R 5516 USE OF ELECTRONIC COMMUNICATION DEVICES

The following provisions govern student use of electronic communication devices on school grounds.

A. Use of Electronic Communication Devices

1. Students are permitted to use an electronic communication device during the school day at times approved by the teacher for instructional purposes; on a school bus at times designated by the Principal or designee;

2. Under no circumstances is a student permitted to use an electronic communication device to communicate or take videos or photographs in a restroom, locker room, shower area, or any other area where any person is removing or changing cloths and/or in any other area or location where a person has a reasonable expectation of privacy. Student use of an electronic communication device for communicating or recording is also subject to the provisions of Policy 5516 and this Regulation.

3. Students are encouraged not to bring electronic communication devices to school. If a student chooses to bring an electronic communication device(s) to school, the device(s) shall be turned off by the student and passcode protected to prevent any unauthorized use of the device. The electronic communication device shall remain in the student's backpack/book bag or locker during the school day when its use is not authorized in accordance with Policy 5516 and this Regulation.

4. If a student brings an electronic communication device to school, the student assumes the risk of damage, theft, or loss of the electronic communication device. The school district is not responsible for lost, stolen, or damaged devices.

5. If a student needs to be in contact with their parent(s) during a time the student is not permitted to use an electronic device, the student shall request permission from a teaching staff member to go to the main office to use the school phone. If a parent(s) needs to be in contact with their student for an emergency, the parent(s) shall contact the main office.

B. Discipline

1. First Offense in a School Year

a. The electronic communication device shall be taken from the student by the school staff member and turned in to the Principal or designee's office for the remainder of the academic school day.

b. The student shall turn off the electronic communication device and ensure it is passcode protected before turning it in to a school staff member.

c. The student will be able to pick up the electronic communication device in the Principal or designee's office at the end of the academic school day.

d. The student will have the electronic communication device returned upon signing an acknowledgment of their first offense violation of Policy 5516 and this Regulation.

2. Second Offense in a School Year

a. The electronic communication device shall be taken from the student by the school staff member and turned in to the Principal or designee's office for the remainder of the academic school day.

b. The student shall turn off the electronic communication device and ensure it is passcode protected before turning it in to a school staff member.

c. The electronic communication device must be picked up at the Principal or designee's office by a parent no sooner than the end of the current, academic school day.

d. If the parent cannot pick up the electronic communication device by the end of the academic school day, the parent may pick up the electronic communication device before the end of the next or any subsequent school day.

e. The parent shall be required to sign for receipt of the electronic communication device with notice provided of a second offense in a school year for their child.

f. The following discipline will be imposed on a student for a second offense of the provisions in Policy 5516 and this Regulation:

3. Third Offense in a School Year

a. The electronic communication device shall be taken from the student by the school staff member and turned in to the Principal or designee's office for the remainder of the academic school day.

b. The student shall turn off the electronic communication device and ensure it is passcode protected before turning it in to a school staff member.

c. The electronic communication device must be picked up at the Principal or designee's office by a parent no sooner than the end of the current, academic school day.

d. If the parent cannot pick up the electronic communication device by the end of the academic school day, the parent may pickup the electronic communication device before the end of the next or any subsequent school day.

e. The parent shall be required to sign for receipt of the electronic communication device with notice provided of a third offense in a school year for their child.

4. Fourth Offense in a School Year

a. The electronic communication device shall be taken from the student by the school staff member and turned in to the Principal or designee's office for the remainder of the academic school day.

b. The student shall turn off the electronic communication device and ensure it is passcode protected before turning it in to a school staff member.

c. The electronic communication device must be picked up at the Principal or designee's office by a parent no sooner than the end of the current, academic school day.

d. If the parent cannot pick up the electronic communication device by the end of the academic school day, the parent

may pickup the electronic communication device before the end of the next or any subsequent school day.

e. The parent shall be required to sign for receipt of the electronic communication device with notice provided of a fourth offense in a school year for their child.

5. A student who violates the provisions of Policy 5516 and this Regulation more than four times during a school year shall, for the remainder of the school year, be prohibited from bringing an electronic communication device on school grounds during the school day or while participating in school district programs which include, but are not limited to: during before and after school programs; during co-curricular activities; during extra-circular activities, and during intra-murals and interscholastic games and practices.

Issued:

R 5533 STUDENT SMOKING

The Board of Education is committed to maintaining a smoke-free environment on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board. The school administration and all school staff members shall strictly enforce this smoking prohibition and will work together to ensure students do not smoke in violation of Board Policy 5533 and N.J.S.A. 26:3D-56.

