PRINCIPAL'S MESSAGE

On behalf of the E.T. Hamilton staff, I hope you share our enthusiasm as we begin a new school year. We are looking forward to an exciting year full of wonderful learning experiences for our students and families.

HANDBOOK

This school handbook is intended to clearly present the rules and regulations of E.T. Hamilton School. Please read it carefully and refer to it as needed. Parents are encouraged to read the rules and regulations and to support the school in our efforts to maintain a quality learning environment.

All students are expected to use the school handbook. It will also serve as a communication link between school and home.

IMPORTANT SCHOOL TELEPHONE NUMBERS

E.T. Hamilton Office.	856-767-4888
Nurse's Office	856-767-4888 ext. 3161
District CER Office	856-795-2025 ext. 5232

SCHOOL HOURS

Our elementary school classes begin at 9:00 AM and conclude at 3:25 PM. Half-day dismissal is 1:40 PM, and lunches will be served on these days.

SCHOOL CLOSING/DELAYED OPENING

If school is closed, delayed or an early dismissal is scheduled due to inclement weather, you should tune to your local news station for their list of school closings. You will also receive a phone call from the district School Messenger System, so please make sure your phone numbers and email addresses are accurate.

Beginning July 1,2024 Voorhees Township Public Schools will follow a two (2) hour delay for delayed openings, schools will open two hours later than their scheduled time.

ATTENDANCE POLICY

ARRIVAL TIME: As the school is unsupervised until 8:40 AM, students are not permitted in the building before then. If parents must drop off their elementary children at school before 8:40 AM on a regular basis, they should contact CER to make arrangements through the School Age Child Care Program.

If a child is late for school**, a parent MUST accompany** the student to the office and sign the student in.

ABSENCE: When a child is absent for any reason, a parent or guardian should call the nurse's office (found under Important School Telephone Numbers). Calls may be made either the night before or before school begins on the morning of the absence. An answering machine will record your message.

KEY FOB SYSTEM/VISITOR POLICY

In our ongoing efforts to bolster security within the district, we implemented a Key Fob system in January 2024. This system is designed to further fortify the safety measures in place for our school buildings.

All visitors are required to be greeted at the front door before being granted access to the vestibule area. This additional step is instrumental in heightening security and ensuring the well-being of everyone within our school premises.
All visitors must ring the exterior bell and show ID. Once buzzed into the vestibule, visitors must sign-in and take a Visitor's Badge to gain entrance into the building.

We appreciate your understanding and cooperation as we enhance the overall security of our school environment.

SCHOOL ATTIRE

We expect all students to dress appropriately for school. E.T. Hamilton School is air-conditioned, so tank tops that have straps less than two inches wide, Crop tops and "short" shorts are unacceptable. Hats or hoods are not to be worn inside the school building. Students need to always wear proper foot attire. Flip-flops are not acceptable.

PHONE OR ADDRESS CHANGE

Notify the E.T. Hamilton Main office, the nurse's office and your child's homeroom teacher if your address or phone number changes.

CODE OF CONDUCT

The E.T. Hamilton School community expects each student to contribute to a productive learning environment. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall be expected of all members of our community. Conformity to school rules, respect for property, and pride in one's work are essential for a safe environment. Courtesy, honesty, and decency are attributes that are expected and valued at our school.

GENERAL SCHOOL RULES

1. Students will speak and behave respectfully toward each other and staff. 2. Students will keep their hands, feet, and all objects to themselves at all times. 3. Students are not allowed to bring or chew gum in the building or outside areas. 4. The following peer-to-peer aggression will not be tolerated and will result in disciplinary consequences:

- Name-calling
- Threats of physical aggression
- Spreading rumors
- Hitting, pushing, grabbing, or slapping
- Exclusion
- False reports
- Using objects to hurt others

HALLWAY RULES

1. Students will keep halls open to passing classes by walking to the right.
2. Students will walk through the hallways quietly.
3. Students will keep the school clean by picking up papers from the floor, and by keeping hands and feet off the walls.

ASSEMBLY RULES

1. Students will file in quietly and get seated immediately.
2. Students will listen attentively to directions and to the assembly program. 3.
Students will show their appreciation appropriately.

BUS RULES

1. Students will take a seat and buckle up as soon as they get on the bus and remain seated until they exit the bus.
2. Students must keep all hands, feet and book bags out of the aisle.
3. Eating or drinking is not permitted on the bus.
4. General school rules are to be followed on all buses.
5. Infractions are to be reported to the bus driver or student safeties.

LUNCHROOM RULES

1. Students will enter and exit the APR in an orderly fashion.
2. Students will raise their hand in order to get up from the table.
3. Students will wait to be dismissed from their tables by one of the lunchroom supervisors.
4. Students will clean up their eating area before leaving their table.
5. Students will use appropriate manners and in-door voices during lunch.

RECESS RULES

OUTDOOR RECESS

1. Students will play only in designated areas.
2. Students will use equipment properly:
    a. One person on the slide at a time, go down slides feet first.
    b. Sit only on swings; one person per swing.
    c. No tricks or hanging off playground equipment.
3. Students will walk outside and return to the building in a quiet, single line.
4. Students will keep sand, dirt, and other objects on the ground.
5. Students will avoid stepping in puddles, ice and snow.
6. Students will return balls to designated area.

INDOOR RECESS

1. Students will follow classroom rules.
2. Ball playing or running in the classroom is not allowed.
3. Students are to remain seated and may read, draw or play a quiet game.
4. Students will use “indoor voices” only.

POSSIBLE CONSEQUENCES FOR INFRACTIONS

1. Student/Teacher conference
2. Verbal warning
3. Written warning
4. Student calls parent
5. Student/Counselor conference
6. Suspended recess
7. Student/Principal conference
8. Parent conference
9. Principal detention
10. In-school suspension
11. Suspension

PERSONAL PROPERTY

Students assume responsibility for loss and damage of their clothing, equipment, books or instruments. The school tries to ensure the protection of all property but is not responsible for it. Large sums of money should not be brought to school.

CELL PHONE AND SMARTWATCH GUIDELINES

Cell phones and smartwatches are not to be used during the school day. If a student chooses to have these devices on for texting, etc. during the school day, the following consequences will be enforced:

1st time – warning issued by teacher – student puts device away.
2nd time – device taken by teacher – teacher returns device at the end of the day.
3rdtime – device taken by teacher & given to principal – principal returns device & notifies parents.
4th time – device taken by teacher & given to principal – principal notifies parent that they have to pick up device.

LOST AND FOUND

Found items are placed in the cabinet by the stage in the All-Purpose Room. Students should check the stage during school hours for lost property. It is advised that the student's name be written on all personal property.

MEDICATION POLICY

Medication will be administered to students in school provided:

1. Medication is given to the nurse in its original container.
2. Medication is labeled with the child's name, name of medication, and amount to be given. 3. A note is provided from the physician and parent giving directions for dose of medication, time to be given, the purpose of the medication, and the termination date. This applies to prescription as well as over the counter medications.

PARENT PARTICIPATION

We are proud of parent participation at E.T. Hamilton throughout the year. Many parents participate daily in various school activities. We encourage parents to volunteer to serve on school committees. Flyers asking for help with school activities will be posted in E.T. Hamilton's virtual backpack. The hard work and commitment of parents is essential to a successful school.

PARENT-TEACHER CONFERENCES

Parent-Teacher Conferences are scheduled once a year in November or December. Your child's teacher will tell you more about scheduling the conference at Back-to-School Night. Further parent-teacher meetings can be made on an as-needed basis.

BACK-TO-SCHOOL NIGHT

Back-to-School Night offers parents the chance to meet their child's teacher and get a brief overview of the curriculum, routines of the class, and other valuable information. In order to avoid disruption, please leave children at home.

REPORT CARDS

All students receive report cards quarterly. Report cards may be viewed through the parent portal. A hard copy of the report card will no longer be sent home. Student performance in grades two through five is measured by the following grades:

A = 100 – 92
B = 91 - 83
C = 82 - 74
D = 73 – 65
F = 65 - below
I = Incomplete

STUDY SKILLS

In order to do well, a student should:
1. be prepared for class with all necessary materials.
2. be an active participant in class, listen well, and take part in discussions. 3. ask questions if he/she does not understand the lesson, or if he/she has a problem. 4. plan their homework for a certain time each day, and make sure he/she understands the assignment before leaving class.
5. strive to do his/her best.
6. not let negative peer pressure bring them down but will strive to set a positive example others to follow.
7. begin reviewing material several days in advance of a test.
8. get a good night's sleep the night before a test.
9. relax! You'll do great!

BOOKS

Textbooks issued and books checked out of the library during the year are the property of the school district. The student shall pay for lost and/or damaged books. It is the responsibility of each student to keep his/her books in good condition.

ACADEMIC ENRICHMENT

Students who leave class to attend the academic enrichment program are responsible for understanding the concepts taught and tested in their regular class. Teachers should not be expected to re-teach all missed material.

INSTRUMENTAL LESSONS

Instrumental lessons are for those students who are seriously interested in learning a musical instrument. Learning an instrument requires hard work, dedication, and practice.

Students must take the responsibility to find out about, and obtain, all work missed while out of class for instrumental lessons.

NUTRITIONAL GUIDELINES

The NJ nutrition law states that food of minimal nutritional value as defined by the US Department of Agriculture cannot be served, sold or given out during the school day. These foods include items listing sugar, in any form, as the first ingredient (forms of sugar include corn syrup, dextrin, fructose, high fructose corn syrup, galactose, honey, lactose, malt maltose, maple syrup, molasses, and sucrose). This will include all forms of candy.

An exception is made for special school celebrations or curriculum related activities. Special school celebrations include classroom parties and end of year activities. Although exceptions are made for celebrations, the law lists specific foods that can never be served, sold or given out during the school day, regardless of a special celebration. This list includes: soda, water ice, candy and candy coated popcorn. **NO EDIBLE TREATS ARE TO BE SENT IN FOR STUDENT BIRTHDAYS.**

In order to comply with the law during special celebrations such as class parties the following are examples of items that may be provided to students: pretzels, popcorn (not caramel corn or Cracker Jacks), granola bars, fruit, Rice Krispy treats, cupcakes, and brownies.

These rules do not govern what you send in with your child for lunch, only what the school provides or allows for a group of children. We do ask you to help us with the "spirit" of the law, which is to encourage good nutritional decisions and to create sound eating habits.

FOOD ALLERGY AWARENESS

As we are all aware, many students in school have food allergies. The following procedures are in place at E.T. Hamilton School in order to help keep these students safe:

1. Access to a nut-free-table in the lunchroom
2. Delegates, in addition to the school nurse, are trained to give Epinephrine in the event of an emergency.
3. Information is sent home at the beginning of each school year informing classmates of students with food allergies and which foods cannot be sent to the classroom.

We work closely with parents of students who have food allergies to ensure that the classroom is a safe environment for every child. Please contact Mrs. Karbach, the school nurse, with any questions or concerns relating to food allergies.

DISMISSAL PROCEDURES

Dismissal at E.T. Hamilton School begins promptly at 3:25 PM (1:40 PM on a half day). All 1st – 5th grade students are dismissed directly from their homeroom by category (car pick-up, walker, bus, escort). At 3:20 assigned staff report to the car pick-up line and/or out to the front of the building to supervise bus students, carline students and walkers.

WALKERS/BIKERS: At 3:20 PM, all back door walkers and bikers are dismissed and must exit by the doors just before the gym that lead to the bike rack/sidewalk. Side door walkers will exit through the doors facing the playground by the large blacktop. Staff positioned out in front of the building will help supervise walkers/bikers until they exit school property.

CAR PICK UP: At 3:25 PM, carline students are asked to exit through the front doors. Two to three staff members will meet students and line them up (weather permitting, outside). Three cars at a time are moved up to the loading zone. Students are loaded and the car is permitted to exit. Any students not picked up are permitted to call home.

CER STUDENTS: At 3:25 PM, all CER students are called to report to the All Purpose Room where they are met by CER staff and attendance is taken.

BUS RIDERS: At 3:25 PM, bus students are dismissed from their classroom to the side blacktop or gym. Buses are called one at a time and each bus is announced two times. Staff members are assigned duty and are positioned in the gym or at the side of the building. Students must ride their assigned bus unless otherwise approved by a district administrator. If buses arrive on time, dismissal ends no later than 3:35 PM. Students riding any buses not at E.T. Hamilton by 3:35 will remain in with adult supervision. These students are supervised by the bus supervisor until their bus arrives.

HPFA

The E.T. Hamilton Parent Faculty Association (HPFA) is an organization of concerned and caring parents and teachers who volunteer their time and effort in order to make their children's school days as rewarding and fulfilling as possible. HPFA serves E.T. Hamilton School in four areas:

1. raises funds to purchase supplemental educational materials, assembly programs, computer hardware and software, and recess and playground equipment.
2. sponsors social and family events such as the Fun Run, Family Movie Night, and Book Fair. HPFA is always looking for ideas for new events and projects to provide students and families the chance to get together during the year.
3. organizes parent volunteers to assist in various ways within the school. HPFA also organizes and regulates room mothers.
4. provides school and community services such as school logo clothing sale, school store, E.T. Hamilton Yearbook, hospitality for HPFA meetings, Adopt-A-Family, Thanksgiving food baskets, the Giving Tree, and the Faculty/Staff Luncheon.

MEMBERSHIP

Membership is open to the staff and faculty members of the school, the families of the children attending the school, and community members who reside in the E.T. Hamilton School sending area.

Payment of annual dues grants family membership, entitling the member(s) to voting privileges and the opportunity to participate and chair committees, and to be a room parent.

HPFA business is conducted at general meetings scheduled throughout the school year. The meetings are presided over by the Executive Board consisting of two co-presidents, four vice presidents, a secretary and treasurer. Two faculty representatives also sit on the board.

CHECK FOR IMPORTANT NEWS & INFORMATION

All information and correspondence for school and HPFA events and projects is sent home via e-blasts, a weekly newsletter and flyers.

DUE DATES

HPFA must strictly enforce all deadlines. Late orders, payments and volunteer forms cause numerous problems and inconveniences to the HPFA committee chairpersons and are unfair to the volunteers who donate so much of their time to organize and conduct events.

CORRESPONDENCE

All correspondence to HPFA should be addressed as follows:

HPFA/Event Name or Project
Child's Name
Child's Teacher

SPECIAL NOTE

We recognize that there are times when families face financial setbacks, making it difficult to participate in HPFA-sponsored activities. If this occurs, please allow HPFA to help. Notify the school and HPFA funds will be made available.

BOARD OF EDUCATION POLICIES

The following policies are required by the State Department of Education to be distributed to all parents.

District Policies

5530- SUBSTANCE ABUSE

The Board of Education recognizes that a pupil's abuse of harmful substances seriously impedes that pupil's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish and maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

DefinitionsN.J.S.A. 18A:40A-9
N.J.A.C. 6A:16-1.3; 6A:16-4.1
For the purposes of this policy:

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

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

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

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

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 a substance on school premises, at any event away from the school premises that is sponsored by this Board, and on any transportation vehicle provided by this Board.

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

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

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

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

Whenever any teaching staff member, certified or non-certified nurse or other educational personnel have reason to believe a pupil has used or may be using anabolic steroids that person must report the matter as soon as possible to:

1. The Principal (or, in the Principal's absence, to a person designated by the Principal); and 2. The certified or non-certified school nurse; or
3. The school physician; or
4. The Substance Awareness Coordinator.

The Principal or his/her designee, in response to every report, must immediately:

1. Notify the pupil's parent(s) or legal guardian(s);

2. Notify the Superintendent; and
3. Arrange for the immediate examination of the pupil by a physician selected by the parent(s) or legal guardian(s).

a. If the physician selected by the parent(s) or legal guardian(s) is not available to perform the examination, the examination will be conducted by the school physician.
b. The examination conducted, at parental request, by a physician other than the school physician will not be at district expense.

The pupil shall be examined as soon as possible for the purpose of determining whether the pupil has been using anabolic steroids.

A written report of the examination of the pupil shall be furnished by the examining physician to the pupil's parent(s) or legal guardian(s) and to the Superintendent.

If it is determined that the pupil has been using anabolic steroids, the pupil and others, as necessary, shall be interviewed by a Substance Awareness Coordinator or individual who holds a school nurse psychologist, school social worker, or pupil personnel services endorsements on the Educational Services Certificate and are trained to assess alcohol and other drug abuse for the purpose of determining the extent of the pupil's involvement with substances and the possible need for referral for treatment. In order to make this determination, the staff member may conduct a reasonable investigation, which may include interviews with the pupil's teachers and school staff. The school staff member may also consult with physicians and such experts in the field of substance abuse as may be appropriate.

If it is determined the pupil's use of steroids represents a danger to the pupil's health and well-being, certificated staff as per N.J.A.C. 6A:16-4.3(b)4 will initiate a referral for treatment to:

1. Appropriate community agencies as defined in N.J.A.C. 6A:16-4.1(b); or
2. Out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services; or
3. Private practitioners certified by appropriate drug and alcohol licensing board.

All staff members shall be alert to signs of substance abuse by pupils and shall respond to those signs in accordance with administrative regulations. Any staff member to whom it appears that a pupil may be under the influence of a substance other than anabolic steroids on school property or at a school function, shall report the matter as soon as possible to:

The Principal (or, in the Principal's absence, to a person designated by the Principal) and
The school nurse or the school physician. If neither the school nurse or school physician is available, the staff member responsible for the function shall be notified. The Principal or his/her designee shall immediately notify the pupil's parent(s) or legal guardian(s) and the Superintendent.
The Principal must arrange for an immediate medical examination of the pupil:

1. By a doctor selected by the parent(s) or legal guardian(s) or,

2. If the parent(s) or legal guardian(s) doctor is not immediately available, by the school physician. 3. If neither the parent(s) or legal guardian(s) doctor nor the school physician is immediately available, the pupil shall be taken to the emergency room of the nearest hospital for examination and diagnosis.

The pupil may be accompanied by the pupil's parent(s) or legal guardian(s) if possible and will be accompanied by a member of the school staff appointed by the Principal.

An examination conducted by a physician other than the school physician or the emergency room of the nearest hospital shall not be at district expense. Treatment will not be at Board expense.

If there is a positive determination from the medical examination of the pupil indicating the alcohol or drug use interferes with the pupil's physical or mental ability to perform in school:

1. The pupil will be returned to the care of the parent(s) or legal guardian(s) as soon as possible; and 2. Attendance at school will not resume until a medical report verifies the pupil's alcohol or drug use no longer interferes with the pupil's physical or mental ability to attend school.

When a pupil's substance abuse or suspected substance abuse threatens the pupil's life or places the pupil and/or others in imminent peril, all procedures shall be expedited in accordance with the emergency. Policy No. 8441, Care of Injured and Ill Persons, may be implemented as appropriate, provided no component of the procedures implementing this policy is omitted.
The Board will provide intervention and treatment referral services by teaching staff members who are properly and appropriately certified and trained to render such services.

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

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

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

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the

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

Outreach to Parents N.J.S.A. 18A:40A-16; 18A:40A-17
N.J.A.C. 6A:16-4.1(c)7.

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

Records §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C., and Implementing Regulations, 42 CFR Part 2

Notations concerning a pupil's involvement with substances may be entered on his/her records, subject to Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the pupil or when the pupil leaves school. Information regarding a pupil's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290 ee-3, and implementing regulations, 42 CFR Part 2.

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

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

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

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

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

Any employee who in good faith reports a pupil to the Principal, the Principal's designee, the school physician, or the School Nurse in an attempt to help such pupil cure his/her abuse of substances shall not be liable in civil damages as a result of making any such report.

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

The Superintendent, or designee, will report pupils to law enforcement authorities if the staff member has reason to believe a pupil is unlawfully possessing or in any way is involved in the distribution of controlled dangerous substances, anabolic steroids, or drug paraphernalia, on or within 1,000 feet of the outermost boundary of school property pursuant to N.J.A.C. 6A:16-6.3(a). The Superintendent will not report pupils who have voluntarily sought treatment or counseling for a substance abuse problem provided the pupil is not involved or implicated in a current drug distribution activity.

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

The Board will annually review the effectiveness of this policy in consultation with appropriate teaching staff members, with community members, as well as consultation with local substance abuse prevention, intervention and treatment agencies licensed by the State Department of Health and Senior Services and community representatives.

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

5331: Management of Life Threatening Allergies in School

A. Definitions

1. Anaphylaxis - A serious allergic reaction that is rapid in onset and may cause death.
2. Epinephrine (adrenaline) - A drug that can be successfully utilized to counteract anaphylaxis. 3. Food Allergy - A group of disorders characterized by immunologic responses to specific food proteins. In the United States, the most likely common allergens in adults and children are cow's milk, eggs, peanuts, wheat, soy, fish, shellfish, and nuts.
4. Individualized Emergency Healthcare Plan (IEHP) - A personalized healthcare plan written by the certified school nurse that specifies the delivery of accommodations and services needed by a pupil in the event of an emergency.
5. Individualized Healthcare Plan (IHP) - A plan written by the certified school nurse that details accommodations and/or nursing services to be provided to a pupil because of the pupil's medical condition based on medical orders written by a health care provider in the pupil's medical home.
6. School-Sponsored Function - Any activity, event, or program occurring on or off school grounds, whether during or outside of regular school hours, that is organized and/or supported by the school.

B. Policy and Regulation Development

1. Policy and Regulation 5331 address different allergens, varying ages and maturity levels of pupils, and the physical properties and organizational structures of schools in this school district. The components below were critical in developing Policy and Regulation 5331.

a. The school district nursing staff, in consultation with the school physician, if needed:

(1) Assessed the overall health needs of the pupil population at risk for anaphylaxis, particularly pupils with food allergies; and
(2) Assessed current and relevant policies and/or protocols regarding the care of pupils with life-threatening allergies and identified areas in need of development or improvement.

2. Policy and Regulation 5331 were developed using a multidisciplinary team that included various school district administrators, teachers, and support staff members.
3. Additional factors need to be regarded at the secondary school level in order to provide the best care for food-allergic teens. The multidisciplinary team should consider the factors below when developing Policy and Regulation 5331 as it pertains to food-allergic teens.

a. Pupils move to different classrooms, frequently in larger buildings and campuses, presenting needs for updated avoidance strategies, epinephrine availability, and designated assistance.
b. Pupils may have open lunch periods and accompany friends to local eateries.
c. Pupils may have access to vending machines.
d. Certain classes give rise to new avoidance issues, e.g., chemistry/biology labs, home economics/culinary class, etc.
e. The number of off-site school-sponsored functions increases, e.g., travel, sometimes to other States and foreign countries; athletic games and competitions, sometimes in other towns; dances; etc.
f. Risk-taking behaviors frequently accompany the independence of adolescent years.
g. N.J.S.A. 18A:40-12.6 provides for a delegate for the emergency administration of epinephrine even when a pupil is able to self-administer life-saving medication. Although teenage pupils will more than likely be permitted to carry and self-administer emergency medications, those pupils are not to be expected to have complete responsibility for the administration of epinephrine. A severe allergic reaction can completely incapacitate a pupil and inhibit the ability to self-administer emergency medication. Therefore, the school nurse or volunteer delegate shall be available during school and school-sponsored functions to administer epinephrine in an emergency in accordance with the provisions of N.J.S.A. 18A:40-12.5.e.(2).

4. The Principal and/or the school nurse will educate staff and the community regarding Policy and Regulation 5331; obtain feedback on the implementation and effectiveness of the Policy and Regulation; and annually review, evaluate, and update the Policy and Regulation, as needed or required by law.

C. Prevention Measures

1. Considerations for the Cafeteria

The Principal, in consultation with the school nurse, teaching staff members, food service staff members, and other appropriate staff members, will work to make the cafeteria environment as safe as possible for food-allergic pupils. This process includes making determinations about serving foods with known allergens and identifying steps that can be taken to reduce the chance of accidental exposure. The steps may include:
a. Training to food service personnel on food label reading and safe handling, as well as safe meal substitutions for food-allergic children.
b. Educating cafeteria staff and monitors about food-allergy management and make them aware of the pupils who have life-threatening food allergies.
c. Developing and implementing standard procedures for cleaning tables, chairs, and trays, particularly those designated as allergen-safe, after lunch periods using dedicated and disposable supplies to avoid cross contact.
d. When possible, sharing ingredient/allergen information for food provided by the school to pupils and

parent(s) or legal guardian(s).

e. Making allergen-safe table(s) an available option for allergic pupils.

f. Considering allergen-full table(s) (i.e., all those eating peanut butter sit together).

g. Discouraging pupils from sharing or trading food/snack items, drinks, straws, or utensils. h. Encouraging pupils to wash hands before and after eating.

i. Considering the benefits and ramifications of serving and/or removing allergen-containing foods or removing a particular food item from the school menu.

j. Making accommodations in the event a pupil cannot be in direct proximity to certain allergens that are being cooked/boiled/steamed.

2. Considerations for the Classroom

Provisions will be made to develop safeguards for the protection of food-allergic pupils in the classroom. The school nurse will work with the classroom teacher(s) so the teacher understands and is able to initiate the pupil's IEHP, as necessary.

a. If possible, consider prohibiting the use or consumption of allergen-containing foods in the classroom.

b. Conduct training for teachers, aides, volunteers, substitutes, and pupils about food allergies. c. Develop and implement a procedure that will alert substitute teachers to the presence of any pupils with food allergies and any accompanying instructions.

d. Develop and implement a letter to parent(s) or legal guardian(s) of classmates of the food allergic pupil (without identifying the pupil), particularly in lower grades, explaining any prohibitions on food in the classroom.

e. Discourage the use of food allergens for classroom projects/activities, classroom celebrations, etc.

f. Encourage the use of non-food items for all classroom events/activities, as a way to avoid the potential presence of major food allergens.

g. Notify parent(s) or legal guardian(s) of classroom celebrations that involve food with particular attention to notification of parent(s) or legal guardian(s) of food-allergic children.

h. Encourage pupils to wash hands before and after eating.

i. Develop and implement standard procedures for cleaning desks, tables, and the general classroom area.

3. General Considerations for the School Environment

The Principal, in consultation with the school nurse, teaching staff members, food service staff members, and other appropriate staff members, will work to make the school environment as safe as possible for the food-allergic pupil to include:

a. Developing and implementing cleaning procedures for common areas (i.e., libraries, computer labs, music and art rooms, hallways, etc.).

b. Developing and implementing guidelines for food fundraisers (i.e. bake sales, candy sales, etc.) that are held on school grounds.

c. Avoiding the use of food products as displays or components of displays in hallways. d. Developing protocols for appropriate cleaning methods following events held at the school, which involve food.

4. Field Trips and Other School Functions

N.J.S.A. 18A:40-12.6 requires a nurse or delegate to be available during school and school-sponsored functions in the event of anaphylaxis. Pupils with food allergies should participate in all school activities and will not be excluded based on their condition. The appropriate school staff member(s) should:

a. Communicate (with parent(s) or legal guardian(s) permission) relevant aspects of the IEHP to staff, as appropriate, for field trips, school-sponsored functions, and before- and after-school programs.

b. Encourage long-term planning of field trips in order to ensure that food-allergic pupils receive needed services while away from school.

c. Evaluate appropriateness of trips when considering the needs of pupils e.g., a trip to a dairy farm should not be scheduled for a class with a milk-allergic pupil.

d. Encourage, but do not require, parent(s) or legal guardian(s) of food-allergic pupils to accompany their child on school trips.

e. Implement the district's procedure for the emergency administration of medications. f. Implement the district's procedure for emergency staff communications on field trips. g. Inform parent(s) or legal guardian(s), when possible, of school events at which food will be served or used.

5. Bus Transportation

The district administrative staff and transportation personnel will consider the needs of pupils with life threatening allergies while being transported to and from school and to school-sponsored activities. The appropriate school staff member(s) should:

a. Advise bus drivers of the pupils that have food allergies, symptoms associated with food allergic reactions, and how to respond appropriately.

b. Assess the emergency communications systems on buses.

c. Consider assigned bus seating i.e., pupils with food allergies can sit at the front of the bus or can be paired with a "bus buddy."

d. Assess existing policies regarding food on buses.

6. Preparing for an Emergency

The Principal and school nurse will establish emergency protocols and procedures in advance of an emergency. These protocols and procedures should:

a. Provide training for school personnel about life-threatening allergic conditions. b. Create a list of volunteer delegates trained by the nurse in the administration of epinephrine, and disseminate the list appropriately.

c. Ensure that epinephrine is quickly and readily accessible in the event of an emergency. If appropriate, maintain a backup supply of the medication.

d. Coordinate with local EMS on emergency response in the event of anaphylaxis. e. Consider conducting anaphylaxis drills as part of the district or school-wide emergency response plan.

f. Ensure access to epinephrine and allergy-free foods when developing plans for fire drills, lockdowns, etc.

g. Ensure that reliable communication devices are available in the event of an emergency. h. Adhere to ***Occupational Safety and Health Administration*** (OSHA) and Universal Precautions Guidelines for disposal of epinephrine auto-injectors after use.

7. Sensitivity and Bullying

A food-allergic pupil may become victim to threats of bullying related to his/her condition. N.J.A.C. 6A:16-7.9 requires each Board of Education to develop, adopt, and implement a policy prohibiting harassment, intimidation, or bullying on school grounds, including on a school bus or at a school sponsored function, pursuant to N.J.S.A. 18A:37-15. The appropriate school staff member(s) should: a. Remind pupils and staff that bullying or teasing food-allergic pupils will not be tolerated and violators should be disciplined appropriately.

b. Offer professional development for faculty and staff regarding confidentiality to prevent open discussion about the health of specific pupils.

c. Discourage needless labeling of food-allergic pupils in front of others. A food-allergic pupil should not be referred to as “the peanut kid,” “the bee kid” or any other name related to the pupil’s condition.

D. Roles and Responsibilities for Managing Food Allergies

The risk of accidental exposure to foods can be reduced in the school setting if schools, pupils, parent(s) or legal guardian(s), and physicians work together to minimize risks of exposure to allergens and provide a safe educational environment for food-allergic pupils.

1. Family’s Role

a. Notify the school of the pupil’s allergies.

b. Work with the school team to develop a plan that accommodates the pupil’s needs throughout the school, including the classroom, the cafeteria, after-care programs, during school sponsored activities, and on the school bus, as well as an IEHP.

c. Provide written medical documentation, instructions, and medications as directed by a physician, using the Food Allergy Action Plan as a guide. Include a photo of the child on written form.

d. Provide properly labeled medications and promptly replace medications after use or upon expiration.

e. Educate the child in the self-management of their food allergy including: safe and unsafe foods; strategies for avoiding exposure to unsafe foods; symptoms of allergic reactions; how and when to tell an adult they may be having an allergy-related problem; and how to read food labels (age appropriate).

f. Review policies and procedures with the school staff, the child’s physician, and the child (if age appropriate) after a reaction has occurred.

g. Provide current emergency contact information and update regularly.

2. School’s Role

a. Review the health records submitted by parent(s) or legal guardian(s) and physicians.

b. Identify a core team including the school nurse, teacher, Principal, and school food service and nutrition manager/director to work with parent(s) or legal guardian(s) and the pupil (age appropriate) to establish an IEHP. Changes to the IEHP that promote food allergy management should be made with core team participation.

c. Assure that all staff who interact with the pupil on a regular basis understand food allergies, can recognize symptoms, know what to do in an emergency, and work with other school staff to eliminate the use of food allergens in the allergic pupil’s meals, educational tools, arts and crafts projects, or incentives.

d. Coordinate with the school nurse to ensure medications are appropriately stored and ensure an emergency kit is available that contains a physician’s standing order for epinephrine. Epinephrine should be kept in a secure but unlocked location that is easily accessible to delegated school personnel.

e. Pupils who are permitted to self-administer should be permitted to carry their own epinephrine in accordance with State regulations and district policy.

f. Designate school personnel who volunteer to administer epinephrine in an emergency. g. Be prepared to handle a reaction and ensure there is a staff member available who is properly trained to administer medications during the school day, regardless of time or location.

h. Review policies and prevention plans with the core team members, parent(s) or legal guardian(s), pupil

(age appropriate), and physician after a reaction has occurred.

i. Work with the transportation administrator to insure that school bus drivers receive training that includes symptom awareness and what to do if a reaction occurs and assess the means by which a bus driver can communicate during an emergency, including proper devices and equipment.

j. Discuss field trips with the family of the food-allergic child to decide appropriate strategies for managing the food allergy.

k. Follow Federal and/or State laws and regulations regarding sharing medical information about the pupil.

l. Take threats or harassment against an allergic child seriously.

3. Pupil's Role

a. Pupils should not trade food with others.

b. Pupils should not eat anything with unknown ingredients or known to contain any allergens. c. Pupils should be proactive in the care and management of their food allergies and reactions based on their developmental level.

d. Pupils should notify an adult immediately if they eat something they believe may contain the food to which they are allergic.

5751- SEXUAL HARASSMENT (M)

The Board of Education will not tolerate sexual harassment of pupils by school employees, other pupils, or third parties. Sexual harassment of pupils is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of pupils engaged in by school employees, other pupils (peers), or third parties.
The Board shall establish a grievance procedure through which school district staff and/or pupils can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

Definitions:

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.

2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

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

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

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

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

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

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of pupils. Title IX applies to all public school districts that receive federal funds and protects pupils in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district,

whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

District Regulation

Sexual harassment of pupils is prohibited by the Board of Education. The Superintendent and school district staff will use the following methods to investigate and resolve allegations of sexual harassment of pupils engaged in by school employees, other pupils (peers), or third parties.

A. Definitions

1. Quid Pro Quo Harassment - When a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.

2. Hostile Environment Sexual Harassment - Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

3. Notice - The school district has notice if it actually "knew, or in the exercise of reasonable care, should have known" about the harassment. If an agent or responsible employee of the school district received notice, the school district is deemed to have notice. The school district may receive notice in many different ways:

   a. A pupil may have filed a grievance or complained to a teacher about fellow pupils harassing him/her.
   b. A pupil, parent, or other pupil may have contacted other appropriate school personnel. c. An agent or a responsible employee of the school district may have witnessed the harassment.
   d. The school district may obtain information in an indirect manner such as staff, community members, newspapers, etc.

4. Constructive Notice - A school district will be in violation if the school district has "constructive notice" of a sexually hostile environment and fails to take immediate and appropriate corrective action. Constructive notice exists if the school district "should have" known about the harassment and if the school district would have found out about the harassment through a "reasonable diligent inquiry."

5. Gender-based Harassment - Gender-based harassment that includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.

6. Title IX of the Education Amendments of 1972 - Title IX applies to all public school districts that receive federal funds and protects pupils in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school at another location, or elsewhere. Title IX protects any "person" from sex discrimination; accordingly both male and female pupils are protected from sexual harassment engaged in by school district employees, other pupils, or third parties. Title IX prohibits sexual harassment regardless of the gender of the harasser even if the harasser and the pupil being harassed are members of the same gender. Although Title IX does not specifically prohibit discrimination on the basis of sexual orientation, sexual harassment directed at gay or lesbian pupils may constitute sexual harassment as prohibited by Title IX. Harassing conduct of a sexual nature directed toward gay or lesbian pupils may create a sexually hostile environment and therefore be prohibited under Title IX.

7. Grievance Procedure - The grievance procedure provides for prompt and equitable resolution of discrimination complaints, including complaints of sexual harassment. The grievance procedure provides the school district with a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.

8. Office Of Civil Rights (OCR) - The OCR of the United States Department of Education has federal government's enforcement authority of Title IX.

9. Unwelcomeness - In order to be actionable as harassment, sexual conduct must be unwelcomed. Conduct is unwelcomed if the pupil did not request or invite it and "regarded the conduct as undesirable or offensive." The school district will be concerned about the issue of welcomeness if the harasser is in a position of authority.

10. Acquiescence - Acquiescence in the conduct or the failure to complain does not always mean the conduct was welcome. The fact that a pupil may have accepted the conduct does not mean that he/she welcomed it. The fact that a pupil willingly participated in conduct on one occasion does not prevent him/her from indicating that the same conduct has become unwelcome on a subsequent occasion. On the other hand, if a

pupil actively participates in sexual banter and discussions and gives no indication he/she objects, then the evidence generally will not support a conclusion that the conduct was unwelcomed.

11. Sufficiently Severe, Persistent, or Pervasive Conduct - In determining whether conduct is sufficiently severe, persistent, or pervasive, the conduct should be considered from a subjective and objective perspective. In making this determination, all relevant circumstances should be considered:

a. The degree to which the conduct affected one or more pupils' behavior. The conduct must have limited a pupil's ability to participate in or benefit from his/her education or altered the conditions of the pupils educational environment.
b. The type, frequency, and duration of the conduct.
c. The identity of and relationship between the alleged harasser and the subject or subjects of the harassment.
d. The number of individuals involved.
e. The age and gender of the alleged harasser and the subject or subjects of the harassment. f. The size of the school, location of the incidents, and context in which they occurred.
g. Other incidents at the school.
h. Incidents of gender-based, but non-sexual harassment.

B. Grievance Procedure

The following Grievance Procedure shall be used for an allegation(s) of Harassment of Pupils by School Employees, Other Pupils, or Third Parties:

1. Reporting of Sexual Harassment Conduct

a. Any person with any information regarding actual and/or potential sexual harassment of a pupil by any school employee, other pupils, or third parties must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.

(1) If the Building Principal deems it appropriate, he/she may immediately notify the parent(s) or legal guardian(s) of the alleged harasser(s) or alleged victim(s) upon receipt of any information prior to notifying the Affirmative Action Officer.
(2) The Building Principal will not disclose the name(s) of the alleged harasser(s) or alleged victim(s) to the other party.

b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter or telephone call.
c. Nothing in the Policy and Regulation on Pupil Sexual Harassment shall preclude the Building Principal, or designee, from complying with the provisions of Policy No. 5600 - Pupil Discipline in order to maintain the health, safety and welfare of staff and/or pupils.
d. A report from the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.
e. Upon receipt of an allegation and/or report, the Affirmative Action Officer shall immediately notify the parent(s) or legal guardian(s) of any alleged harasser(s) and victim(s) for which a report has been filed even if the Building Principal has previously notified the parent(s) or legal guardian(s).
f. The Affirmative Action Officer shall notify the parent(s) or legal guardian(s) of all involved pupils and any other involved individuals of the process to be followed in investigating a report or complaint.

2. Affirmative Action Officer's Investigation

a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.
b. When a pupil or the parent(s) or legal guardian(s) of a pupil provides information or complains about sexual harassment of the pupil, the Affirmative Action Officer will initially discuss what actions the pupil or parent(s) or legal guardian(s) is seeking in response to the harassment.
c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any pupils who may have been sexually harassed by any school employee, other pupils, or third parties and any other reasonable methods to determine if sexual harassment conduct existed.
d. The Affirmative Action Officer will request, if relevant to an investigation, the parent(s) or legal guardian(s) of any pupil involved in the investigation to assist in the investigation to determine if sexual harassment conduct exist(ed).
e. The Affirmative Action Officer will provide a copy of the Board Policy and Regulation to all persons who are interviewed with potential knowledge and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
f. The Affirmative Action Officer will explain the avenues for formal and informal action, including a

description of the grievance procedure that is available for sexual harassment complaints and an explanation on how the procedure works.

g. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.

h. The Affirmative Action Officer and/or Superintendent may contact law enforcement agencies if there is potential criminal conduct by any party.

i. The school district administrators may take interim measures during an Affirmative Action Officer's investigation of a complaint in order to alleviate any conditions which prohibits the pupil from assisting in the investigation.

j. If elementary or middle school pupils are involved, it may become necessary to determine the degree to which they are able to recognize that certain sexual conduct is conduct to which they can or should reasonably object and the degree to which they can articulate an objection. The Affirmative Action Officer will consider the age of the pupil, the nature of the conduct involved, and other relevant factors in determining whether a pupil had the capacity to welcome sexual conduct.

k. The Affirmative Action Officer will consider particular issues of welcomeness if the alleged harassment relates to alleged "consensual" sexual relationships between a school employee and a pupil.

(1) If elementary or middle school (grades K-8) pupils are involved, welcomeness will not be an issue. Sexual conduct between a school employee and an elementary pupil will not be viewed as consensual.

(2) If secondary (grades 9-12) pupils are involved, there is a strong presumption that sexual conduct between a school employee and a secondary pupil is not consensual.

(3) In cases involving older secondary and post-secondary pupils and older secondary and post-secondary special education pupils, the Affirmative Action Officer will consider the following to determine whether a school employee's sexual advances or other sexual conduct could be considered welcome:

(a) The nature of the conduct and the relationship of the school employee to the pupil, including the degree of influence, authority, or control the employee has over the pupil.

(b) Whether the pupil was legally or practically unable to consent to the sexual conduct in question.

l. If there is a dispute about whether harassment occurred or whether it was welcome (in a case which it is appropriate to consider whether the conduct could be welcome) determinations should be based on the totality of the circumstances. The following types of information may be helpful in resolving the dispute:

(1) Statements made by any witnesses to the alleged incident.

(2) Evidence about the relative credibility of the alleged harassed pupil and the alleged harasser.

(3) Evidence that the alleged harasser has been found to have harassed others may support the credibility of the pupil claiming harassment.

(4) Evidence of the allegedly harassed pupil's reaction or behavior after the alleged harassment.

(5) Evidence about whether the pupil claiming harassment filed a complaint or took other action to protest the conduct soon after the alleged incident occurred.

(6) Other contemporaneous evidence such as did the pupil write about the conduct and his/her reaction to it soon after it happened in diary or letter and/or tell friends or relatives.

m. The scope of a reasonable response also may depend upon whether a pupil, or parent(s) or legal guardian(s) reporting harassment asks that the pupil's name not be disclosed to the harasser or that nothing be done about the harassment. The Affirmative Action Officer:

(1) Will provide an overview of harassment policy [and Title IX if applicable] to the pupil, parent(s) or legal guardian(s) which shall include the prohibition of retaliation. In the event the pupil, parent(s) or legal guardian(s) request the pupil's name remain confidential, the Affirmative Action Officer will inform the pupil, parent(s) or legal guardian(s) that the request may limit the school district's ability to respond.

(2) Will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all pupils. The factors to be considered shall be the seriousness of the alleged harassment, the age of the pupil harassed, whether there have been any other complaints or reports against the alleged harasser. And the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result.

(3) May use other means available to address the harassment. Steps that may be taken to limit the effects of the alleged harassment and prevent its reoccurrence without

initiating a formal complaint and revealing the identity of the complainant. These steps may require sexual harassment training at the site where the problem occurred, taking a pupil survey concerning any harassment problems that may exist, or other systematic measures where the alleged harassment occurred.

(4) By conducting a limited investigation without revealing the name of the pupil sexually harassed, may be able to learn about or confirm a pattern of harassment based on claims of different pupils that were harassed by the same individual. The Affirmative Action Officer may place an individual on notice of allegation of harassing behavior and counsel appropriately without revealing, even indirectly, the identity of the pupil who notified the school district.

3. Investigation Results

a. Upon the conclusion of the investigation, but not later than ten working days after reported, the Affirmative Action Officer will prepare a summary of findings to the parties. At the least this shall include the person(s) providing notice to the school district and the pupil(s) who were alleged to be sexually harassed.

b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.

c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.

d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administrators and staff shall take reasonable, age-appropriate, and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action, as specified in pupil and/or staff discipline policies and regulations. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.

e. In the event the Affirmative Action Officer determines a hostile environment exists, the school district administrators and staff shall take steps to eliminate the hostile environment. The school district administrators may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed pupil, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any pupil that reports such conduct.

f. In some situations, the school district administrators may need to provide other services to the pupil that was harassed if necessary to address the effects of the harassment on that pupil. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed pupil's work, re-taking a course with a different instructor, tutoring and/or other measures that are appropriate to the situation.

g. The school district administrators will take steps to avoid any further sexual harassment and to prevent any retaliation against the pupil who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed pupil and his/her parent how to report any subsequent problems and make follow-up inquiries to see if there has been any new incidents or retaliation.

h. All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.

4. Affirmative Action Officer's Investigation Appeal Process

a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any pupil who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.

b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.

C. Office Of Civil Rights (OCR) Case Resolution

Parents or pupils not satisfied with the resolution of an allegation of sexual harassment by the school district officials or the Board may request the Office of Civil Rights (OCR) of the United States Department of Education to investigate the allegations.

1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).

2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of pupils, including incidents caused by employees, other pupils, or third parties, OCR will consider whether:

a. The school district has a policy prohibiting sex discrimination under Title IX and an effective Title IX

grievance procedure;

b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and

c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.

3. If the school district officials have taken the steps described in 2 above, the OCR will consider the case against the school district resolved and take no further action other than monitoring compliance with any agreement between the school district and the OCR. This shall apply in cases in which the school district was in violation of Title IX, as well as those in which there has been no violation of Title IX.

5512- Harassment, Intimidation and Bullying

A. Policy Statement

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

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

B. Harassment, Intimidation, and Bullying Definition

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

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

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

C. Pupil Expectations

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

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

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

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

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

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

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

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

1. Walk away from acts of harassment, intimidation, and bullying when they see them; 2. Constructively attempt to stop acts of harassment, intimidation, or bullying;
3. Provide support to pupils who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member. D.

Consequences and Appropriate Remedial Actions

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for pupils who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Pupil Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by pupils. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors, per the Code of Pupil Conduct and N.J.A.C. 6A:16-7.
Factors for Determining Consequences

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

Factors for Determining Remedial Measures

Personal

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

Environmental

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

Consequences and appropriate remedial action for a pupil or staff member who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of pupils, as set forth in the Board's approved Code of Pupil Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil and the pupil's history of problem behaviors and performance, and must be consistent with the Board's approved Code of Pupil Conduct and N.J.A.C. 6A:16-7, Student Conduct. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Reports to law enforcement or other legal action;
10. Expulsion; and
11. Bans from providing services, participating in school-district-sponsored programs, or being in school buildings or on school grounds.

Examples of Remedial Measures - Personal

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

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

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in pupil routes or patterns traveling to and from school;
9. Supervision of pupil before and after school, including school transportation;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;

12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff; 14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
17. Parent conferences;
18. Family counseling;
19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a pupil behavior or ethics council;
23. Peer support groups;
24. Alternative placements (e.g., alternative education programs);
25. School transfers; and
26. Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

The district will also impose appropriate consequences and remedial actions to a person who commits an act of harassment, intimidation, or bullying of a pupil. The consequences may include, but not be limited to**:** verbal or written reprimand, increment withholding, legal action, disciplinary action, termination**,** and/or bans from providing services, participating in school 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. E. Harassment, Intimidation, and Bullying Off School Grounds

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

1. The alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other pupils; and either
2. A reasonable person should know, under the circumstances, that the alleged behavior will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
3. The alleged behavior has the effect of insulting or demeaning any pupil or group of pupils; or 4. The alleged behavior creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

F. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with pupils are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with pupils, also shall submit a report in writing to the Principal within two school days of the verbal report. The Principal will inform the parents of all pupils involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.
Pupils, parents, and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident. Pupils, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Pupil Conduct may not be taken solely on the basis of an anonymous report.

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

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

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

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

harassment, intimidation, or bullying, may be subject to disciplinary action.

G. Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety Team(s)

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of pupils;

b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of pupils in the district;

c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of pupils;

d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and

e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

2. The Principal in each school shall appoint a school Anti-Bullying Specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the Principal shall appoint that individual to be the school Anti Bullying Specialist. If no individual meeting this criteria is currently employed in the school, the Principal shall appoint a school Anti-Bullying Specialist from currently employed school personnel.

The school Anti-Bullying Specialist shall:

a. Chair the School Safety Team as provided in N.J.S.A. 18A:37-21;

b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and

c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

3. A School Safety Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school, and to address school climate issues such as harassment, intimidation, or bullying. Each School Safety Team shall meet at least two times per school year. The School Safety Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a pupil in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety Team.

The School Safety Team shall:

a. Receive any complaints of harassment, intimidation, or bullying of pupils that have been reported to the Principal;

b. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;

c. Identify and address patterns of harassment, intimidation, or bullying of pupils in the school;

d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of pupils;

e. Educate the community, including pupils, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of pupils;

f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request;

g. Collaborate with the district Anti-Bullying Coordinator in the collection of district wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of pupils; and

h. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

The members of a School Safety Team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches. Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a pupil.

H. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation, or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist the school Anti-Bullying Specialist in the investigation.

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

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

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

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

A parent or guardian may request a hearing before the Board of Education after receiving the information. When a request for a hearing is granted, the hearing shall be held within ten school days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the pupils. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the alleged incident, the findings from the investigation of the alleged incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination. At the regularly scheduled Board of Education meeting following its receipt of the report or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

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

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

The Board authorizes the Principal of each school, in conjunction with the Anti-Bullying Specialist, to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The 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.

Consequences and appropriate remedial actions for a pupil who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, school officials shall

consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation or bullying prevention program models, to training for certificated and non certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable pupil and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The Board is encouraged to set the parameters for the range of responses to be established by the Principal**,** in conjunction with the Anti-Bullying Specialist, and for the Superintendent to follow. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of school suspension, expulsion, law enforcement report, or other legal action).
2. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, parent programs, and information disseminated to pupils and parents or guardians, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected pupil behavior.

4. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials,
faith-based organizations), and disseminating information on the core ethical values adopted by the district Board of Education's Code of Pupil Conduct, per N.J.A.C. 6A:16-7.1(a)2.

The district will identify a range of strategies and resources, which could include, but not be limited to, the following actions for individual victims: counseling; teacher aides; hallway and playground monitors; schedule changes; before and after school supervision; school transportation supervision; school transfers; and therapy.

J. Reprisal or Retaliation Prohibited

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

All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances. Examples of consequences and remedial measures for pupils who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

Examples of consequences for a school employee or a contracted service provider who has contact with pupils that engages in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school 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.

K. Consequences and Appropriate Remedial Action for False Accusation

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

1. Pupils - Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.
2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with pupils found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with 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 pupils or the provision of pupil services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

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

The Superintendent shall ensure that notice of this Policy appears in the pupil handbook and all other publications of the school district that 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 pupils and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

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

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

The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to current and new school employees, contracted service providers, and volunteers who have significant contact with pupils. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district's Policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff members, contracted service providers, and school volunteers who have significant contact with pupils.

Each public school teacher shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention in each professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d.

The required two hours of suicide prevention instruction for teaching staff members shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:6-112.
Board members shall be required to complete a training program on harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

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

A school leader shall complete school leader training that shall include information on the prevention of

harassment, intimidation, and bullying as required in N.J.S.A. 18A:26-8.2.

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

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

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

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

The Superintendent and the Principal(s) shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the schools' Anti-Bullying Specialists, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment and review.

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

The Superintendent shall report two times each school year**,** between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46. The information reported shall be used to grade each school and each district in accordance with the provisions of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. Reports to Law Enforcement

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

Q. Collective Bargaining Agreements and Individual Contracts

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

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

R. Pupils with Disabilities

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

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

District Regulation

The Board of Education authorizes a prompt investigation of reports and violations and complaints of harassment, intimidation and bullying in accordance with the provisions of N.J.S.A. 18A:37-15(b)6.

The following investigation procedure shall be used for all allegations of harassment, intimidation, or bullying:

1. An investigation shall be initiated by the Principal or the Principal's designee within one school day of the report

of the incident and shall be conducted by a school's Anti-Bullying Specialist.

a. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist in the investigation.

2. The investigation shall be completed as soon as possible, but not later than ten school days from the date of the written report of the incident of harassment, intimidation, or bullying.

a. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the ten-day period, the school Anti-Bullying Specialist may amend the original report of the results of the investigation to reflect the information.

3. The results of the investigation shall be reported to the Superintendent of Schools within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

4. The Superintendent of Schools may decide to provide intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.

5. The results of each investigation shall be reported to the Board of Education no later than the date of the next Board of Education Meeting following the completion of the investigation, along with information on any services provided, training established, discipline imposed, or other action taken or recommended by the Superintendent.

6. Parents or legal guardians of the pupils who are parties to the investigation shall be entitled to receive information about the investigation, in accordance with Federal and State law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was 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.

7. A parent or legal guardian may request a hearing before the Board of Education after receiving the information.

a. This hearing shall be held within ten days of the request;
b. The Board shall meet in executive session for the hearing to protect the confidentiality of the pupils; and
c. At the hearing the Board may hear from the school Anti-Bullying Specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

8. At the next Board of Education meeting following its receipt of the report, the Board of Education 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 the procedures set forth in law and regulation, no later than ninety days after the issuance of the Board's decision.

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

5600 PUPIL DISCIPLINE/CODE OF CONDUCT

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

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

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

The Board will review this Policy and Regulation after considering the findings of the annual reports of pupil conduct, including suspensions and expulsions, pursuant to N.J.A.C. 6A:16-7.1(a)5 and 6, and the incidences reported under the Electronic Violence and Vandalism Reporting System, in accordance with N.J.A.C. 6A:16-5.3.
The Superintendent shall report annually on the implementation of the Pupil Discipline/Code of Conduct Policy to the Board at a public meeting pursuant to N.J.A.C. 6A:16-7.1(a)5. The Superintendent shall submit a report annually to the New Jersey Department of Education on pupil conduct, including all pupil suspensions and expulsions, and the

implementation of the Pupil Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education and the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e).

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

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

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

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

Remedial measures shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

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

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

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

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

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

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

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

District Regulation

A. Purpose: The purpose of these regulations is to achieve the following purposes:

1. Foster the health, safety, social, and emotional well-being of pupils;

2. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;
3. Promote achievement of high academic standards;
4. Prevent the occurrence of problem behaviors;
5. Establish parameters for the intervention and remediation of pupil problem behaviors at all stages of identification; and
6. Establish parameters for school responses to violations of the pupil discipline/code of conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the pupil offenders, and pupils' histories of inappropriate behaviors.

B. Rules of Conduct

1. All pupils are bound by law, policies of the Board of Education, and the administrative regulations of this school district.

2. In addition, pupils shall not:

a. Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority;
b. Create disorder or disruptions on school premises;
c. Use, threaten, or incite the use of physical force against other pupils, staff members, or visitors to the school;
d. Steal, damage, or deface the property of other pupils, staff members, or the district; e. Engage in the sexual and/or other harassment of pupils or staff members;
f. Violate codes of conduct adopted for organizations of pupils;
g. Possess or use weapons or any implement intended to harm others;
h. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;
i. Convey information about other pupils or staff members known to be false;
j. Act so recklessly as to endanger the safety of others;
k. Procure the property of others by threat or intimidation;
l. Enter school premises or any specific portion of the premises without permission and without authority;
m. Vandalize school property, real or personal;
n. Create litter on school property;
o. Be truant from school or class;
p. Cheat or otherwise engage in academic dishonesty;
q. Persistently refuse to complete homework and other assignments;
r. Engage in illegal gambling;
s. Smoke on school property;
t. Falsify an excuse or any school document;
u. Set fire to or cause a fire in any way on school premises;
v. Possess or explode a firecracker or other explosive device on school premises; w. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
x. Possess, use, or distribute a substance in violation of Policy No. 5530;
y. Join a secret society prohibited by law;
z. Commit an act of harassment, intimidation, or bullying; or
aa. Engage in any other activity expressly prohibited by a school staff member in authority.

3. Pupils assigned to a school bus must obey all school rules, and

a. Show respect for the driver at all times;
b. Enter and leave the bus in an orderly manner;
c. Ride only the bus to which they have been assigned;
d. Be and remain seated while the bus is in motion;
e. Avoid reckless and boisterous activity at all times, including during waits at pickup points;
f. Talk in a reasonable tone of voice and avoid loud noises;
g. Extend no portion of the body or other object out a bus window;
h. Keep aisles clear at all times;
i. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;

j. Refrain from smoking, eating, and drinking on the bus; and
k. Possess, use, or distribute no substance in violation of Policy No. 5530.

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

C. Disciplinary Measures

The following disciplinary measures may be applied as appropriate to the pupil's violation of school rules. The measures are sequential and are organized in order of severity.

1. Admonishment

A school staff member in authority may admonish the pupil for his/her unacceptable conduct and warn the pupil that additional misconduct may warrant a more severe penalty.

2. Temporary Removal from Classroom

a. The classroom teacher may direct the pupil to report to the office of the administrator in charge of pupil discipline.
b. The teacher will complete a form that indicates the pupil's name, homeroom, and the conduct that has caused the pupil's removal from the room.
c. The administrator in charge of discipline will interview the pupil and determine which, if any, additional disciplinary steps are indicated.

3. Deprivation of Privileges

The pupil may be deprived of the privilege of:

a. Moving freely about the school building,
b. Participation in co-curricular or inter/intrascholastic activities,
c. Attendance at a school-related social or sports activity,
d. Participation in a graduation ceremony, or
e. Transportation by school bus, or
f. Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy 5600 and N.J.A.C. 6A:16-7.1 et seq.

4. Detention

a. The pupil may be required to report before or after the school day to detention for a period of supervised study.
b. Transportation will be the responsibility of district or pupil's parents/legal guardian(s) and determined on a case by case basis.
c. The pupil may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

5. Grading

A pupil who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence (paragraph B.2.p. and paragraph B.2.q.) may suffer a reduced grade by virtue of the disqualified work. In no other instance may a pupil's grade be lowered as a direct penalty for misconduct.

