digital platforms; and computer hardware or software owned or operated by, or used in the operations of the school.



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Sexual Harassment of Students

2. In accordance with 34 CFR §106.8(a), any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
 - a. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.
3. A school district with "actual knowledge" of sexual harassment in the educational program or activity of the school district against a student, must respond promptly in a manner that is not "deliberately indifferent".
 - a. The school district has "actual knowledge" when an employee receives a complaint of sexual harassment or an employee is aware of behavior that could constitute sexual harassment.
 - (1) Any school employee who receives a complaint of sexual harassment or is aware of behavior that could constitute sexual harassment is required to report that information to the Title IX Coordinator in accordance with the provisions of B.1. above.
 - (2) In addition to the district's response in accordance with this Regulation, the district must report any potential child abuse to appropriate law enforcement and child welfare authorities in accordance with N.J.S.A. 18A:36-24; N.J.S.A. 18A:36-25; N.J.A.C. 6A:16-11.1; and Policy and Regulation 8462.
 - b. A school district is "deliberately indifferent" only if the response to sexual harassment is clearly unreasonable in light of the known circumstances, pursuant to 34 CFR §106.44(a).



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4. The district is required to offer supportive measures to the Complainant even if the Respondent ceased being enrolled or employed by the district prior to the filing of a formal complaint.
 - a. If the Respondent ceases to be enrolled in or employed by the district after a formal complaint is filed, the district may dismiss the complaint, but must still offer supportive measures to the Complainant pursuant to 34 CFR §106.45(b)(3)(ii).
 5. The Title IX Coordinator shall notify persons entitled to a notification pursuant to 34 CFR §106.8(a) that the school district does not discriminate on the basis of sex in the education program or activity it operates and it is required by Title IX and Policy and Regulation 5751 not to discriminate in such a manner in accordance with 34 CFR §106.8(b)(1).
 6. The Title IX Coordinator shall prominently display the contact information required to be listed for the Title IX Coordinator pursuant to 34 CFR §106.8(b)(2)(i) on the school district's website and in each handbook or catalog the school district makes available to persons entitled to a notification in accordance with 34 CFR §106.8(a).
 - a. This Policy shall be prominently displayed on the district's website and accessible to anyone.
- C. Supportive Measures
1. "Supportive measures" mean non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed pursuant to 34 CFR §106.30(a).
 2. Supportive measures shall be available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals.



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3. The Title IX Coordinator shall maintain consistent contact with the parties to ensure that safety, emotional and physical well-being are being addressed.
 4. Generally, supportive measures are meant to be short-term in nature and will be re-evaluated on a periodic basis.
 - a. To the extent there is a continuing need for supportive measures after the conclusion of the resolution process, the Title IX Coordinator will work with appropriate school district resources to provide continued assistance to the parties.
- D. Grievance Process
1. The school district will use the grievance process outlined in 34 CFR §106.45 and this Regulation to address formal complaints of sexual harassment.
 2. Parents, students, unions and associations, and staff members shall receive notice of the grievance procedures and the Title IX Coordinator's name or title, office, address, email address, and telephone number in accordance with 34 CFR §106.8(a).
 3. The school district's grievance process may, but need not, provide for a hearing pursuant to 34 CFR §106.45(b)(6)(ii).
 4. The school district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with 34 CFR §106.45(b)(9).
 5. The school district may not require the parties to participate in an informal resolution process regarding a Title IX claim and may not offer an informal resolution process unless a formal complaint is filed pursuant to 34 CFR §106.45(b)(9).