A. Notice Provisions

1. A sign shall be posted in every school building indicating smoking is prohibited in any school building or on school grounds. The sign shall also indicate violators will be subject to a fine.

2. Each school's student handbook will indicate smoking is prohibited on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board.

3. A public address announcement will be made, when practicable, at school-sponsored events indicating smoking is prohibited in school buildings and on school grounds.

B. Reporting Procedures

1. Any teaching staff member who observes a student smoking in violation of Policy 5533 shall inform the student to cease smoking and report the violation to the Principal or designee.

2. Any support staff member who observes a student smoking in violation of Policy 5533 shall either inform a teaching staff member, who shall report the violation to the Principal or designee or the support staff member may report the violation directly to the Principal or designee.

3. The Principal or designee will investigate each report received from a staff member and make a determination whether the student has violated Board Policy 5533.

4. In the event there is reasonable suspicion to believe a confiscated electronic smoking device is being used as a nexus for marijuana

or other controlled dangerous substances or cannabis, the Principal or designee shall notify law enforcement in accordance with the district's Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and follow the procedure outlined in Regulation 5530.

C. Violation Consequences

1. In the event the Principal or designee determines a student has violated Policy 5533, the student will be assigned appropriate discipline in accordance with the district's Student Discipline/Ceode of Ceonduct.

2. The Principal or designee will notify the student's parent(s) when discipline is being imposed for a violation of Policy 5533.

Issued:

R 7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

In order to enhance a safe and secure environment, the Board authorizes electronic surveillance devices to be used in school district buildings and on school grounds.

A. Recording and Notice

1. Surveillance devices may include, but are not limited to, sound/video cameras, audio recording devices, and other appropriate devices.

2. Recordings may be used to monitor and observe the conduct of school district staff, students, community members, and other person(s) in school buildings or on school grounds.

3. Signage will be posted in a prominent public place in school buildings and on school grounds where electronic surveillance equipment may be used.

B. Student Records and Notice

School district personnel will comply with the provisions of applicable law regarding student record requirements including the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA). Recordings considered for retention, as a part of a student's behavioral record, will be maintained in accordance with established student record procedures governing access, review, and release of student records.

C. Staff Records and Notice

1. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations, applicable law, and any labor agreements governing access, review, and release of employee personnel records.

2. The district will provide notice to students, parent(s), and school staff members that surveillance devices may be used in school buildings and on school grounds.

D. Storage/Security

1. All recordings will be stored by the Superintendent or designee and secured to ensure confidentiality.

2. Recordings will be retained in accordance with the New Jersey Department of the Treasury – Records Management Services – Records Retention Schedules and will be erased or discarded, unless there is a legitimate reason for retaining such recording for review, upon receiving prior authorization from Records Management Services.

E. Use

1. The determination of the location of surveillance devices shall be made by the Superintendent or designee.

2. Tampering with or otherwise interfering with surveillance equipment is prohibited. Any individual found tampering with equipment shall be subject to discipline.

F. Viewing or Listening

1. Initial viewing or listening to recordings will be done by the District Administration or designee

2. Requests for viewing or listening will be limited to persons with a direct interest in any proceedings, disciplinary or otherwise, resulting from the recordings, as deemed appropriate by the District Administration or designee.

3. Only the portion of the recording concerning a specific incident will be made available for viewing.

4. Viewing or listening to the recording will be permitted on school property or as otherwise required by law.

5. All viewing will be in the presence of the District Administration or designee.

6. A written log will be maintained by the District Administration or designee of those viewing video recordings including date of viewing, reason for viewing, the date the recording was made, and the signature of the viewer.

7. Video recordings remain the property of the school district and may be reproduced only in accordance with law, including applicable district student records policy and procedures and district personnel records policy, procedures and applicable labor agreements.

G. Law Enforcement Memorandum of Understanding (MOU) (N.J.S.A. 18A:41-9)

1. In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education shall enter into a MOU with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video during an emergency situation. The MOU shall include, but need not be limited to, the following:

   a. A list of designated persons, including contact information, position, rank, and supervisor's contact information, of those who are authorized to activate the equipment to view the live streaming video. The list may be executed as a confidential attachment to the MOU

   b. Description of the emergency circumstances under which the designated individuals could activate and view live streaming video; and

   c. A detailed plan for preventing and detecting unauthorized access to live streaming video.

2. In the case of a school building that is located in a municipality in which there is no municipal police department, the Board shall enter into a MOU with an entity designated by the Superintendent of the State Police.