6. In-school Suspension

a. The pupil may be removed from his/her regular classes and required to report to an in-school suspension program for supervised study.
b. In-school suspension is a deprivation of the pupil's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy and Regulation 5610.

7. Suspension from School

a. The pupil may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2, and 6A:16-7.3, and Policy 5610.
b. Suspension from school is a deprivation of the pupil's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy and Regulation 5610.

8. Expulsion

a. The Board may expel a general education pupil from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.5, and Policy 5620.
b. Expulsion is an extremely serious disciplinary measure; it deprives the pupil of his/her right to a thorough and efficient education and will not be imposed without the due process set forth in Policies 5610 and 5620.

D. Remedial Measures

The following remedial measures may be taken to aid in correcting pupil conduct and to ensure that the

pupil is properly placed in an appropriate educational environment and is not in need of special education and/or related services.

1. Restitution and Restoration

a. The pupil may be required, to:
(1) Make restitution, in kind or cost or labor, for any loss he/she has caused; or
(2) Restore to its former condition, by his/her own labor, any property the pupil has damaged or defaced.

b. A pupil who refuses to make restitution or restoration as directed may be disciplined by one or more of the measures included at paragraph C.

2. Counseling

a. The pupil may be required to consult with school guidance counselors to determine the causes of his/her misconduct and to assess the need for a change in educational placement.

b. The counselor will explain:
(1) Why the pupil's conduct is unacceptable to the school and damaging to the pupil,
(2) What the consequences of continued misconduct are likely to be, and
(3) Appropriate alternate behaviors.

c. The counselor may refer the pupil, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:
(1) The Child Study Team,
(2) Intervention and Referral Team,
(3) A public or private social agency, or
(4) A legal agency.

3. Parent Conferences

The pupil may be required to attend a meeting with his/her parent(s) and appropriate staff members to discuss the causes of the pupil's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

4. Alternate Educational Program

The pupil may be assigned to an alternate educational program as recommended by the pupil's guidance counselor, classroom teacher, Child Study Team, and/or Principal.

E. Consequences and Remedial Measures for Acts of Harassment, Intimidation, or Bullying

1. Consequences

Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil, and the pupil's history of problem behaviors and performance.

a. The consequences may include, but are not limited to, the examples listed below:

(1) Admonishment;
(2) Temporary removal from the classroom;
(3) Deprivation of privileges;
(4) Classroom or administrative detention;
(5) Referral to disciplinarian;
(6) In-school suspension during the school week or the weekend;
(7) After-school programs;
(8) Out-of-school suspension (short-term or long-term);
(9) Reports to law enforcement or other legal action;
(10) Expulsion; and
(11) Participating in school district-sponsored programs.

2. Remedial Measures

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.

F. Chart of Discipline: See Code of Conduct

Disciplinary Procedures

1. The Pupil Discipline/Code of Conduct Policy and Regulation 5600 shall be disseminated annually to all school staff, pupils, and parent(s). Principals will distribute these documents to all pupils on the first day of each school year and to transferring pupils on the first day of their enrollment in this district.
2. Teachers and administrators in charge of pupil discipline shall make every effort to administer these rules consistently and fairly.
3. The staff member who disciplines a pupil for conduct shall, however minimal the offense or the discipline,

    a. Orally inform the pupil of the conduct for which he/she is being disciplined; and

    b. Offer the pupil an opportunity to deny the charge or to present extenuating circumstances.

4. Where the discipline is greater than an admonishment, the pupil's parent(s)orlegal guardian(s)will be notified of the offense and of the discipline imposed and will be offered an opportunity to confer with the principal.

5. Where the offense is serious and the discipline greater than detention, every effort will be made to notify the parent(s) prior to the informal hearing conducted in accordance with paragraph F.3.

6. An in-school suspension, suspension from school, or expulsion will be conducted in strict accordance with law and Policies 5610 and 5620.

7. Violations of the rules regarding pupil conduct on school buses will be handled as follows.

    a. The driver will report the offensive conduct to the Principal of the school in which the pupil is enrolled by submission of a completed written form that includes the name of the pupil, the school, and the specific offensive conduct.
    b. The parent(s)orlegal guardian(s)will be notified, by copy of the form, of the pupil's conduct.
    c. The Principal or designee will determine the discipline to be administered, in accordance with the severity of the infraction. In general, when the offense is not severe:

        (1) On the first notice of misconduct, the pupil will be counseled, the parent(s)orlegal guardian(s)notified, and the pupil suspended from the bus for one school day(s);
        (2) On the second notice of misconduct, the pupil and parent(s) or legal guardian(s)will attend a conference, and the pupil will be suspended from the bus for three school days; and
        (3) On the third notice of misconduct, the Principal will confer with the parent(s)orlegal guardian(s)and the pupil will be suspended from the bus for a period not less than five school days or more than one semester or the balance of the school year, whichever is less.

    d. When the misconduct is severe, the pupil may be summarily suspended from the bus pending a conference with the parent(s)orlegal guardian(s)and further disciplinary action.

H. Pupils with Disabilities

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

I. Pupil Rights

Pupils subject to the consequences of the Pupil Discipline/Code of Conduct Policy and Regulation shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., that include:

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;
2. Education that supports pupils' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of pupils' marriage, pregnancy, or parenthood; 5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3; and
7. Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Pupil Rights Amendment; N.J.A.C. 6:3-6, Pupil Records; 45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. § 6301, Title IV(A)IV § 4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol

and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of pupil alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Pupil Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Student Records; as well as other existing Federal and State laws pertaining to pupil protections.

J. Records

1. Instances of pupil discipline will be recorded in the pupil's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330.

2. When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, disclosure of juvenile information; penalties for disclosure, shall be provided to the receiving public school district,

in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32-7.5(e)10.iv., and N.J.A.C. 6A:16-7.10.

a. The record shall be provided within two weeks of the date that the pupil enrolls in the receiving district.

b. Written consent of the parent or adult pupil shall not be required as a condition of the transfer of this information, however, written notice of the transfer shall be provided to the parent or the adult pupil.

c. When a pupil transfers to a private school, which includes all sectarian or nonsectarian nonprofit institutional day or residential schools that provide education for pupils placed by their parents and that are controlled by other than public authority, all pupil disciplinary records, with respect to suspensions or expulsions, shall be provided by the public school district of residence to the private school upon written request from the private school, in the same manner as such records would be provided by a public school district of residence to another public school district, pursuant to N.J.A.C. 6A:16-7.10(b).

d. The Board shall not use a pupil's past offenses on record to discriminate against that pupil.

e. All pupil disciplinary records maintained in the district shall conform with the requirements set forth in N.J.A.C. 6A:16-7.10(d).

K. Annual Report

The Superintendent of Schools shall report annually on the implementation of the Pupil Discipline/Code of Conduct Policy to the Board at a public meeting. The annual summary shall contain, at a minimum:

1. A numerical inventory of all violations of the pupil behavioral expectations in the Pupil Discipline/Code of Conduct Policy and Regulation;
2. Associated school responses to the violations of the pupil behavioral expectations;
3. An explanation and evidence of the effectiveness of the Pupil Discipline/Code of Conduct Policy and Regulation. The explanation and evidence, at a minimum, shall address:

a. The degree of effectiveness of the school district's activities in achieving the purposes of the Pupil Discipline/Code of Conduct Policy and Regulation, pursuant to the purposes as outlined in A. above; and

b. The degree and effectiveness of the implementation of the contents of the Pupil Discipline/Code of Conduct Policy and Regulation.

4. Any proposed changes to the school district's current policies, procedures, programs or initiatives, based on the annual report.

8690 - MONITORING DEVICES ON SCHOOL VEHICLES

The Board of Education recognizes that safe and secure conditions for all pupils transported in school owned or contracted school vehicles is paramount. Pupils transported in a school owned or contracted school vehicle must maintain proper discipline in the vehicle at all times.

To maintain the safe and secure conditions for all pupils transported on school owned or contracted school vehicles, the Board may use devices to monitor and/or observe pupil behavior, teacher and support staff behavior, school bus driver discipline procedures and/or school bus driving techniques. The device may be a sound video camera, a voice monitoring device or other appropriate devices.

The recording may be used in pupil and staff discipline matters, driver evaluations or for driver discipline or training. Notice of this policy will be provided to parent(s) or legal guardian(s) and all transportation personnel each year in staff, pupil and/or parent handbooks.