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6. The Title IX Coordinator must promptly contact the Complainant in accordance with 34 CFR §106.44(a).
7. In response to a formal complaint, the school district will follow a grievance process that complies with 34 CFR §106.45.
 - a. Upon receipt of a formal complaint, the Title IX Coordinator shall provide written notice to the parties who are known in accordance with 34 CFR §106.45(b)(2)(i).
 - b. The Title IX Coordinator shall provide the investigator with a copy of the formal complaint if the Title IX Coordinator is not the investigator.
 - c. The investigator shall investigate the allegations contained in a formal complaint pursuant to 34 CFR §106.45(b).
8. The investigator shall create an investigative report in accordance with the provisions of 34 CFR §106.45(b)(5)(vii).
 - a. The investigator will attempt to collect all relevant information and evidence.
 - b. While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.
 - c. While all evidence gathered during the investigative process and obtained through the exchange of written questions will be considered, the decision-maker may in their discretion grant lesser weight to last minute information or evidence introduced through the exchange of written questions that was not previously presented for investigation by the investigator.
 - d. To the greatest extent possible, and subject to Title IX, the school will make reasonable accommodations in an investigation to avoid potential re-traumatization of a student.



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- e. The investigative report shall be provided to the decision-maker in accordance with the provisions of 34 CFR §106.45(b)(6)(ii).
- 9. The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility pursuant to 34 CFR §106.45(b)(7).

- a. To reach this determination, the decision-maker will apply

[Select One Option Below

- ___ the preponderance of the evidence standard,
- ___ clear and convincing evidence standard,]

which shall be the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment pursuant to 34 CFR §106.45(b)(1)(vii).

- b. The decision-maker will facilitate a written question and answer period between the parties.
 - (1) Each party may submit their written questions for the other party and witnesses to the decision-maker for review.
 - (2) The questions must be relevant to the case and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response.
 - (3) The decision-maker shall then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the Respondent is responsible for the alleged sexual harassment.



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- (4) The decision-maker will issue a written determination following the review of evidence. The written determination will include:
 - (a) Identification of allegations potentially constituting sexual harassment as defined in Policy and Regulation 5751 and 34 CFR §106.30;
 - (b) A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
 - (c) Findings of fact supporting the determination, conclusions regarding the application of this formal grievance process to the facts; and
 - (d) A statement of and rationale for the result as to each allegation, including any determination regarding responsibility, any disciplinary sanctions the decision-maker imposed on the Respondent that directly relate to the Complainant, and whether remedies designed to restore or preserve equal access to the school's education program or activity will be provided to the Complainant; and procedures and permissible bases for the parties to appeal the determination.
- (5) The written determination will be provided to the parties simultaneously.



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- (6) Notwithstanding a temporary delay of the grievance procedure or the limited extension of the grievance procedure time frames with good cause, the written determination shall be provided within sixty calendar days from receipt of the Complaint.
 - (a) The sixty calendar day time frame does not include the appeal process.
- (7) Remedies and supportive measures that do not impact the Respondent should not be disclosed in the written determination; rather the determination should simply state that remedies will be provided to the Complainant.

E. Appeals

- 1. The school district will offer both parties an appeal from a determination regarding responsibility, and from the Title IX Coordinator's dismissal of a formal complaint or any allegations therein in accordance with 34 CFR §106.45(b)(8)(i).
- 2. As to all appeals, the school district will comply with the requirements of 34 CFR §106.45(b)(8).
- 3. The Superintendent shall designate an appeal officer for each appeal filed.
 - a. The appeal officer shall not be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator in accordance with 34 CFR §106.45(b)(8)(iii)(B).
- 4. The Complainant and Respondent shall have an equal opportunity to appeal the policy violation determination and any sanctions.
- 5. The school district shall administer the appeal process, but is not a party and will not advocate for or against any appeal.



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6. A party may appeal only on the following grounds and the appeal shall identify the reason(s) why the party is appealing:
 - a. There was a procedural error in the hearing process that materially affected the outcome;
 - (1) Procedural error refers to alleged deviations from school district policy, and not challenges to policies or procedures themselves;
 - b. There is new evidence that was not reasonably available at the time of the hearing and that could have affected the outcome;
 - c. The decision-maker had a conflict of interest or bias that affected the outcome;
 - d. The determination regarding the policy violation was unreasonable based on the evidence before the decision-maker;
 - (1) Appealing on this basis is available only to a party who participated in the hearing; and
 - e. The sanctions were disproportionate to the hearing officer's findings.
7. The appeal must be submitted in writing to the Title IX Coordinator within ten calendar days following the issuance of the notice of determination.
8. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal.
9. The Title IX Coordinator shall notify the other party of the appeal, and that other party shall have an opportunity to submit a written statement in response to the appeal, within ten calendar days.



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10. The Title IX Coordinator shall inform the parties that they have an opportunity to meet with the appeal officer separately to discuss the proportionality of the sanction.
11. The appeal officer shall decide the appeal considering the evidence presented at the hearing, the investigation file, and the appeal statements of both parties.
12. In disproportionate sanction appeals, input the parties provided during the meeting may also be considered.
13. The appeal officer shall summarize their decision in a written report that will be sent to the Complainant and Respondent within twenty calendar days of receiving the appeal.

F. Remedies

1. The Title IX Coordinator shall be responsible for effective implementation of any remedies in accordance with 34 CFR §106.45(b)(7)(iv).
2. Following receipt of the written determination from the decision-maker, the Title IX Coordinator will facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.
3. The appropriate school official designated by the Superintendent, after consultation with the Title IX Coordinator, will determine the sanctions imposed and remedies provided, if any.
 - a. The imposition of sanctions or provisions of remedies will be revisited by the Title IX Coordinator following the appeal officer's decision, as appropriate.
4. The Title IX Coordinator must provide written notice to the parties simultaneously.
5. The school district must disclose to the Complainant the sanctions imposed on the Respondent that directly relate to the Complainant when such disclosure is necessary to ensure equal access to the school district's education program or activity.



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6. It is important to note that conduct that does not meet the criteria under Title IX may violate other Federal or State laws or school district policies regarding student misconduct or may be inappropriate and require an immediate response in the form of supportive measures and remedies to prevent its recurrence and address its effects.

G. Parent Rights

1. Consistent with the laws of New Jersey, a student's parent must be permitted to exercise the rights granted to their child under Policy and Regulation 5751, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process.
2. A student's parent must also be permitted to accompany the student to meetings, interviews, and hearings, if applicable, during a grievance process in order to exercise rights on behalf of the student.
3. The student may have an advisor in addition to the parent.

H. Training

The Superintendent or designee shall ensure that Title IX Coordinators, investigators, decision-makers, appeal officers, and any person who facilitates an informal resolution process, receive training in accordance with 34 CFR §106.45(b)(1)(iii).

I. Compliance

The Superintendent or designee shall consult with the Board Attorney to ensure the school district's response to any allegations of sexual harassment and the school district's grievance process are in accordance with 34 CFR §106.44 and 34 CFR §106.45.



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J. Requirements of New Jersey's Anti-Bullying Bill of Rights Act

Any time a report is made to the Title IX Coordinator or formal complaint is filed pursuant to Policy and Regulation 5751 and in accordance with 34 CFR §106, the Title IX Coordinator shall forward the report or complaint to the Principal of the school building attended by the alleged victim for the Principal to follow the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

Adopted:



5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

Equity In Student 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, gender, gender identity or expression, socioeconomic status, or disability.

The school district administration will ensure: that all students will have equal and barrier-free access to all school and classroom facilities, that minority and female students are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male students are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all students and that all limited English-proficient students and students 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 students 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, gender, gender identity or expression, socioeconomic 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 students to ensure that the racial/national origin composition of the school's enrollment reflects the composition of the districtwide 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, gender, gender identity or expression, socioeconomic status, or disability.

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



Equity in Guidance Programs and Support Services

The school district will ensure the guidance program and support services provide access to adequate and appropriate counseling services for all students, including, but not limited to, minority students, limited English-proficient students, non-college bound students, and students with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all students.

Equity in Physical Education Training

All school district physical education programs will be co-educational with any exceptions to be in accordance with Federal and State laws and regulations.

Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male students to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will 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 student or their parent may appeal school practices involving equity through the procedure established in Regulation 5750.

N.J.A.C. 6:4-1 et seq.

Title IX of the Education Amendments of 1972

N.J.A.C. 6A:7-1.1 et seq.

Adopted: 25 October 2018



5756 TRANSGENDER STUDENTS

The Board of Education is committed to providing a safe, supportive, and inclusive learning environment for all students. The New Jersey Law Against Discrimination (NJLAD), N.J.S.A. 10:5-12(11)(f), generally makes it unlawful for schools to subject individuals to differential treatment based on gender identity or expression. Title IX of the Education Amendments of 1972 ("Title IX") specifically prohibits discrimination on the basis of sex in Federally-funded education programs and activities [20 U.S.C. § 1681(a)].

N.J.S.A. 18A:36-41 directs the Commissioner of Education to establish guidelines outlined in this Policy to provide direction for schools in addressing common issues concerning the needs of transgender students, and to assist schools in establishing policies and procedures that ensure a supportive and nondiscriminatory environment for transgender students.

Definitions/Terms

A safe and supportive environment within a school begins with understanding and respect. The Board believes students, teachers, and administrators should be provided with common terminology associated with gender identity. The terms listed below are commonly used by advocacy and human rights groups, however students may prefer other terms to describe their gender identity, appearance, or behavior. It is recommended school personnel discuss with the student the terminology and pronouns each student has chosen.

"Gender identity" means a person's internal, deeply held sense of gender. All people have a gender identity, not just transgender people. For transgender people, the individual's internal gender identity is not the same as the gender assigned at birth.

"Gender expression" means external manifestations of gender, expressed through a person's name, pronouns, clothing, haircut, behavior, voice, and/or body characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine or feminine changes over time and varies by culture.

"Assigned sex at birth (ASAB)" refers to the biological sex designation recorded on a person's birth certificate upon the initial issuance of that certificate, should such a record be provided at birth.

"Gender assigned at birth" refers to the gender a child is assigned at birth or assumed to be, based on their biological sex assigned at birth.



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Transgender Students

“Sexual orientation” describes a person’s enduring physical, romantic, and/or emotional attraction to another person. Gender identity and sexual orientation are not the same. A transgender person may be straight, lesbian, gay, bisexual, or asexual. For example, a person who transitions from male to female and is attracted solely to men may identify as a straight woman.

“Transgender” is a term for an individual whose gender identity and/or gender expression differs from those typically associated with the sex and gender assigned at birth.

“Transition” is the process by which a transgender person recognizes that their authentic gender identity is not the same as the gender assigned at birth, and develops a more affirming gender expression that feels authentic. Some individuals socially transition, for example, through dress, use of names and/or pronouns. Some individuals may undergo physical transition, which might include hormone treatments and surgery. School district personnel should avoid the phrase “sex change,” as it is an inaccurate description of the transition process; the process is more accurately described as “gender-confirming.”

“LGBTQ” is an acronym for “lesbian, gay, bisexual, transgender, and queer/questioning.”

“Gender nonconforming” describes a person whose gender expression does not conform to the gender expectations of their family or community. Gender nonconformity is not necessarily an indication that a youth is transgender; many non-transgender youth do not conform to stereotypical expectations.

“Gender expansive, Gender diverse, Gender fluid, Gender non-binary, A gender, Gender queer” are terms that convey a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. For example, students who identify as gender queer or gender fluid might not identify as boys or girls; for these students, the non-binary gender identity functions as the student’s gender identity.

“Cisgender” refers to individuals whose gender identity, expression, or behavior conforms with those typically associated with their sex assigned at birth.

Student-Centered Approach

The school district shall accept a student’s asserted gender identity; parental consent is not required. A student need not meet any threshold diagnosis or treatment requirements to have his or her gender identity recognized and respected by the school district, school, or school staff members. In addition, a legal or court-ordered name change is not required. There is no affirmative duty for any school district staff member to notify a student’s parent of the student’s gender identity or expression.



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Transgender Students

There may be instances where a parent of a minor student disagrees with the student regarding the name and pronoun to be used at school and in the student's education records. In the event a parent objects to the minor student's name change request, the Superintendent or designee should consult the Board Attorney regarding the minor student's civil rights and protections under the NJLAD. School staff members should continue to refer to the student in accordance with the student's chosen name and pronoun at school and may consider providing resource information regarding family counseling and support services outside of the school district.

School districts should be mindful of disputes between minor students and parents concerning the student's gender identity or expression. Many support resources are available through advocacy groups and resources from the New Jersey Department of Children and Families and New Jersey Department of Education's "Child Abuse, Neglect, and Missing Children" webpage.

The Principal or designee should have an open, but confidential discussion with the student to ascertain the student's preference on matters such as chosen name, chosen pronoun to use, and parental communications. A transgender student shall be addressed at school by the name and pronoun chosen by the student, regardless of whether a legal name change or change in official school records has occurred. The school shall issue school documentation for a transgender student, such as student identification cards, in the name chosen by the student. A transgender student shall be allowed to dress in accordance with the student's gender identity.

The Principal or designee should also discuss with the student, and any other individuals at the student's request, the risks associated with the student's transgender status being inadvertently disclosed. For example, the Principal or designee should inform the student the transgender status may be revealed due to other students' discussions at home. The Principal or designee should work with the transgender student to ensure awareness of activities and events that may inadvertently disclose the transgender student's status.

Safe and Supportive Environment

The Board developed and adopted this Policy to ensure that its schools provide a safe and supportive learning environment that is free from discrimination and harassment for transgender students, including students going through a gender transition. Gender-based policies, rules, and practices can have the effect of marginalizing, stigmatizing, and excluding students, whether they are gender nonconforming or not.



The Superintendent or designee shall review and update existing policies and procedures, including those regarding classroom activities, school ceremonies, school photographs, and dress codes, to verify transgender students are not excluded. In addition, the school district shall take the following steps to establish and maintain a nondiscriminatory environment for all students, including transgender and transitioning students:

- The school district must comply with N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.7, which prohibit harassment, intimidation, and bullying. The Board is required to develop, adopt, and implement a Policy in accordance with N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.7 that prohibits harassment, intimidation, or bullying on school property, at a school-sponsored function, or on a school bus. If harassment, intimidation, or bullying based on gender identity creates a hostile environment, the school must take prompt and effective steps to end the harassment, intimidation, or bullying, prevent its recurrence, and, as appropriate, remedy its effects.
- The Superintendent or designee should ensure training is provided to school staff members on sensitivity and respect towards transgender students.
- Social and Emotional Learning (SEL) concepts should be incorporated into school culture and curricula.
- The school district may seek a variety of professionals, including counselors and school psychologists, to provide emotional supports for all students who demonstrate a need. The Superintendent or designee shall ensure school counselors are knowledgeable regarding issues and concerns relevant to transgender students, students facing other gender identity issues, or students who may be transitioning.
- Student dress codes should not be enforced more strictly for transgender and gender nonconforming students than for other students.
- The school district shall honor and recognize a student's asserted gender identity, and shall not require any documentation or evidence in any form, including diagnosis, treatment, or legal name change.
- A school's obligation to ensure nondiscrimination on the basis of gender identity requires schools to provide transgender students equal access to educational programs and activities, even in circumstances in which other students, parents, or community members raise objections or concerns.



Confidentiality and Privacy

School staff members may not disclose information that may reveal a student's transgender status except as allowed by law. The Principal or designee is advised to work with the student to create an appropriate confidentiality plan regarding the student's transgender or transitioning status.

The school district shall keep confidential a current, new, or prospective student's transgender status. Schools should address the student using a chosen name and the student's birth name should be kept confidential by school and school staff members.

Due to a specific and compelling need, such as the health and safety of a student or an incident of bias-related crime, the school district may be obligated to disclose a student's status. In this event, the Principal or designee should inform the student the school or school district intends to disclose the student's transgender status for the student's protection and well-being. Prior to disclosure, the student should be given the opportunity to personally disclose that information. The school district should make every effort to ensure any disclosure is made in a way that reduces or eliminates the risk of re-disclosure and protects the transgender student from further harassment. Those measures may include the facilitation of counseling for the student and the student's family to facilitate the family's acceptance and support of the student's transgender status.

During a harassment, intimidation, or bullying investigation the school district is obligated to develop a procedure to report, verbally and in writing, an act of harassment, intimidation, and bullying committed by an adult or youth against a student, pursuant to N.J.A.C. 6A:16-7.7(a)2viii. In this instance, the Principal or designee should inform the student of the school's obligation to report the findings of the harassment, intimidation, and bullying investigation pursuant to N.J.S.A. 18A:37-15(d), which permits the parents of the students who are parties to the investigation to receive information about the investigation in accordance with Federal and State law and regulation. Under harassment, intimidation, and bullying legal requirements, parents are entitled to know the nature of the investigation; whether the district found evidence of harassment, intimidation, or bullying; or whether disciplinary action was imposed or services provided to address the incident of harassment, intimidation, or bullying.

The Principal or designee shall take into account the circumstances of the incident when providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense, pursuant to N.J.A.C. 6A:16-7.7(a)2viii(2).



Disclosure of personally identifiable information from a student's education record to other school officials within the school district, whom the school district has determined have a legitimate educational interest in the information, may be permissible under Family Educational Rights and Privacy Act (FERPA) (34 C.F.R. § 99.31(a)(1)). The school district shall make a concerted effort to ensure school officials obtain access to only those education records in which they have legitimate educational interests.

The school district shall comply with all laws and regulations regarding the confidentiality of student records and student privacy, including the requirements set forth at 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Pupil Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs, and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7917, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by pupils, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Pupil Records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records; as well as all other existing Federal and State laws and rules pertaining to student records and confidentiality.

School Records

If a student has expressed a preference to be called by a name other than their birth name, permanent student records containing the student's birth name should be kept in a separate, confidential file. This file should only be shared with appropriate school staff members after consultation with a student. A separate file containing records bearing the student's chosen name may also be kept. If the student has previously been known at school or in school records by a birth name, the Principal or designee should direct school staff members to use the student's chosen name and not the student's birth name.

To ensure consistency among teachers, school administrators, substitute teachers, and other school staff members, every effort should be made to immediately update student education records (for example, attendance records, transcripts, Individualized Education Programs (IEP), etc.) with the student's chosen name and gender pronouns, consistent with the student's gender identity and expression, and not circulate records with the student's birth name, unless directed by the student.



- The school district shall report to the New Jersey Department of Education (NJDOE) through NJ SMART a student's name or gender based upon that student's chosen name and corresponding gender identity. Changing the name or gender identity from what was reported in previous years will not affect the reliability of the data reported.
- If the school district changes a student's name or gender identity, it must also maintain locally a separate record reflecting the student's legal name and sex assigned at birth until receipt of documentation of a legal change of name or gender.

Activities

With respect to gender-segregated classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a manner consistent with their gender identity.

The school district shall:

- Provide transgender students with the same opportunities to participate in physical education as other students in accordance with their gender identity;
- Permit a transgender student to participate in gender-segregated school activities in accordance with the student's gender identity;
- Permit and support the formation of student clubs or programs regarding issues related to lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ) youth; and
- Offer support in the creation of peer led educational groups.

Use of Facilities

All students are entitled to have access to restrooms, locker rooms, and changing facilities in accordance with their gender identity to allow for involvement in various school programs and activities.



In all cases, the Principal or designee must work with the student and school staff members so all parties are aware of facility policies and understand the student may access the restroom, locker room, and changing facility that corresponds to the student's gender identity. While some transgender students will want this arrangement, others may be uncomfortable with it. Transgender students who are uncomfortable using a sex-segregated restroom should be provided with a safe and adequate alternative, such as a single "unisex" restroom or the nurse's restroom. Similarly, some transgender students may be uncomfortable using the changing facilities that correspond to the student's gender identity. Non-transgender students should also be afforded the option to use a private facility, such as a unisex facility or the nurse's restroom, should they feel uncomfortable.

- The school district shall allow a transgender student to use a restroom or locker room based on the student's gender identity.
- Reasonable alternative arrangements shall be made if needed to ensure a student's safety and comfort. This direction for accommodations should come from the student.

The Superintendent or designee will make available to school staff members a variety of resources regarding professional development opportunities as sourced by the NJDOE as well as developmentally appropriate information for students regarding LGBTQ issues.

The Board adopts this Policy to help school and district administrators take steps to create an inclusive environment in which transgender and gender nonconforming students feel safe and supported, and to ensure the school provides equal educational opportunities for all students, in compliance with N.J.A.C. 6A:7-1.1 et seq.

N.J.S.A. 18A:36-41; 18A:37-15
N.J.A.C. 6A:7-1.1 et seq.; N.J.A.C. 6A:16-7.7
New Jersey Department of Education – October 2018
Transgender Student Guidance for School Districts

Adopted: October 25, 2018
Revised: September 19, 2019



5770 STUDENT RIGHT OF PRIVACY

The Board of Education recognizes that a student's right of privacy may not be violated by unreasonable search and seizure and directs that no student 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 students 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 student as authorized by this policy, with or without the student'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 student's age, and the student's disciplinary history. Except in exigent circumstances, an intrusive search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender.

The Board acknowledges the need for the in-school storage of students' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such storage places, students may lock them against incursion by other students. In no storage place provided by the Board shall students have such an expectation of privacy as to prevent examination by a school official. Students 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 students for the storage of property.

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

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

Whenever possible, a search will be conducted by the Principal in the presence of the student, the student'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 student 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 student 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 student 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 student 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 student.

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

Adopted: 25 October 2018



5820 STUDENT GOVERNMENT

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

The Board recognizes the student council as the official voice of the student body for students in grades Pre-Kindergarten through eight, provided the constitution and bylaws of that organization have been duly approved by the students it represents and by the Board and provided that all students have equal access to their student government and an equal opportunity to vote and hold office.

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

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

Adopted: 25 October 2018



5830 STUDENT FUND RAISING

The Board of Education recognizes the need for fund raising activities in the schools to support various educational activities that are of benefit to students. The Board also acknowledges that the solicitation of funds from students must be limited since compulsory attendance laws make the student a captive donor and since such solicitation may disrupt the program of the schools.

Fund raising activities should be reasonable in number and type and should not place excessive demands on students, parents and community members.

For purposes of this Policy, "student fund raising" shall include the solicitation and collection of money by students for any purpose and shall include the collection of money in exchange for tickets, papers or any other goods or services.

No fund raising activity involving door-to-door solicitation shall be permitted.

The Board prohibits the collection of money in school or on school property or at any school-sponsored event by a student for personal benefit.

Collection of money by approved school organizations shall be approved by the Superintendent.

The Superintendent shall establish rules and regulations for the solicitation of funds and see to the distribution of both policy and implementing regulations to each student organization granted permission to solicit funds.

Adopted: 25 October 2018



5841 SECRET SOCIETIES

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

No social organization of students will be granted the use of school facilities or permitted the use of the name of the school or this school district unless that organization has first been approved by the Principal. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member.

No organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the students of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, disability or political beliefs, or any other consideration not appropriate to the purpose of the organization; or if any qualifying student who applies may be denied membership.

Nothing in this policy shall prevent or otherwise deny participation in constitutionally protected prayer consistent with protections of the First Amendment of the United States Constitution.

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

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

Adopted: 25 October 2018



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5841 SECRET SOCIETIES

The Board of Education prohibits certain student organizations declared harmful as defined in N.J.S.A. 18A:42-5 and 18A:42-6 .

No student organization will be granted the use of school facilities or permitted the use of the name of the school or this school district unless that organization has first been approved by the Principal or designee . The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member.

No student organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the students of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) or any other consideration not appropriate to the purpose of the organization; or if any qualifying student who applies may be denied membership.

Nothing in this Policy shall prevent or otherwise deny participation in constitutionally protected prayer consistent with protections of the First Amendment of the United States Constitution.

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

N.J.S.A. 18A:42-5; 18A:42-6
N.J.A.C. 6A:7-1.1; 6A:7-1.3

Adopted: October 25, 2018
Revised: October 17, 2024



5842 EQUAL ACCESS OF STUDENT ORGANIZATIONS

The Board of Education will permit the use of school facilities by student-initiated organizations for non-curricular student activities. A student-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 students;
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 student-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student'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 student-initiated meeting may be attended by no more than two outside resource persons.

Access to school facilities by student 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 student-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 student-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 students 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: 25 October 2018



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5842 EQUAL ACCESS OF STUDENT ORGANIZATIONS

The Board of Education will permit the use of school facilities by student-initiated organizations for non-curricular student activities. A student-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 any of the protected categories listed at N.J.A.C. 6A:7-1.1(a) or the 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 or designee, who shall grant permission provided it is determined that:

1. The activity has been initiated by students;
2. Attendance at the meeting is voluntary;
3. The meeting is for a lawful purpose;
4. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
5. Nonschool persons do not direct, conduct, control, or regularly attend the activity; and
6. The activity is adequately supervised by appropriately certified school district staff.

A student-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of student organizations sponsored by this Board, except as provided by this Policy.



5843 BEFORE AND AFTER SCHOOL PROGRAM

The Board of Education recognizes the needs of children who lack adult supervision outside the school day and directs the Superintendent to establish and implement a Before and After School Program for the care of such children in grades Pre-Kindergarten through eight.

The Board will provide suitable district facilities, staff, and supplies for the conduct of the Program at the beginning and end of the school day.

The program will be under the direct supervision of a certified teaching staff member employed by this district, who may be assisted by aides. Participating children will be offered constructive activities and proper supervision. No instruction will be offered; the Program is not an extension of the school day and is not intended to serve the purpose of enrichment or remedial education.

The Program is open to students enrolled in this school district.

Only duly registered children will be permitted to participate in the program. The Program is not intended for the temporary or intermittent custodial care of children. A parent(s) or legal guardian(s) may register his/her child for the Program at the school office.

In order to defray the costs of the Program, such as salaries, supplies, facility operation, and additional insurance coverage, a fee will be approved by the Board.

The Board will not transport students to or from school to enable their participation in the Program. Transportation must be furnished by the parent(s) or legal guardian(s), or a responsible person appointed by the parent(s) or legal guardian(s). The Board may remove from the program a student whose parent(s) or legal guardian(s) persistently disregards his/her responsibility to pick the child up promptly.

Students who participate in the Program are subject to the rules and regulations of this district and may be disciplined for infractions of those rules. A student's chronic misbehavior may result in the student's removal from the program.

Adopted: 25 October 2018



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 students of this district.

For purposes of this policy, a "social event" is a party, celebration, or dance organized for the participation of students, and "class trips" are trips taken by students in a single graduating class, students who share a particular interest in an activity, or students 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 Principal and for social events and class trips away from school premises that have been approved by the Principal. 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 students. The Board will assume no responsibility for a student 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 students 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 student without the due process of notice and an opportunity to be heard. A student who demonstrates disregard for school rules may summarily be denied participation in social events and class trips.

Students who participate in approved social events and class trips are subject to district rules for student 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 student 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 students at risk and shall be immediately dismissed from the event or trip. Any such student will be returned home by appropriate and safe means of transportation in the company of a chaperone, the student's



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

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

Adopted: 25 October 2018



5860 SAFETY PATROL

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

The Board authorizes the establishment of a school safety patrol of students in grade eight.

All eligible students may apply for appointment to the safety patrol. No student 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 student 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 students 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: 25 October 2018



5880 PUBLIC PERFORMANCES BY STUDENTS

The Board of Education recognizes the value to students and to the community of the demonstration of student talents and skills in performances of student 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 students.

Public performances of student organizations must be approved in advance by the Principal. The members of a student organization invited to perform shall be polled for their willingness to perform. No student 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 students who agree to participate is sufficient to represent the school fairly.

When public performances are scheduled as a regular part of a course of study taken for credit, students shall be informed in advance of their obligation to participate; they will be excused from participation only in accordance with Board policy on student attendance.

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

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

Adopted: 25 October 2018