3. In the event the district and law enforcement authority are unable to reach an agreement regarding any provision required to be included pursuant to G.1.a.-c. above, the County Prosecutor shall make the final determination.

4. Nothing in N.J.S.A. 18A:41-9 shall be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that is not equipped with such equipment.

H. Purchase, Maintenance, Replacement of Equipment/Supplies

1. The School Business Administrator/Board Secretary or designee will be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

Issued:

R 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

A. Policy 9320 and this Regulation shall be in accordance with the provisions of N.J.A.C. 6A:16-6.2, the Uniform State Memorandum of Agreement between Education and Law Enforcement Officials (MOA), and shall be:

1. Developed, implemented, and revised, as necessary, in consultation with the county prosecutor and other law enforcement officials as may be designated by the county prosecutor;

2. Reviewed and approved by the Executive County Superintendent;

3. Made available annually to all school district staff, students, and parents;

4. Consistent with reporting, notification, and examination procedures of students suspected of being under the influence of alcohol and other drugs pursuant to N.J.A.C. 6A:16-4.3; and

5. Consistent with N.J.A.C. 6A:16-7, as appropriate.

B. The school district's policies and procedures for cooperation with law enforcement agencies shall include the following components:

1. The Superintendent has designated school district staff as liaisons to law enforcement agencies in accordance with the MOA. The MOA includes a description of the liaisons' roles and responsibilities;

2. The Superintendent or designee may designate one or more law enforcement units for the district as described in the MOA;

3. Specific procedures for and responsibilities of school district staff in summoning appropriate law enforcement authorities onto school grounds, for the purpose of conducting law enforcement investigations, searches, seizures, or arrests shall be in accordance with the MOA;

3. Specific procedures and responsibilities of school district staff for notifying parents in instances of law enforcement interviews involving their children shall be consistent with the MOA and the following:

    a. School officials shall not notify the student's parent(s) in instances of suspected child abuse or neglect;

    b. School officials shall notify the student's parent(s) when the student is the target of the law enforcement investigation; and

    c. In all other instances, school authorities shall permit law enforcement authorities to determine whether or when a student's parent should be contacted;

4. Specific procedures for and responsibilities of school district staff in cooperating with arrests made by law enforcement authorities on school grounds shall be in accordance with the MOA;

5. Specific procedures for and responsibilities of school district staff in initiating or conducting searches and seizures of students, their property, and their personal effects shall be in accordance with the MOA and the following:

    a. All searches and seizures conducted by school district staff shall comply with the standards prescribed by the United States Supreme Court in New Jersey v. T.L.O., 469 U.S. 325 (1985).

    b. Questions concerning searches conducted by school officials shall be directed to the appropriate county prosecutor.

    c. School officials may request that law enforcement authorities assume responsibility for conducting a search or seizure.

    d. No school district staff member shall impede a law enforcement officer engaged in a lawful search, seizure, or arrest whether pursuant to a warrant or otherwise.

    e. School district staff shall permit law enforcement authorities, upon their arrival, to assume responsibility for conducting a search or seizure.

f. All inspections of lockers, desks, or other objects or personal property on school grounds involving the use of law enforcement drug-detection canines may be undertaken with only the express permission of the county prosecutor or the Director of the Division of Criminal Justice or the Director's designee in the New Jersey Department of Law and Public Safety.

g. Questions concerning the legality of a contemplated or ongoing search, seizure, or arrest conducted by a law enforcement officer on school grounds shall be directed to the county prosecutor or in the case of a search, seizure, or arrest undertaken by the Division of Criminal Justice's designee in the New Jersey Department of Law and Public Safety, to the assigned Assistant Attorney General;

6. The procedures for and responsibilities of school district staff, with regard to interviews of students suspected of possessing or distributing a controlled dangerous substance; including anabolic steroids, drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;

7. Procedures for planning, approving, and conducting undercover school operations shall be in accordance with the MOA and the following:

a. The Superintendent and Principal shall cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The Superintendent shall approve undercover operations without prior notification to the Board of Education.

b. All information concerning requests to undertake an undercover school operation, information supplied by law enforcement authorities to justify the need for and explain a proposed undercover school operation, and all other information concerning an ongoing undercover school operation, including the identity of any undercover officer placed in a school, shall be kept strictly confidential by the Superintendent and Principal.

c. The Superintendent and Principal shall not divulge information concerning an undercover school operation to any person without the prior express approval of the county prosecutor or designee.

d. The Superintendent, Principal, or any other school district staff or Board member who may have been informed regarding the existence of the undercover school operation shall immediately communicate to the county prosecutor or designee if they subsequently learn of information that suggests the undercover officer's true identity has been revealed, the undercover officer's identity or status as a bona fide member of the school community has been questioned, or the integrity of the undercover school operation has been in any other way compromised;

8. The procedures for and responsibilities of school district staff concerning the safe and proper handling of a seized controlled dangerous substance, including anabolic steroids, drug paraphernalia, or a firearm or other deadly weapon, and the prompt delivery of the items to appropriate law enforcement authorities shall be in accordance with N.J.A.C. 6A:16-6.2, Policy and Regulation 5530, and the MOA;

9. The procedures for and responsibilities of school district staff in notifying authorities of a suspected violation of laws prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;

10. Provisions for requesting uniformed police attendance at extracurricular school events shall be in accordance with the MOA;

11. Provisions for notifying parents as soon as possible whenever a student is arrested for violating a law prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530;

12. Provisions for in-service training of school district staff concerning policies and procedures established in N.J.A.C. 6A:16-6, and the exchange of information regarding the practices of the school district and law enforcement agencies shall be in accordance with the MOA;

13. A MOA with appropriate law enforcement authorities in accordance with N.J.A.C. 6A:16-6, Policy 9320, and this Regulation;

14. An annual process for the Superintendent and appropriate law enforcement officials to discuss the implementation and need for revising the MOA, and to review the effectiveness of policies and procedures implemented pursuant to N.J.A.C. 6A:16-6.2 and the MOA;

15. Provisions for contacting the Chief Executive Officer of the involved law enforcement agency, county prosecutor, and/or Division of Criminal Justice, as necessary, to resolve disputes concerning law enforcement activities occurring on school grounds shall be in accordance with the MOA;

16. Provisions for directing inquiries or complaints received by school district staff regarding interviews, investigations, arrests, or other operations conducted by sworn law enforcement officers to the appropriate law enforcement agency shall be in accordance with the MOA; and

17. The Superintendent or designee shall designate a point of contact for each school building who shall be responsible for receiving all "Handle With Care" notices for students enrolled in that school building and for disseminating the notices to the appropriate school staff, in accordance with the New Jersey Attorney General Directive 2020-09 and the MOA.

C. Mandatory Reporting

1. There are seven offenses that must be reported to law enforcement if they qualify as mandatory reports, as set forth and explained in further detail in the MOA. These mandatory reports include:

   a. Whenever any school district staff has reason to believe a student is in unlawful possession of a controlled dangerous substance, related paraphernalia, cannabis, or is involved or implicated in distribution activities regarding controlled dangerous substances or cannabis, pursuant to N.J.A.C. 6A:16-6.3;

   b. Whenever any school district staff in the course of their employment develops reason to believe that a firearm or other dangerous weapon has unlawfully been possessed on or off school grounds, a weapon was used in an assault

against a student or other school personnel, or that any student or other person has committed an offense with, or while in possession of, a firearm, whether or not such offense was committed on school grounds or during school operating hours, pursuant to N.J.A.C. 6A:16-5.5, 6A:16-5.6(d)4, and 6A:16-6.3(b);

c. Whenever any school district staff in the course of their employment develops reason to believe that anyone has threatened, is planning, or otherwise intends to cause death, serious bodily injury, or significant bodily injury to another person under circumstances in which a reasonable person would believe that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to N.J.A.C. 6A:16-6.3(c) through (e);

d. Whenever any school district staff in the course of their employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to N.J.A.C. 6A:16-6.3(d);

e. Whenever any school district staff in the course of their employment develops reason to believe that an assault upon a teacher, administrator, other school Board employee, or district Board of Education member has been committed, with or without a weapon, pursuant to N.J.A.C. 6A:16-5.7(d)5;

f. Whenever any school district staff in the course of their employment develops reason to believe a "bias-related act" has been committed or is about to be committed on or off school grounds, pursuant to N.J.A.C. 6A:16-6.3(e); and

g. Whenever any school employee in the course of their employment develops reason to believe a student is potentially missing, abused, or neglected, pursuant to N.J.A.C. 6A:16-11.1(a)3i. through iii.

D. Nothing in the policies and procedures required under N.J.A.C. 6A:16-6 and Policy 9320 and this Regulation shall be construed to prohibit school district staff from disclosing information, pursuant to N.J.A.C. 6A:32-7.2 and 7.5(f), if necessary, to protect the immediate health or safety of a student or other persons.

E. The Superintendent or designee shall annually review Policy 9320 and this Regulation as adopted by the Board to ensure each are in accordance with the requirements outlined in the MOA.

Adopted: