

HOPATCONG BOARD OF EDUCATION

The Chalkboard

Mr. Art DiBenedetto, Superintendent of Schools

Public
Hearing/Annual
Appointments and
Approvals
April 29, 2019
7:00 P.M.

The Hopatcong Borough Schools Board of Education at its public meeting on April 29, 2019 approved the resolutions as follows:

I. Finance

▪ 2019/2020 Preliminary Budget Submission

Approval of the following resolution for the adoption of the 2019/2020 Hopatcong School District budget:

“WHEREAS, the Superintendent has presented to the Finance Committee and members of the Hopatcong Board of Education, a recommended 2019/2020 School District Budget in the total amount of \$36,366,866, as follows; and

WHEREAS, the Board approves a Local Tax Levy of \$24,147,386;

THEREFORE, BE IT RESOLVED the Hopatcong School District 2019/2020 budget is approved as follows on the Meeting Agenda of April 29, 2019.”

	<u>Budget</u>
<u>General Fund</u>	
Fund 10 – Charter School Tuition.....	\$ 256,547
Fund 11 – General Operating Fund....	\$ 36,108,705
Fund 12 – Debt Services Assessment..	\$ <u>1,1614</u>
	\$ 36,366,866
<u>Special Revenue Fund</u>	

Fund 20 – Federal/State Grants.....	\$	708,192
<u>Debt Service</u>.....	\$	0
<u>Total Budget</u>	\$	37,075,058

- The Board approved approve the grant application for a Dynamic Mindfulness Program in the amount of \$10,000 over a two year period.

II. Personnel

- The Board accepted the resignation, with regret, of Timothy Will from his position as Assistant Facilities Manager in the Hopatcong School District, for the purpose of retirement, effective July 1, 2019. Mr. Will has served the district for 32 years.
- The Board accepted the resignation, with regret, of Diane Veres from her position as Grade 4 Teacher in the Hopatcong School District, for the purpose of retirement, effective July 1, 2019. Ms. Veres has served the district for 17 years.
- The board accepted the resignation, with regret, of Joanne Mullane from her position Director of Curriculum in the Hopatcong School District, for the purpose of retirement, effective July 1, 2019. Dr. Mullane has served the district for 13 years.
- The Board approved the following salary guide movements, effective September 1, 2019. Salaries are based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations:

Name	From	To	Effective Date
Brennan, Pamela	BA+30	MA	9/1/2019

- The Board approved the following 2018-2019 Advisors for the Hopatcong Middle School:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Michael Scannelli	Rescind	Spring Music Choreographer	D	4	\$1782.00	9/1/18	6/30/19

- The Board approved the appointment of Carolyn B. Joseph as the Business Administrator/Board Secretary in the Hopatcong Borough School District, effective July 1, 2019, through June 30, 2020 at a salary of \$153,600.
- The Board approved the following Confidential/Independent staff members for the 2019-2020 school year:

Kyle Bisignani	Lead Technician	\$64,565	\$600.00
Dawn DeBoer	Human Resources	\$57,869	\$0.00
Amanda Marcazo	Accounts Payable/Purchasing Coordinator	\$38,000	\$0.00

John Mulholland	Technician	\$59,376	\$600.00
Sandra Renzetti	Payroll/Benefits Coordinator	\$68,000	\$0.00
Ronald Reyes	Technician	\$71,943	\$600.00
Mary Anne Roe	Transportation Coordinator	\$30,095	\$600.00
Katie Schwab	Admin Asst to the Superintendent	\$45,000	\$0.00
Tracey Talmadge	Assistant to the BA	\$51,375	\$0.00
Kathleen Ward	Secretary to the BA	\$53,793	\$600.00

- The Board approved the following Hopatcong Association of Principals and Supervisors Members Contract Renewal Recommendations for the 2019-2020 school year:

Name	Job Title	Salary	Longevity
Lewis Benfatti	Middle School Co-Principal Grades 6 & 7	\$157,186.01	\$7,500.00
Emil Binotto	High School Co-Principal Grades 9-12	\$185,986.71	\$8,250.00
Christopher Buglovsky	Building Administrator/Athletic Director	\$120,830.36	\$0.00
Brian Byrne	Tulsa Trail Principal	\$133,993.21	\$6,000.00
Jeffrey Hallenbeck	High School Co-Principal Grade 8	\$156,568.01	\$7,500.00
Tracey Hensz	Middle School Co-Principal Grades 4 & 5	\$148,529.87	\$7,500.00
Katherine McFadden	Durban Avenue Principal	\$130,479.21	\$0.00
Tammy Miller	Director of Special Services	\$143,052.75	\$6,000.00

- The Board approved the following Tenured HEA Teacher Contract Renewals for the 2019-2020 school year*:

Name	2019-2020 Assigned Location	FTE	Guide	Step	Salary	Longevity
Carmen Alzate	Hopatcong High School	1.0	MA	13	\$73,415	\$800
Lindsay Amelio	Hopatcong Middle School	1.0	BA+30	11	\$62,915	\$500
Richard Anderson	Hopatcong High School	1.0	MA	5	\$63,033	\$0
Gary Andolena	Hopatcong High School	1.0	BA	15	\$83,035	\$500
Suzanne Annette	Durban Avenue School	1.0	MA+15	13	\$74,515	\$500
Leticia Anthes	Hopatcong High School	1.0	MA	15	\$89,885	\$1,500
Linda Aviles	Tulsa Trail School	1.0	BA	15	\$83,035	\$500
Thomas Baeli	Hopatcong Middle School	1.0	MA+30	13	\$76,915	\$500
Luanne Balinski	Durban Avenue School	1.0	MA	15	\$89,885	\$800

Mellany Barroqueiro	Tulsa Trail School	1.0	MA	15	\$89,885	\$800
Michael Batche	Hopatcong High School	1.0	BA+30	15	\$87,385	\$500
Audra Bauer	Hopatcong Middle School	1.0	BA+15	4	\$58,583	\$0
Laura Bennetti	Tulsa Trail School	1.0	MA	15	\$90,385	\$500
Alana Benninger	Hopatcong Middle School	1.0	BA	13	\$66,565	\$800
Joseph Bitetto	Hopatcong Middle School	1.0	BA	15	\$83,035	\$500
Roberta Boatman	Hopatcong High School	1.0	MA+45	15	\$94,685	\$500
Kimberly Boucher	Hopatcong Middle School	1.0	MA	9	\$63,833	\$0
Pamela Brennan	Hopatcong High School	1.0	BA+15	15	\$85,635	\$500
Kathleen Brennan	Durban Avenue School/Tulsa Trail School	1.0	BA	15	\$83,035	\$800
Mary Burns	Hopatcong High School	1.0	MA	13	\$73,415	\$500
David Campagna	Hopatcong High School	1.0	BA	13	\$66,565	\$0
Joanne Canizaro	Hopatcong Middle School	1.0	BA+30	13	\$70,915	\$800
John Canzone	Hopatcong Middle School	1.0	MA	15	\$89,885	\$1,500
Joanne Carr	Hopatcong High School	1.0	MA	15	\$89,885	\$1,800
Karen Carroll	Hopatcong Middle School	1.0	MA+60	15	\$95,985	\$1,500
Carmela Catizone	Hopatcong Middle School	1.0	MA	14	\$84,775	\$800
Donna Cerrato	Tulsa Trail School	1.0	BA+15	15	\$85,635	\$1,500
Mark Certo	Hopatcong Middle School	1.0	MA+45	15	\$94,685	\$800
Brian Collins	Tulsa Trail School	1.0	MA	15	\$89,885	\$800
Karen Cubberly	Hopatcong High School	1.0	MA+30	15	\$93,385	\$800
Michele Culcasi	Hopatcong High School	0.8	MA	14	\$67,820	\$0
Wilson Cusano	Hopatcong High School	1.0	BA	15	\$83,035	\$800
Melissa Dean	Hopatcong Middle School	1.0	MA+15	15	\$90,985	\$500
Edric Debos	Hopatcong High School	1.0	BA+30	12	\$66,915	\$0
Heather Delbago	Hopatcong High School	1.0	MA+30	15	\$93,385	\$800
Maria Delorenzo	Durban Avenue School	1.0	MA+15	13	\$74,515	\$800

Dana DeMetro	Durban Avenue School	1.0	MA	13	\$73,415	\$500
Sandra DeRose	Hopatcong High School	1.0	MA+15	15	\$90,985	\$1,500
Ruth DeSalvia	Hopatcong Middle School	1.0	MA	11	\$65,415	\$500
Jaclyn Dibrienza - Cikovic	Hopatcong Middle School	1.0	MA+45	10	\$69,444	\$0
Donald Dippel	Hopatcong Middle School	1.0	MA	12	\$69,415	\$500
Jamie Douglas	Tulsa Trail School	1.0	MA	12	\$69,415	\$500
Nancy Drury	Hopatcong Middle School	1.0	BA+15	15	\$85,635	\$800
Nancy Duffy	Hopatcong High School	1.0	MA	14	\$84,775	\$0
Traci Duffy	Hopatcong High School	1.0	MA+60	15	\$95,985	\$800
Lisa Dunmyer	Hopatcong High School	1.0	MA+30	12	\$72,915	\$500
Kathryn Duthaler	Tulsa Trail School	1.0	MA	15	\$89,885	\$800
Dina Emerling	Hopatcong High School	1.0	MA	14	\$84,775	\$500
Eric Fajerman	Durban Avenue School	1.0	BA	15	\$83,035	\$800
Mary Ellen Fata	Hopatcong High School	1.0	MA+30	15	\$93,385	\$1,800
Danielle Ferrara	Durban Avenue School	1.0	BA+15	15	\$85,635	\$800
Jaime Fialcowitz	Hopatcong Middle School	1.0	BA	12	\$62,565	\$500
Dawn Forbes	Hopatcong Middle School	1.0	MA+15	15	\$90,985	\$1,500
Jamie Gambuzza	Durban Avenue School	1.0	MA	12	\$69,415	\$500
Catherine Giugliano	Hopatcong Middle School	1.0	MA+15	12	\$70,515	\$500
Cheryl Lynn Gramp	Hopatcong High School	0.8	MA	15	\$89,885	\$500
Yanet Guevara	Hopatcong High School	1.0	MA	11	\$65,415	\$0
Sharon Haggerty	Hopatcong High School	1.0	MA+30	4	\$66,333	\$0
Dawn Hersh	Hopatcong Middle School	1.0	MA	13	\$73,415	\$500
Susan Hill	Hopatcong Middle School	1.0	MA+15	15	\$90,985	\$1,800
Pamela Hutchinson	Durban Avenue School	1.0	MA	15	\$89,885	\$500
Todd Jensen	Hopatcong High School	1.0	MA+30	12	\$72,915	\$500

Leeanne Juliano	Hopatcong Middle School	1.0	MA	13	\$73,415	\$500
Christine Kalembe	Hopatcong High School	1.0	MA	15	\$89,885	\$500
Melissa Kennedy	Hopatcong Middle School	1.0	MA+45	10	\$69,444	\$500
Lisa Kenny	Hopatcong High School	1.0	MA	15	\$89,885	\$2,000
Kristine Kester	Hopatcong Middle School	1.0	MA+60	15	\$95,985	\$500
Candace Kouris	Hopatcong Middle School	1.0	MA+15	15	\$90,985	\$800
Danielle Kovach	Tulsa Trail School	1.0	MA+60	14	\$90,875	\$800
Deborah Kranz	Durban Avenue School	1.0	MA	15	\$89,885	\$800
Jacob Kulik	Tulsa Trail School/Hopatcong Middle School	1.0	BA	12	\$62,565	\$0
Kathleen LaRosa	Hopatcong High School	1.0	BA+30	13	\$70,915	\$500
Joseph Longo	Hopatcong Middle School	1.0	MA	13	\$73,415	\$500
Shawna Longo	Hopatcong Middle School	1.0	MA+30	14	\$88,275	\$0
Christine LoPresti	Hopatcong Middle School	1.0	BA+30	15	\$87,385	\$2,000
Andrea Mancuso	Tulsa Trail School	1.0	MA	15	\$89,885	\$500
Danielle Manisa	Hopatcong Middle School	1.0	MA	15	\$89,885	\$500
James Marino	Hopatcong High School	1.0	MA+45	15	\$94,685	\$2,000
Hilary Martin	Hopatcong Middle School	1.0	MA+15	15	\$90,985	\$500
Stephanie Martinez	Hopatcong High School	1.0	MA+60	15	\$95,985	\$500
Allyson McConnell	Hopatcong Middle School	1.0	BA	13	\$66,565	\$800
James McDonald	Hopatcong High School	1.0	MA+30	15	\$93,385	\$1,500
Carol McGlynn	Hopatcong High School	1.0	BA+30	13	\$70,915	\$500
James McKowen	Hopatcong Middle School/Hopatcong High School	1.0	BA	9	\$56,983	\$0
Alexa McLean	Hopatcong Middle School	1.0	MA	15	\$89,885	\$500
Luis Mendez	Tulsa Trail School/Hopatcong High School	1.0	BA	15	\$83,035	\$800
Kristine Mendyk	Hopatcong Middle School	1.0	MA+60	12	\$75,515	\$500

Douglas Merkler	Hopatcong High School	1.0	MA	15	\$89,885	\$500
Paul Miller	Hopatcong High School	1.0	MA	15	\$89,885	\$800
Ashley Miller	Durban Avenue School	1.0	BA	5	\$56,183	\$0
Linda Minervini	Hopatcong Middle School	1.0	BA	15	\$83,035	\$800
Emily Minervini	Tulsa Trail School	1.0	MA	4	\$62,833	\$0
Dayna Monro	Durban Avenue School	1.0	BA+30	15	\$87,385	\$800
Stacey Montefusco	Durban Avenue School	1.0	MA+30	8	\$67,133	\$0
Pamela Morrison-Cavallo	Hopatcong Middle School	1.0	BA	9	\$56,983	\$0
Yvonne Mortello	Hopatcong Middle School	1.0	MA+30	15	\$93,385	\$800
Jill Mortenson	Hopatcong High School	1.0	BA	12	\$62,565	\$500
Carolyn Moschella	Hopatcong Middle School	1.0	MA+15	15	\$90,985	\$1,800
Jason Mulvihill	Hopatcong High School	1.0	MA	14	\$84,775	\$800
Christina Munoz	Hopatcong Middle School	1.0	MA+30	12	\$72,915	\$500
Mary Narcise	Tulsa Trail School/Hopatcong Middle School	1.0	MA+30	15	\$93,385	\$800
Megan Nardone	Hopatcong High School	1.0	MA	10	\$64,644	\$0
Mary Nee	Durban Avenue School	1.0	BA	9	\$56,983	\$0
Jennifer Neu	Tulsa Trail School	1.0	MA	14	\$84,775	\$800
Mary Noonan	Hopatcong Middle School	1.0	MA	15	\$89,885	\$800
McKenzie Norris	Hopatcong High School	1.0	BA+15	9	\$59,583	\$0
Peter Oesen	Hopatcong High School	1.0	MA+60	15	\$95,985	\$800
Kenneth Olsen	Hopatcong High School	1.0	MA+60	15	\$95,985	\$800
Eileen O'Neill	Hopatcong Middle School	1.0	BA+15	11	\$61,165	\$0
Kristen O'Shea	Durban Avenue School	1.0	BA	11	\$58,565	\$500
Linda Padula	Hopatcong High School	1.0	MA	5	\$63,033	\$0
Tanya Pagano	Durban Avenue School	1.0	MA+60	14	\$90,875	\$500
Susan Pallotta	Hopatcong High School	1.0	MA	14	\$84,775	\$800

Neil Pallotta	Hopatcong Middle School	1.0	MA+15	15	\$90,985	\$800
Kelly Pappas	Tulsa Trail School	1.0	MA+60	15	\$95,985	\$1,500
Barbara Parichuk	Hopatcong Middle School	1.0	MA	15	\$89,885	\$1,500
Irene Paxos	Hopatcong Middle School	1.0	MA	15	\$89,885	\$800
Melanie Piereth	Durban Avenue School	1.0	MA+60	15	\$95,985	\$500
Patricia Pietrzak	Tulsa Trail School	1.0	BA+30	15	\$87,385	\$2,000
Diana Pinto	Durban Avenue School	1.0	MA	13	\$73,415	\$500
Toby Richards	Hopatcong High School	1.0	BA+30	15	\$87,385	\$800
Jonathan Rischawy	Hopatcong High School	1.0	MA+15	14	\$85,875	\$0
Melanie Ryder	Durban Avenue School	1.0	BA	5	\$56,183	\$0
Barbara Sanders	Hopatcong High School	1.0	BA+15	14	\$80,525	\$0
Gail Sanderson	Durban Avenue School	1.0	MA	15	\$89,885	\$1,800
Dominic Schiavone	Hopatcong High School	1.0	MA+15	14	\$85,875	\$800
Lisa Schuffenhauer	Durban Avenue School	1.0	MA+15	15	\$90,985	\$0
Doreen Sciabica	Durban Avenue School	1.0	MA+30	15	\$93,385	\$1,500
Sonia Scovil	Hopatcong Middle School	1.0	MA	7	\$63,433	\$0
George Segale	Hopatcong High School	1.0	BA+15	12	\$65,165	\$0
Eric Shramko	Hopatcong Middle School	1.0	BA+30	15	\$87,385	\$500
Concetta Spano	Hopatcong Middle School	1.0	MA	15	\$89,885	\$800
Dominick Spuckes	Hopatcong High School	1.0	MA+15	15	\$90,985	\$500
Erica Strzepek	Durban Avenue School	1.0	MA+15	14	\$85,875	\$500
Norman Sutton	Tulsa Trail School	1.0	BA+15	6	\$58,983	\$0
Margaret Szczubelek	Hopatcong High School	1.0	BA+15	14	\$80,525	\$0
Christina Takacs	Tulsa Trail School	1.0	MA	14	\$84,775	\$800
Michelle Tumminelli	Tulsa Trail School	1.0	MA+30	15	\$93,385	\$800
Loren Turner	Hopatcong Middle School	1.0	BA+15	15	\$85,635	\$800
Craig Vallaro	Hopatcong Middle School	1.0	BA	6	\$56,383	\$0

Martina Villani	District Wide	1.0	MA+15	9	\$64,933	\$0
Susan Walko	Hopatcong Middle School	1.0	MA+30	15	\$93,385	\$800
Julie Wilson	Hopatcong High School	1.0	BA+15	15	\$85,635	\$1,800
Hilary Wolf	Hopatcong Middle School	1.0	MA	13	\$73,415	\$800
Kurt Zimmermann	Hopatcong High School	1.0	BA	14	\$77,925	\$0

**All salaries and longevity are based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations. Position assignments are subject to change based upon student enrollment and staffing needs.*

- The Board approved the following Non-Tenured HEA Teacher Contract Renewal Recommendations for the 2019-2020 school year:

Name	Current School	FTE	Guide	Step	Salary	Tenure Date
Marissa Adams	Durban Avenue School	1.0	BA+30	5	\$60,533	9/2/2019
Barbara Beere	Hopatcong High School	1.0	BA	4	\$55,983	9/2/2021
Jennifer Bisignani	Durban Avenue School	1.0	MA	4	\$62,833	10/24/2019
Stacey Christiano	Tulsa Trail School	1.0	MA+30	15	\$93,385	9/2/2020
Mary Dinnocenzo	Durban Avenue School	1.0	MA	12	\$69,415	9/2/2021
Michael Farrell	Hopatcong High School	1.0	MA	13	\$73,415	9/2/2020
Kathryn Gallagher	Hopatcong Middle School	1.0	MA	5	\$63,033	10/30/2022
Blair Harris	Durban Avenue School	1.0	MA	12	\$69,415	9/2/2020
Jacqueline Henderson	Tulsa Trail School	1.0	BA	10	\$57,794	9/2/2020
Alison Ibaceta	Tulsa Trail School	1.0	MA	12	\$69,415	9/2/2020
Victor Jimenez	Hopatcong High School	0.5	BA	4	\$27,992	9/2/2019
Heather Keegan	Tulsa Trail School	1.0	BA	7	\$56,583	9/2/2020
Kellie Kontozoglus	Tulsa Trail School	1.0	MA+30	12	\$72,915	9/2/2020
Amanda Maliszewski	Tulsa Trail School	1.0	BA+30	13	\$70,915	5/2/2023

Susan Mastroviti	Durban Avenue School	1.0	BA	4	\$55,983	10/28/2019
Matt McKowen	Hopatcong High School	1.0	BA	11	\$58,565	9/2/2019
Christi Murphy	Hopatcong Middle School	1.0	MA	3	\$62,633	9/2/2022
Emily Preisler	Durban Avenue School	1.0	MA	9	\$63,833	9/2/2022
Susan Rikkola	Hopatcong Middle School/ Hopatcong High School	0.5	MA	5	\$31,517	10/2/2021
Kelly Rodick	Durban Avenue School	1.0	BA	8	\$56,783	9/2/2020
Rosemary Smith	Durban Avenue School	1.0	BA	13	\$66,565	9/2/2022
Nancy Stephens	Hopatcong High School	1.0	MA+15	6	\$64,333	9/2/2022
Chelsea Trump	Hopatcong High School	1.0	MA	8	\$63,633	1/3/2023
Anna Voloshin	Hopatcong Middle School	1.0	BA+30	11	\$62,915	1/9/2023
Rebecca Weber	Hopatcong High School	1.0	BA	3	\$55,783	9/2/2022

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- The Board approved the following HEA Teacher Tenure Recommendations for those staff members who will achieve tenure during the 2019-2020 school year:

Name	2019-2020 Assigned School	Start Date	Tenure Date
Marissa Adams	Durban Avenue School	9/1/2015	9/2/2019
Victor Jimenez	Hopatcong High School	9/1/2015	9/2/2019
Matt McKowen	Hopatcong High School	9/1/2015	9/2/2019
Jennifer Bisignani	Durban Avenue School	9/1/2015	10/24/2019
Susan Mastroviti	Durban Avenue School	10/27/2015	10/28/2019

- The Board approved the following HEA Custodial/Maintenance Staff Members Contract Renewal Recommendations for the 2019-2020 school year**:

Name	FTE	Step	Salary	Stipends	Longevity
Joshua Aiello	1.0	1	\$39,537.00	\$0.00	\$0.00
Christine Amella	0.5	1	\$19,968.50	\$0.00	\$0.00

Charles Bowker	1.0	10	\$48,631.00	\$1,800.00	\$1,050.00
Shelton Bryant	1.0	10	\$48,631.00	\$900.00	\$0.00
Ashlee Campbell	1.0	1	\$39,937.00	\$0.00	\$0.00
Leonard Chase	1.0	1	\$39,937.00	\$0.00	\$0.00
Domenico DeBiase	1.0	14	\$55,246.00	\$0.00	\$1,050.00
Kershel Demby	1.0	1	\$39,937.00	\$0.00	\$350.00
Robert Duncan	1.0	4	\$41,017.00	\$0.00	\$350.00
Bruce Dunn	1.0	11	\$50,285.00	\$0.00	\$1,200.00
Donald Forst	1.0	1	\$39,937.00	\$900.00	\$350.00
Luigi Galassi	1.0	2/3	\$40,477.00	\$0.00	\$350.00
Matthew Handy	0.5	6	\$21,411.50	\$0.00	\$1,050.00
Patricia Houterman	1.0	4	\$41,017.00	\$900.00	\$550.00
William Kraemer	1.0	1	\$39,937.00	\$0.00	\$0.00
Edward Landshof	1.0	1	\$39,937.00	\$0.00	\$0.00
Ronald Law	1.0	11	\$50,285.00	\$0.00	\$1,200.00
Catherine Maroney	0.5	1	\$19,968.50	\$0.00	\$0.00
Andrew Neigel	0.5	1	\$19,968.50	\$0.00	\$0.00
Rocco Passerini	1.0	4	\$41,017.00	\$900.00	\$350.00
Martin Petrizzo	0.5	4	\$20,508.50	\$0.00	\$550.00
Stefania Polo	1.0	4	\$41,017.00	\$0.00	\$550.00
Lawrence Scartozzi	1.0	4	\$41,017.00	\$0.00	\$350.00
Debra Smith	0.5	1	\$19,968.50	\$0.00	\$0.00
Michael Smith	1.0	1	\$39,937.00	\$0.00	\$0.00
Gregory Smyth	1.0	1	\$39,937.00	\$900.00	\$350.00
Nicholas Terantino	1.0	7	\$44,089.00	\$500.00	\$550.00
Mark Ulrich	1.0	2/3	\$40,477.00	\$500.00	\$350.00
Joseph Vincent	1.0	1	\$39,937.00	\$0.00	\$0.00

***All salaries and longevity are based upon the 2018-2019 HEA Custodial/Maintenance Salary Guide and may change based upon the*

*outcome of negotiations. Position assignments are subject to change based upon student enrollment and staffing needs. **Custodial hiring as listed above is contingent upon final Reduction in Force as a result of Hudson Maxim school closing. Reduction in Force announcement will be put forth in the May meeting.*

- The Board approved the following Hopatcong Office Personnel Association Members Contract Renewal Recommendations for the 2019-2020 school year:

Name	Location	Job Title	Salary	Stipends	Longevity
Donna Annett	District Office	Child Study Team Secretary	42,818.00	0.00	1,800.00
Mary Beth Galfo	District Office	Xerox Services	35,935.00	0.00	575.00
Deborah Gates	Middle School	Secretary to the Middle School Principal	42,818.00	2,400.00	2,200.00
Annett Grieco	Middle School	Secretary to the Middle School Principal	39,311.00	2,400.00	929.16
Sandra Hornick	District Office	Facilities Secretary	17,731.50	0.00	0.00
Brittany Juskus	High School	Secretary to the High School Principal	35,580.00	2,400.00	0.00
Ana Marrazzo	Durban Avenue	Secretary to the Durban Avenue Principal	39,311.00	2,400.00	1,000.00
Maureen O'Hare	Tulsa Trail	Secretary to the Tulsa Trail Principal	38,709.00	2,400.00	575.00
Lynne Smith	District Office	Child Study Team Secretary	42,124.00	2,400.00	2,200.00
Linda Tappen	High School	Secretary to the Athletic Director/ Building Administrator	36,435.00	1,500.00	0.00
Stacy Yanko	High School	Guidance Secretary	35,688.00	600.00	0.00

**All salaries and longevity are based upon the 2018-2019 HOPA Salary Guide and may change based upon the outcome of negotiations. Position assignments are subject to change based upon student enrollment and staffing needs.*

- | Student Name | Semester | University | Experience | School | Cooperating Staff Member |
|--------------|-------------|--------------------------|-------------|-------------|--------------------------|
| Emily Stoev | Spring 2019 | County College of Morris | Observation | High School | Mrs. Ellicott |

- ### III. Students & Services

- ## IV. Travel

- ## V. Policies & Regulations

- | <u>Policy #</u> | <u>Title</u> | |
|------------------------|---|----------------------|
| P 2415.06 | <i>Unsafe School Choice Option</i> | (M) (Revised) |
| P 2610 | <i>Educational Program Evaluation</i> | (M) (Revised) |
| P 5600 | <i>Student Discipline/Code of Conduct</i> | (M) (Revised) |

P 5611	<i>Removal of Students for Firearms Offenses</i>	(M) (Revised)
P 5612	<i>Assaults on District Board of Education Members or Employees</i>	(M) (Revised)
P 5613	<i>Removal of Students for Assaults with Weapons Offenses</i>	(M) (Revised)
P 8461	<i>Reporting Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol, and other Drug Offenses</i>	(M) (Revised)
P 8561	<i>Procurement Procedures for School Nutrition Programs</i>	(M) (Revised)

<u>Regulation #</u>	<u>Title</u>	
R 2460.8	<i>Special Education – Free and Appropriate Public Education</i>	(M) (Revised)
R 5330	<i>Substance Abuse</i>	(M) (Revised)
R 5600	<i>Student Discipline/Code of Conduct</i>	(M) (Revised)
R 5611	<i>Removal of Students for Firearms Offenses</i>	(M) (Revised)
R 5612	<i>Assaults on District Board of Education Members or Employees</i>	(M) (Revised)
R 5613	<i>Removal of Students for Assaults with Weapons Offenses</i>	(M) (Revised)
R 8461	<i>Reporting Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol, and other Drug Offenses</i>	(M) (Revised)

- The Board approved the modifications and additions to the policies and regulations of the Hopatcong Board of Education in accordance with statutory and regulatory changes for approval, as revised, for **SECOND READING**:

<u>Policy #</u>	<u>Title</u>
NONE	

VI. Resolutions

- The Board approved the recommendation by the Superintendent that an Affirmative Action Team be formed to conduct a needs assessment in the district so as to be able to complete the three year Comprehensive Equity Plan.
- The Board approved the submission of the Comprehensive Equity Plan that is due to the Department of Education by June 11, 2019.

VII. Approved Addendums

- WHEREAS, the Hopatcong Board of Education is the owner of certain real property on Lot 3, Block 10001 in the Borough of Hoptacong ("Property"); and a 60 x 60 area near the existing water tower on Lot 3, Block 10001; and

WHEREAS, the Board is the party to a lease agreement dated October 3, 2003 ("Lease Agreement") pursuant to which the Board leases a portion of the Property consisting of a 60 x 60 area near the existing water tower thereon ("Leased Premises"); and

WHEREAS, assuming all renewal options are exercised, the Lease Agreement is set to expire on November 3, 2028; and

WHEREAS, the Board has determined that it is in the best interest of the Hopatcong School District to assign its rights as ground lessor under the Lease Agreement and grant a permanent easement to the Board's assignee of the Lease with respect to said Leased Premises; and

WHEREAS, the Board has determined that the Leased Premises is not needed for school purposes in the future; and

NOW, THEREFORE, BE IT RESOLVED by the Hopatcong Board of Education, that assigning its rights as ground lessor under the Lease Agreement and granting a permanent easement to the Board's assignee of the Lease with respect to the Leased Premises is in the best interest of the Hopatcong School District; and

BE IT FURTHER RESOLVED that the Board hereby approves a minimum price for the aforementioned transactions in the amount of \$1,750,000; and

BE IT FURTHER RESOLVED that the Superintendent and Board Secretary shall advertise and request bids for same by public notice in a newspaper published in the school district; and

BE IT FURTHER RESOLVED that the Board President, Board Attorney, Superintendent, and Board Secretary are hereby authorized and directed to prepare and execute all documents necessary to effectuate this resolution.

- It is recommended that Mr. Matt Geary receive a contract for the 19-20 school year at a salary to be determined. (current salary \$85,000)

LIST OF APPROVED SUBSTITUTES

COUNTY: Sussex

DISTRICT: Hopatcong

Date adopted by Local Board of Education Subject to Criminal Background Check April 29, 2019

NAME	INSTITUTIONS ATTENDED	DATES OF ATTENDANCE	DEGREE RECEIVED	MAJOR	CERTIFICATE(S)
Andrew Finland	Grand Canyon University	Graduated 2015	BS	Educational Studies	Teacher Cert Substitute cert
Elma-Jean Wood	Endicott Jr. College Univ. of Miami	1964-1966 1966-1969	AS BA	Art Art	Cty Substitute Certificate
SUBSTITUTE PARAPROFESSIONALS	SUBSTITUTE CUSTODIANS/ MECHANIC	SUBSTITUTE VAN/BUS DRIVERS	SUBSTITUTE School Nurse	SUBSTITUTE DAY PLUS	HOME INSTRUCTION

Attachment
①

Field Trip Requests April 2019			
Submitted by	Activity Title	Date	Cost per Student
Burns, Mary	Trout Release - Stephan's State Park, 300 Willow Grove Road, Hackettstown, NJ	5/17/2019	\$3.93
McConnell, Ally...	Shop Rite Trip - 90-80 Route 206 North Byram, NJ 07874	5/29/2019	\$9.66
McConnell, Ally...	Shop Rite - 90-80 Route 206 North Byram Township, NJ 07874	5/30/2019	\$9.66
Zimmermann, Kurt	Tri-M Trip to Blue Man Group - 434 Lafayette St #1, New York, NY 10003	5/30/2019	\$90.00
Delorenzo, Maria	Mr. Popper's Penguins Play - Growing Stage Theater, 7 Ledgewood Avenue, Netcong, NJ 07857	5/10/2019	\$16.00
Martinez, Steph...	Dorney Park - Allentown, PA	6/5/2019	\$45.85
Minervini, Emily	Turtle Back Zoo - 560 Northfield Avenue West Orange, NJ 07052	6/11/2019	\$14.00
Grieco, Annette	Lake Hopatcong Foundation Educational Program - Hopatcong State Park	5/31/2019	\$0.00
Catizone, Carmela	Field Trip to George Washington's Crossing - Friends of Washington Crossing Park	6/12/2019	\$10.50
Martinez, Steph...	FIT trip to Sandy Hook - Gateway National Park at Sandy Hook	5/28/2019	\$27.00
Olsen, Kenneth	Walking tour of Lower Manhattan given by Ken Olsen and Former HHS Teacher Jeff Ryder - Lower Manhattan	5/22/2019	\$19.00
Hill, Susan	Future Teachers Visit to Centenary University - 400 Jefferson Street, Hackettstown, NJ 07840	4/11/2019	\$0.00
Olsen, Kenneth	Quest Hike High Point State Park - 1480 Route 23 Sussex, NJ 07461	5/9/2019	\$0.00
Olsen, Kenneth	Community Service Club National Trails Day- Students will help build trails and fix fences in Island Beach State Park, IBSP will also be having a bonfire that students will attend - Shore Rd, Seaside Park, NJ 08752	6/1/2019	\$0.00
Hill, Susan	Sussex County Middle School Academic Bowl - Hardyston Middle School	5/30/2019	\$0.00
Pinto, Diana	First grade field trip to Space Farms Zoo and Museum - 218 County Road 519, Sussex, NJ 07461	5/23/2019	\$14.00

Conference Requests April 2019			
Submitted by	Activity Title	Date	Cost
Canizaro, Joanne	Getting Started with Common Lit Digital	3/13/2019	\$0.00
Anthes, Leticia	Meetings at Mt. Olive High School and Mt. Olive Middle School	3/25/2019	\$5.61
Padula, Linda	2019 NJSCA Counselor of the County Awards Luncheon	3/22/2019	\$0.00
Canizaro, Joanne	Strengthening Disciplinary Knowledge through Close Reading	3/19/2019	\$0.00
Byrne, Brian	NJTSS-ER Spring Regional Training	3/28/2019	\$24.80
Montefusco, Sta...	IEP Meetings at NHA	5/1/2019	\$10.35
Montefusco, Sta...	IEP Mtg. at PG Chambers	5/23/2019	\$12.90
Montefusco, Sta...	GEOY Lunch Reception	5/10/2019	\$10.97
McFadden, Kathe...	NJTSS-ER	3/28/2019	\$24.80
DiBrienza-Cikov...	Out of district testing	4/3/2019	\$15.20
Longo, Shawna	ISTE	06/23/2019 - 06/25/2019	\$417.50
Rodick, Kelly	Inclusion is More Than "Just Being In"	3/26/2019	\$0.00
Beere, Barbara	NJ State School Nurse's Association Annual Spring Conference 2019	3/30/2019	\$199.00
Beere, Barbara	Type 1 Diabetes in Children	4/28/2019	\$0.00
Anthes, Leticia	OOD IEP MEETING	4/4/2019	\$10.42
Joseph, Carolyn	57th Annual NJASBO Conference	06/05/2019 - 06/07/2019	\$300.00
Catizone, Carmela	Conquer Math	4/11/2019	\$0.00
Dinnocenzo, Mary	Re-eligibility/Annual IEP Meeting	4/16/2019	\$8.60
Stephens, Nancy	Future Fair	4/11/2019	\$0.00
		Total	\$1,040.15

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Educational Program Evaluation
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[See POLICY ALERT Nos. 140, 172, 209 and 217]

2610 EDUCATIONAL PROGRAM EVALUATION

The Board of Education directs the Superintendent to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. ~~To this end, the Superintendent shall employ such tests and methods~~ **that will ensure decision making is data driven and a variety of sources of data are used to analyze and monitor student achievement and progress, as well as evaluate school programs as may be indicated by sound professional judgment.** Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Superintendent shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board ~~during the school year. Findings of the assessment program, that~~ evaluate the progress of students and the effectiveness of staff members. **The Superintendent shall use multiple (more than two) sources of data to monitor student achievement and the progress of students. The Superintendent shall also use multiple (more than two) sources of data to evaluate the effectiveness of programs, initiatives, and strategies.**

The Board will annually make available to the public the collective progress of students toward the goals of the district. The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the district, assess district and student needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Superintendent shall annually recommend improvements in the educational program based on the Board's evaluation of the district's program. The Board reserves the right to employ experts from outside the school district to serve in the evaluation process.

N.J.S.A. 18A:7A-11

N.J.A.C. 6A:8-4.1 et seq.

N.J.A.C. 6A:19-2.6 [vocational districts]

Adopted:



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[See POLICY ALERT Nos. 167, 211 and 217]

2415.06 UNSAFE SCHOOL CHOICE OPTION

The New Jersey Department of Education (NJDOE) is required to establish an Unsafe School Choice Option (USCO) Policy per the Elementary and Secondary Act (ESEA) of 1965, as reauthorized under the Federal Every Student Succeeds Act of 2015 (ESSA). The USCO Policy requires that students who attend a persistently dangerous public elementary or secondary school as determined by the NJDOE, or become victims of a violent criminal offense while in or on school grounds of a public school that they attend, be allowed to attend a safe public school within the district. The USCO provision under the ESSA contains two provisions that apply to school districts that receive funds under ESSA: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving ESSA funds must be prepared to complete the transfer of students who choose to exercise Provision I and Provision II of this USCO Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under ESSA. The Superintendent is required to certify compliance with this USCO Policy to the NJDOE in the application for ESSA funds.

USCO Policy Provision I - Persistently Dangerous Schools (PDS)

1. Criteria for Determining PDS.

A persistently dangerous school is a public elementary or secondary school building (except for Regional Day Schools, Educational Services Commissions and Special Services School Districts) that meets the objective criteria determined by the NJDOE for three consecutive years and is part of a school district that receives funds under ESSA. The NJDOE will use the most current available data from the ~~Electronic Violence and Vandalism Reporting System (EYVRS)~~ **Student Safety Data System (SSDS)** to identify PDS on or before July 31 of each year.



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2. Procedures and Guidelines for Schools Determined to be Persistently Dangerous.

A school district will be notified by the NJDOE on or before July 31 of each year if a school(s) in the school district has been identified as a PDS. Once the district receives notification a school is identified as persistently dangerous, the district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of the notice and offer them the option for their children to transfer to a safe public school within the district by the beginning of the respective school year. The district must complete all transfers by the beginning of the school year following the July notification.

Students are not required to accept the transfer option, but they must be afforded the opportunity to do so. Parental notice regarding the status of the school and the offer to transfer students should be made simultaneously. Parents of enrolled students must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring students.

To the extent possible, the district will allow transferring students to transfer to schools that have not been identified as low performing, under the State's ESSA accountability system. When a transfer school is not available within the school district, the district may seek arrangements for students to transfer to the nearest charter school or neighboring district; however, this is not required. The district may take into account the needs and preferences of the affected students and parents.

3. Corrective Action Plan for a School Identified as Persistently Dangerous.

If a school in the district is identified by the NJDOE as persistently dangerous, the district will submit to the NJDOE documentation of compliance with the parent notification requirement and actions taken to complete the transfer arrangements for all students exercising the option by the first day of the school year. Additionally, the district is required to develop and submit for



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approval a corrective action plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the ~~EVVRS~~ **SSDS**. The NJDOE will provide the school with guidance for its corrective action plan, as well as monitor the school district's timely completion of the approved plan.

In the spring of each following year, the NJDOE will re-evaluate the status of a school identified as persistently dangerous. The NJDOE will review the school's progress towards completing its corrective action plan and compare the current year's incidents of violence, as reported on the ~~EVVRS~~ **SSDS**, to the criteria for determining PDS. A school identified as maintaining the persistently dangerous designation will be notified by the NJDOE on or before July 31 of the respective year and will be required to submit for approval a revised corrective action plan by September 30 of that year, which will apply to the respective school year. The school district must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year in accordance with 2. above.

A school no longer designated persistently dangerous will be notified on or before July 31 of the respective year. The persistently dangerous designation will be removed after one or more years contingent upon successful fulfillment of the criteria for removal, as determined by evidence of the school's progress toward successfully completing the approved corrective action plan, and evidence of incidents that no longer meet the criteria for determining PDS, described above, for one school year, the year in which the corrective action plan was in effect.



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4. Procedures and Guidelines for Early Warning of Schools.

When a school meets the criteria set forth in this Policy for one year, the district will be informed of the types of offenses reported that have led to an early notification. This notification, on or before August 15 of each year, will be informational only. A school that no longer meets the criteria for PDS for one year will no longer be considered in early notification status. A school that meets the criteria for two consecutive years will move into early warning status outlined below.

If a school meets the criteria set forth in this Policy for two consecutive years, the district will be notified of the pattern of offenses on or before August 15 of each year. If notified, the district will develop and submit for approval a school safety plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The school safety plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the ~~EVVRS~~ **SSDS**. The NJDOE will provide an early warning school with guidance for its school safety plan, as well as monitor the school's timely completion of the approved plan. A school receiving an "early warning" notice is not required to provide the transfer option to students.

In the spring of each following year, the NJDOE will reevaluate the school's progress towards completing its school safety plan and compare the current year's incidents of violence, as reported on the ~~EVVRS~~ **SSDS**, to the criteria for determining PDS. The school will be notified of its status on or before July 31 of the respective year.

A school that no longer meets the criteria for PDS for one school year, the year in which the school safety plan was in effect, will no longer be required to submit a school safety plan.

A school that meets the criteria for PDS for a third consecutive year will be designated persistently dangerous and will be required to submit for approval a corrective action plan on or before September 30 of that year, which will apply to the respective school year and provide the transfer option to students in the school designated as persistently dangerous.



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5. Schools Not Receiving ESSA Funds, but Meeting the Criteria for PDS.

School buildings and districts that ~~do~~ **are not part of a local education agency (LEA)** that receives Federal funds under ESSA, but meet any one of the criteria for PDS will be contacted by the NJDOE and be required to develop and submit for approval a school safety plan on or before September 30 of the respective year. The school safety plan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the ~~EVVRS~~ **SSDS**. The NJDOE will provide the school with guidance for its school safety plan, as well as monitor the school's timely completion of the approved plan.

[Optional

Only required for Regional Day Schools, Special Services School Districts, and Educational Services Commissions:

6. Special Schools Meeting the Criteria for PDS.

Regional Day Schools, Special Services Districts, and Educational Services Commissions that meet the criteria for PDS will not be identified as such, but will be contacted by the NJDOE and required to develop and submit for approval a school safety plan on or before September 30 of the respective year. The school safety plan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the ~~EVVRS~~ **SSDS**. The NJDOE will provide the school with guidance for their school safety plan, as well as monitor the school's timely completion of the approved plans.]

USCO Policy Provision II -- Victims of Violent Criminal Offenses

The Unsafe School Choice Option provision under the ESSA requires a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary or secondary school that the student attends, be allowed to attend a safe public elementary or secondary school within the district, including a public charter school.



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The individual victim provision of this Policy attempts to fulfill the requirement for the school district to provide relief to students who have been victimized, while providing a school with a practical means for making determinations on incidents of victimization that are within the purview of the school district. The individual victim section of this Policy has been crafted to enable school staff to make reasonable determinations and actions regarding this Policy. The Superintendent will consult with the Board attorney and communicate with designated local and/or county law enforcement authorities, per the provisions of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and N.J.A.C. 6A:16-6.2(b)13*, on questions and issues that arise in the implementation of the individual victims of violent criminal offenses section of this Policy.

1. Criteria for Determining Victims of Violent Criminal Offenses

The following criteria must be used to determine when an enrolled student has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the student attends. These criteria only apply to a student who has become a victim of one or more of the violent criminal offenses enumerated below:

A student is considered a victim of a violent criminal offense when:

a. A referral has been made to law enforcement officials for suspicion that one of the violent criminal offenses enumerated below has occurred; and

b. One or more of the following applies:

(1) Law enforcement officials have filed formal charges against the offender(s) for commission of the violent crime; or

(2) The offender(s) has received sanctions in accordance with the Board of Education's Code of Student Conduct; or



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- (3) The offender(s) either has not been identified or is not an enrolled student(s), but it is clear that the student (victim) has become a victim of a violent criminal offense based on objective indicators such as physical evidence, eyewitness testimony, and/or circumstantial evidence; or
- (4) The pre-existence of a restraining order against the offender(s).

2. Procedures and Guidelines

Effective the first day of each school year, the district must be prepared to begin the transfer of any student who chooses to exercise the individual choice option provision. The district must offer, within fourteen calendar days of the incident, an opportunity to transfer to a safe public school within the district to any student who has become a victim of a violent criminal offense while in or on the grounds of a public school that the student attends. While the student must be offered the opportunity to transfer, the student may elect to remain at the school.

To the extent possible, the district will allow any transferring student to transfer to a school that has not been identified as low performing, under the State's ESSA accountability system. In addition, when a transfer school is not available within the district, the district may seek arrangements for a student to transfer to the nearest charter school or neighboring district; however, this is not required. The district may take into account the needs and preferences of the affected student and his or her parent(s). Transfers must occur within thirty days of the determination that the student was a victim of a violent criminal offense.

3. Violent Criminal Offenses

The violent criminal offenses under New Jersey statutes that apply to the individual victim provision of this Policy are identified and explained below. The offenses apply to completed offenses, as



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well as attempts to commit the offenses. The offenses and attempts to commit the offenses apply only when they occur in or on the school grounds, as defined in N.J.A.C. 6A:16-1.3, of the school that the student attends. The offenses apply whether they occur wholly or in part in or on the grounds of the school that the student attends. The offenses apply only to acts or attempts that are directed at a person (victim) or a group of specified individuals (victims), rather than acts that indiscriminately affect the entire school population or non-specified individuals or groups.

4. Applicable Violent Criminal Offenses

Below is a description of each applicable violent criminal offense that is based upon New Jersey statutes and references to statutory citations that provide complete explanations of each designated offense. The descriptions provided below are not intended to be a complete explanation of each offense or a substitute for the actual provisions of the authorizing statutes. Instead, the descriptions are provided as an aid in facilitating understanding of the general intent and practical applications of the violent criminal offenses that pertain to this Policy.

- a. Homicide [N.J.S.A. 2C:11-2] - A student is a victim of a homicide when he or she is the child, sibling or other relative of a decedent, resulting from someone purposely, knowingly or recklessly causing the death of the student's parent, sibling, or relative in or on school grounds.
- b. Assault [N.J.S.A. 2C:12-1(A)(1-3) and 2C:12-1(B)(1-4)] - A person is a victim of an assault when the actor: purposely, knowingly, or recklessly causes bodily injury to the victim; negligently, recklessly, knowingly, or purposely causes bodily injury to the victim with a deadly weapon; attempts by physical menace to put the victim in fear of imminent serious bodily injury; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded.



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- c. Sexual Assault [N.J.S.A. 2C:14-2] - A student is a victim of a sexual assault when the student is a victim of an act of sexual contact when the victim is less than thirteen years old and the actor is at least four years older than the victim, or the student is a victim of an act of sexual penetration under any of the following circumstances:
- (1) The victim is less than thirteen years old.
 - (2) The victim is at least thirteen, but less than sixteen years old; and the actor is at least four years older than the victim.
 - (3) The victim is at least sixteen years old, but less than eighteen years old; and the actor has supervisory or disciplinary power over the victim.
 - (4) The actor uses physical force or coercion.
 - (5) The victim is one whom the actor knew or should have known was physically helpless, mentally defective, or mentally incapacitated.
- d. Bias Intimidation [N.J.S.A. 2C:16-1(A)] - A person is a victim of the crime of bias intimidation when an actor commits, attempts to commit, conspires with another to commit or threatens the immediate commission of an offense specified in Chapters 11 through 18 of Title 2C of the New Jersey Statutes; N.J.S.A. 2C:33-4; N.J.S.A. 2C:39-3; N.J.S.A. 2C:39-4 or N.J.S.A. 2C:39-5 in the following circumstances:
- (1) With a purpose to intimidate a victim or a group of specified victims because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
 - (2) Knowing that the conduct constituting the offense would cause a victim or a group of specified victims to be intimidated because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or



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- (3) Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that:
 - (a) The offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
 - (b) The victim or the victim's property was selected to be the target of the offense because of race, color, religion, gender, handicap, sexual orientation, or ethnicity.
- e. Terroristic Threat [N.J.S.A. 2C:12-3(A) and 2C:12-3(B)] - A person is a victim of a terroristic threat when the actor threatens to commit one of the violent criminal offenses enumerated under this Policy against the victim with the purpose to put the student in imminent fear of one of the violent crimes enumerated in this Policy under circumstances reasonably causing the victim to believe the immediacy of the threat and the likelihood that it will be carried out. The definition of terroristic threat applies to N.J.S.A. 2C:12-3(a) insofar as the threat was directed at a person (victim) or a group of specified individuals (victims).
- f. Robbery [N.J.S.A. 2C:15-1] - A person is a victim of a robbery when the actor, in the course of committing a theft, inflicts bodily injury; or uses force upon the victim; threatens the victim with or purposely puts the victim in fear of immediate bodily injury.



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- g. Kidnapping [N.J.S.A. 2C:13-1] - A person is a victim of a kidnapping when the actor unlawfully removes the victim from the school or school grounds; or the actor unlawfully confines the victim with the purpose of holding the victim for ransom or reward as a shield or hostage; or the actor unlawfully removes the victim from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or if the actor unlawfully confines a student for a substantial period of time with any of the following purposes: to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.
- h. Arson [N.J.S.A. 2C:17-1] - A person is a victim of arson when the actor purposely or knowingly starts a fire or causes an explosion in or on the grounds of a school whereby the victim or group of specified victims are in danger of death or bodily injury; or with the purpose of destroying or damaging the victim's or group of specified victim's property that is in the school or on school grounds.

Miscellaneous Provisions of USCO

1. Transfer Time Period – PDS

The transfer will be temporary and will be in effect as long as the student's original school is identified as persistently dangerous.

[Optional

The transfer may be in effect longer and the district will consider the educational needs of the student, as well as other factors affecting the student's ability to succeed if returned to the transferring school. (i.e. The school district may allow a student to complete his or her education through the highest grade level at the receiving school if the student would otherwise be required to return to their original school.)]



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2. Charter School Transfer Option

While ESSA permits affected students to be afforded the opportunity to attend a public charter school, in addition to a safe public elementary school or secondary school within the school district, the application of this provision in New Jersey is limited. Transfers to a charter school can only occur as a part of the charter school's "equal opportunity" selection process and among charter schools administered under the same managing authority (i.e., charter schools within the charter school district).

Since charter schools in New Jersey are considered public local education agencies (LEA's), pursuant to N.J.S.A. 18A:36A-3, operated independently of a local board of education, transfers may only take place among charter schools within the LEA. Therefore, students may be permitted to transfer to another charter school that is administered under the same managing authority of the charter school, but are not permitted to transfer to a school in the local public school district administered by a local board of education.

However, pursuant to N.J.S.A. 18A:36A-7, a charter school must be open to all students on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective students), and in accordance with N.J.S.A. 18A:36A-8, if there are more applications to enroll in the charter school than there are spaces available, the charter school must select students to attend using a random selection process for enrollment.

3. Funding Sources for USCO

The USCO statute does not authorize resources specifically to help cover USCO costs associated with transferring a student from a PDS. However, under certain circumstances Federal funds may be used. For example, ESEA Title IV, Part A [Section 4115(b)(2)(E)(v)] may be used to establish safe zones of passage to and from school to ensure that students travel safely on their way to school and on their way home. In addition, ESEA Title IV, Part A [Sections 5121(8) and 5131(12) and (25)] funds may be used to help cover costs such as tuition or transportation related to the USCO or expansion of public school choice.



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4. Special Education Students

The district will provide transferred special education students with the program required by the student's Individualized Education Program (IEP).

5. Transfer Schools

In the event there is not another school within the school district for a transferring student, the district

[Optional]

_____ is not required to transfer the student to a school outside the school district.

or

_____ will explore other appropriate options such as an agreement with a neighboring school district to accept transfer students.]

[Optional]

6. The district will offer students the transfer option if they do not meet the criteria for determining victims of violent criminal offenses under the USCO Policy Provision II as one response for providing relief to students whose victimization has affected their safety and ability to learn.]

The district will use the school choice option as one response to incidents of victimization. Additionally, the district will develop and implement appropriate strategies for addressing the circumstances that contribute to or support victimization, as well as consistently and proactively manage individuals who have victimized students. The district will promote the importance of school safety and respond to the needs of students and staff. Pursuant to the law, the district will provide an opportunity for students, parents and school district and law enforcement personnel to discuss methods for keeping schools safe from violence; to create school safety plans; and to recognize students in need of help. The district will organize activities to prevent school violence, including, but not



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limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student diversity and tolerance. Law enforcement personnel will be invited to join members of the teaching staff in the discussions. Programs shall also be provided for school district employees that are designated to help school district employees recognize warning signs of school violence and to instruct school district employees on recommended conduct during an incident of school violence.

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

Title VIII, Part F, Subpart 2, SEC. 8532
Every Student Succeeds Act (ESSA) of 2015

Adopted:



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Student Discipline/Code of Conduct

Jan 19

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[See POLICY ALERT Nos. 140, 142, 147, 164, 176, 193, 196, 204 and 217]

5600 STUDENT DISCIPLINE/CODE OF CONDUCT

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

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

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

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

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



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Student Discipline/Code of Conduct

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

Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 123.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

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

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

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

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



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Student Discipline/Code of Conduct

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7.2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school district's Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention,



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Student Discipline/Code of Conduct

education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

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

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

In accordance with the provisions of N.J.A.C. 6A:16-7.98, when a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.

The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses,



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pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the ~~Electronic Violence and Vandalism Reporting System~~ **Student Safety Data System (SSDS)**, pursuant to N.J.A.C. 6A:16-5.3.

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

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

Adopted:



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Removal of Students for Firearms Offenses

Jan 19

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[See POLICY ALERT Nos. 135, 144, 147, 158, 203 and 217]

5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES

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

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

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

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



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Removal of Students for Firearms Offenses

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

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

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

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

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

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

Adopted:



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Assaults on District Board of Education

Members or Employees

Jan 19

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[See POLICY ALERT Nos. 158, 203 and 217]

5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES

Any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school district employee, or Board member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, shall be immediately removed from school pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7.

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

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

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



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Assaults on District Board of Education Members or Employees

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

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

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

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

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

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

Adopted:



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Removal of Students for Assaults with
Weapons Offenses

Jan 19

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[See POLICY ALERT Nos. 203 and 217]

5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

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

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

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

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

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



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Removal of Students for Assaults with Weapons Offenses

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

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

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

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

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

Adopted:



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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol,
and Other Drug **Offenses Abuse**

Jan 19

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[See POLICY ALERT Nos. 179, 180, 188, 193 and 217]

8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG **OFFENSES ABUSE**

The Board of Education shall observe "School Violence Awareness Week" during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence. **The Board of Education shall disseminate to students' parents an informational pamphlet prepared by the New Jersey Department of Education (NJDOE) on how a parent can limit a child's exposure to violence on television, cell phones, computers, and other electronic devices, on an annual basis pursuant to N.J.S.A. 18A:40-44.**

In accordance with N.J.A.C. 6A:16-5.3 aAny school employee who observes or has direct knowledge from a participant or victim of an act of violence; **including harassment, intimidation, and bullying;** or the possession and/or distribution of alcohol or other drugs on school grounds, and any school employee who reports a student for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form adopted by the Board to include all of the incident detail and offender and victim information that are reported on the ~~Electronic Violence and Vandalism Reporting System (EVVRS)~~ **Student Safety Data System (SSDS).**

A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

The Building Principal, for each incident ~~report~~ of violence; **including vandalism, harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses or other drug abuse,** shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify



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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol,
and Other Drug **Offenses Abuse**

the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.

The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, **including** ~~vandalism~~, harassment, intimidation, **and** ~~or~~ bullying, **and vandalism**, pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

Twice ~~Two-times~~ each school year, **once** between September 1 and January 1 and **once** between January 1 and June 30, ~~at a public hearing held pursuant to N.J.S.A. 18A:17-46,~~ the Superintendent shall report to the Board **at a public meeting** all acts of violence, **including** ~~vandalism~~, harassment, intimidation, **and** bullying, **vandalism**, and ~~incidents of alcohol and other drug offenses abuse~~ that occurred during the previous reporting period, **according to** ~~in accordance with~~ the provisions of N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the ~~NJDOE Department of Education~~. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The Commissioner shall promulgate guidelines for a program to grade schools for the



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and Other Drug **Offenses Abuse**

purposes 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. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within ten days of the receipt of a grade by the school and district.

Whenever it is alleged a school employee has knowingly falsified **reported information on acts of the report on violence, or vandalism, harassment, intimidation, or bullying or any incident included in the annual report on violence and vandalism** required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(fg)2. Upon a determination by the Board that an employee has knowingly falsified the **reported information**, the Board may take appropriate action as outlined in N.J.A.C. 6A:16-5.3(g)3. ~~Any action taken by the Board shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. Any employee having been found responsible for the falsification of the report by the Board shall have the right to file a grievance under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.~~

The A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

The Board shall provide ongoing staff training, in cooperation with the **NJDOE Department of Education**, in fulfilling the reporting requirements of N.J.S.A. 18A:17-46.

N.J.S.A. 18A:17-46; 18A:36-5.1; **18A:40-44**
N.J.A.C. 6A:16-5.2; 6A:16-5.3

Adopted:



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[See POLICY ALERT Nos. 95, 101, 104, 108, 112, 119, 129, 132, 138,
146, 152, 155, 159, 185, 211 and 217]

R 2460.8 SPECIAL EDUCATION - FREE AND APPROPRIATE PUBLIC EDUCATION

A free and appropriate public education is available to all students with disabilities between the ages of three and twenty-one including students with disabilities who have been suspended or expelled from school.

Procedures regarding the provision of a free and appropriate public education to students with disabilities who are suspended or expelled are as follows:

1. School officials responsible for implementing suspensions/expulsions in the district are the following:
 - a. ____ Grades Nine – Twelve Principal/Vice Principal or designee;
 - b. ____ Grades Six – Eight Principal/Vice Principal or designee;
 - c. ____ Grades Pre-Kindergarten – Five Principal/Vice Principal or designee;
2. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation.)
 - a. Removal for at least half of the school day shall be reported via the ~~Electronic Violence and Vandalism Reporting System~~ **Student Safety Data System (SSDS)**.
3. Each Principal or designee will ensure that a system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons. Documentation will include:

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- a. Student's name;
 - b. The infraction;
 - c. Time suspended; and
 - d. The cumulative days suspended including removal for a portion of the school day which is counted proportionately.
4. When a student is suspended from transportation:
- a. Suspension from transportation is not counted as a day of removal if the student attended school.
 - b. Suspension from transportation is counted as a day of removal if the student does not attend school.
 - c. If transportation is included in the student's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
 - d. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the student does not attend school.
5. When a student with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not considered removal when determining whether a manifestation determination must be conducted if the program provides the following:
- a. Opportunity for the student to participate and progress in the general curriculum,
 - b. Services and modifications specified in the student's IEP,
 - c. Interaction with peers who are not disabled to the extent they would have in the current placement, and
 - d. The student is counted as present for the time spent in the in-school suspension program.

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6. When a series of short-term removals will accumulate to more than ten school days in the year:
 - a. The Principal/Vice Principal or designee and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2. Written documentation of the consultation between the school administration and the case manager shall be maintained by the case manager.
 - b. If it is determined that there is no change in placement, the Principal/Vice Principal or designee, the case manager, and special education teacher will consult to determine the extent to which services are necessary to:
 - (1) Enable the student to participate and progress appropriately in the general education curriculum; and
 - (2) Advance appropriately toward achieving the goals set out in the student's IEP.
 - c. Written documentation of the consultation and services provided shall be maintained in the student's file.
7. When a disabled student is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene a meeting of the IEP Team and, as necessary or required, conduct a functional behavior assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004, 20 U.S.C. §1415(k). The IEP Team shall:
 - a. Review the behavioral intervention plan and its implementation;
 - b. Determine if modifications are necessary; and

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- c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

The case manager will document the date and the outcome of the meeting.

The documentation shall be placed in the student's file.

Procedures Regarding the Provision of a Free and Appropriate Public Education to Preschool Age Students with Disabilities

To ensure that preschoolers with disabilities who are not participating in an early intervention program have their initial IEP's in effect by their third birthday, a written request for an initial evaluation shall be forwarded to the district.

The following procedures will be followed:

1. A parent of a preschool-age student suspected of having a disability, who requests a Child Study Team (CST) evaluation by telephone, will be advised to submit a written request for an evaluation to the Preschool Coordinator or Director of Special Services.
2. Upon receipt of the written request, the request shall be dated and signed by the recipient.
3. The district will respond to referrals of preschoolers according to N.J.A.C. 6A:14-3.3(e).
4. A file will be initiated for the potentially disabled preschooler:
 - a. The Child Study Team will convene a referral/identification meeting within twenty calendar days (excluding school holidays but not summer vacation) of the date recorded on the request;
 - b. A "Notice of Referral/Identification Meeting" will be sent to the parent(s);

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- c. The notice will contain "Parental Rights in Special Education" (PRISE) Booklet;
- d. The meeting will be attended by the CST, including a speech language specialist, the parent(s), and a teacher who is knowledgeable about the district's program; and
- e. A program shall be in place no later than ninety calendar days from the date of consent.

Procedures Regarding the Provision of a Free, Appropriate Public Education to Students with Disabilities Who Are Advancing From Grade to Grade

The Director of Special Services, through in-service training, shall ensure students with disabilities who are advancing from grade to grade with the support of specially designed services, continue to be eligible when as part of a reevaluation, the IEP Team determines the student continues to require specially designed services to progress in the general education curriculum and the use of functional assessment information supports the IEP Team's determination.

Procedures Involving Procedural Safeguards to Students Not Yet Eligible For Special Education

Disciplinary procedural safeguards will apply to students not yet eligible for special education. The parent and/or adult student may assert any of the protections of the law if the district had knowledge the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

Adopted:



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[See POLICY ALERT Nos. 125, 133, 144, 145, 157, 173, 179, 204 and 217]

R 5530 SUBSTANCE ABUSE

The following procedures are established in implementation of Policy 5530, Substance Abuse.

A. Definitions

1. "Evaluation" means procedures used by a certified or licensed professional to make a positive determination of a student's need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the student or the student's family.
2. "Other drugs" mean substances as defined in N.J.S.A. 18A:40A-9 and substances as defined in N.J.A.C. 6A:16-4.1(a).
3. "Parent" means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a student. When parents are separated or divorced, "parent" means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.
4. "Referral for evaluation" means programs and services suggested to a student or his or her family in order to make a positive determination regarding a student's need for services that extend beyond the general school program.
5. "Referral for treatment" means programs and services suggested to a student or to his or her family to help implement the recommendations resulting from an evaluation, pursuant to N.J.A.C. 6A:16-1.3 and 4.1(c)5 and 6; in response to a positive alcohol or other drug test result, pursuant to N.J.A.C. 6A:16-4.4; or in response to the family's request for assistance with a learning, behavior, or health difficulty, pursuant to N.J.A.C. 6A:16-4.1(c)7 and 8.



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6. "School grounds" means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central facilities including, but not limited to, kitchens and maintenance shops. "School grounds" also include other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land. "School grounds" also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration as defined in N.J.A.C. 6A:26-1.2.
7. "Substance" as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages, controlled dangerous substances, including anabolic steroids as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
8. "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.
9. "Under the influence" of substances means that the student is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.



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B. Discipline

1. Any violation of Board rules prohibiting the use, possession, and/or distribution of a substance is a serious offense, and the student who violates a substance abuse rule will be disciplined accordingly. Repeated violations are more severe offenses and warrant stricter disciplinary measures. Students who violate the substance abuse rules will be disciplined as follows:
 - a. First offense: Parent and Police are notified, 5-9 days Out-of-School Suspension (OSS), parent/guardian must meet with the Student Assistance Counselor, Guidance Counselor or designee within 48 hours and follow treatment recommendation.
 - b. Second offense: Parent and Police are notified, 7-9 days Out-of-School Suspension, parent/guardian must meet with Student Assistance Counselor, Guidance Counselor or designee within 48 hours and follow treatment recommendation.
 - c. Third offense: Parent and Police are notified, immediate 9 day Out-of-School Suspension with home instruction. To return to school, the pupil has to follow the treatment recommendation.
2. In accordance with N.J.A.C. 6A:16-4.1(c), the following disciplinary action will be taken in the event the student does not follow through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors:
 - a. First offense: Failure to follow treatment recommendation will result in 9 days Out-of-School Suspension and the Division of Youth and Family Services may be notified.
 - b. Second offense: Failure to follow treatment recommendation will result in potential expulsion proceedings or homebound instruction.
 - c. Third offense: Suspended 9 days with home instruction



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C. Intervention, Referral for Evaluation, and Referral for Treatment Services

1. The provision of intervention, referral for evaluation, and referral for treatment services for students who are affected by alcohol or other drug use.
 - a. The intervention, referral for evaluation, and referral for treatment services shall be provided by an individual who holds the educational services certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners, or by an individual who holds one of the following educational services certificate endorsements: school nurse; school nurse/non-instructional; school psychologist; school counselor; school social worker; or student personnel services and is trained in alcohol and other drug abuse intervention, assessment, referral for evaluation, and referral for treatment skills.
 - b. The intervention, referral for evaluation, and referral for treatment services shall include one or more of the following:
 - (1) Provisions for a program of instruction, counseling, and related services provided by the district Board of Education while a student receives medical treatment for a diagnosed alcohol or other drug dependency problem;
 - (2) Referral to a community agency, as defined in N.J.A.C. 6A:16-4.1(b), out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or private practitioners authorized by the appropriate drug and alcohol licensing board;
 - (3) Provisions for support services for students who are in, or returning from, medical treatment for alcohol and other drug dependency; or



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- (4) A special class, course or educational program designed to meet the needs of students with alcohol or other drug use problems.

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D. Reporting, Notification, and Examination Procedures

1. Students Suspected of Using Anabolic Steroids – N.J.A.C. 6A:16-4.3(b)
 - a. Whenever a teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe that a student has used or may be using anabolic steroids, the person 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 either the certified or non-certified school nurse, the school physician, or the student assistance coordinator.
 - b. In response to a report of suspected anabolic steroid use, including instances when a report is made to law enforcement, the Principal or designee shall immediately notify the student's parent and the Superintendent. The Principal or designee shall arrange for an examination of the student by a physician licensed to practice medicine or osteopathy selected by the parent.
 - (1) If the physician chosen by the parent is not available to perform the examination, the examination shall be conducted by the school physician or other physician identified by the Principal.
 - (2) The student shall be examined as soon as possible for the purpose of determining whether the student has been using anabolic steroids.
 - c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to have used or to be using anabolic steroids.
 - (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of anabolic steroids or related paraphernalia or a student



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reasonably believed to be involved or implicated in distribution activities involving anabolic steroids.

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- d. The examining physician shall provide to the parent, Principal, and Superintendent a written report of the examination.
- e. If it is determined the student has used anabolic steroids, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following educational services certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained to assess alcohol and other drug abuse shall interview the student and others, as necessary, for the purpose of determining the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment.
 - (1) To make this determination, the school staff member(s) identified above may conduct a reasonable investigation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse.
- f. If results of a referral for evaluation positively determine the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, the school staff member(s) identified in D.1.e. above who is trained to assess alcohol and other drug abuse shall initiate a referral for treatment to appropriate community agencies as defined in N.J.A.C. 6A:16-4.1(b), to out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or to private practitioners certified by the appropriate drug and alcohol licensing board.



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2. Students Suspected of Being Under the Influence of Alcohol or Other Drugs Other Than Anabolic Steroids – N.J.A.C. 6A:16-4.3(a)
 - a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs on school grounds shall report the matter as soon as possible to the Principal or, in his or her absence, to his or her designee and either the certified school nurse, non-certified school nurse, school physician, or student assistance coordinator, pursuant to N.J.S.A. 18A:40A-12.
 - (1) In instances where the Principal and either the certified school nurse, non-certified school nurse, school physician or the student assistance coordinator are not in attendance, the staff member responsible for the school function shall be immediately notified.
 - (2) The referring staff member shall file with the Principal a report describing the incident. The form shall include all information necessary for a complete, accurate reporting on the ~~Electronic Violence and Vandalism Reporting System (EVVRS)~~ **Student Safety Data System (SSDS)** according to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3.
 - b. In response to every report by an educational staff member or other professional of suspected student alcohol or other drug use, including instances when a report is made to law enforcement, the Principal or designee shall:
 - (1) Immediately notify the student's parent and the Superintendent or designee;
 - (2) Arrange for an immediate medical examination of the student for the purposes of providing



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appropriate health care and for determining whether the student is under the influence of alcohol or other drugs, other than anabolic steroids; and

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- (3) Any substance screening conducted by the school nurse and/or other staff is not a substitute for the required medical examination required in N.J.S.A. 18A:40A-12.
- c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol or other drugs.
 - (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.
- d. The medical examination shall be performed by a physician licensed to practice medicine or osteopathy who is selected by the parent.
 - (1) The parent will be provided, in writing, the minimum requirements for the immediate medical examination, which will include, but not be limited to, the substances to be tested by the physician, the cut-off levels of each substance to be tested, the time period the immediate medical examination must be conducted, and any other requirements of the examination.
 - (2) The examination shall be at the expense of the parent and not the district Board of Education.
- e. If the physician chosen by the parent is not immediately available, the medical examination shall be conducted by the school physician.
 - (1) If the school physician is not available, the student shall be accompanied by a member of the school



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staff designated by the Principal to the emergency room of the nearest hospital for examination.

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- (2) The student's parent, if available, shall also accompany the student.
 - (3) When the medical examination is conducted by the school physician or a physician at the emergency room of the nearest hospital, the examination shall be at the expense of the district Board of Education.
- f. The Board of Education will have a plan in place for the appropriate supervision of the student:
- (1) While waiting for a parent to take the student to the physician selected by the parent, or while the student is waiting for and receiving the medical examination by the school physician or the physician in an emergency room; and
 - (2) Provisions will be made for the appropriate care of the student while awaiting the results of the medical examination.
- g. A written report of the medical examination of the student shall be furnished to the student's parent, the Principal, and the Superintendent of Schools by the examining physician within twenty-four hours of the referral of the student for suspected alcohol or other drug use.
- (1) The school district, in cooperation with the school physician or medical professionals licensed to practice medicine or osteopathy, shall establish minimum requirements for the medical report. The minimum requirements for the examination will be periodically reviewed and updated as needed.
 - (2) The report's findings shall verify whether the student's alcohol or other drug use interferes with



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his or her physical and mental ability to perform in school.

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- h. When the medical examination is performed by a physician other than the school physician or at the emergency room of the nearest hospital, the school district will require the parent to verify within twenty-four hours of the notification that the student is suspected of alcohol or other drug use that a medical examination was performed in compliance with this Policy.
 - (1) The verification shall include, at a minimum, the signature, printed name, address, and phone number of the examining physician, the date and time of the medical examination, and the date by which the report required in this Policy will be provided.
 - (2) Refusal or failure by a parent to comply with this requirement shall be treated as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.3(d).
- i. If the written report of the medical examination is not submitted to the parent, Principal, and Superintendent within twenty-four hours of the referral of the student for suspected alcohol or other drug use, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- j. If the written report of the medical examination verifies that alcohol or other drugs do not interfere with the student's physical and mental ability to perform in school, the student will be immediately returned to school.
- k. If there is a positive determination from the medical examination, indicating the student's alcohol or other drug



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use interferes with his or her physical or mental ability to perform in school:

- (1) The student will be returned as soon as possible to the care of the parent;

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- (2) Attendance at school shall not resume until a written report has been submitted to the parent, the Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student to determine whether alcohol or other drug use interferes with his or her physical or mental ability to perform in school.

- (a) The report shall verify that the student's alcohol or other drug use no longer interferes with the student's physical and mental ability to perform in school.

- (3) Removal of a student with a disability shall be made in accordance with N.J.A.C. 6A:14.

1. While the student is home because of the medical examination or after the student returns to school, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained to assess alcohol and other drug abuse shall:

- (1) Conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse, for the purpose of making a preliminary determination of the student's need for educational programs, supportive services, or treatment that extend beyond



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the general school program by virtue of the student's use of alcohol or other drugs.

- (a) The findings of the assessment alone shall not prevent a student from attending school; and

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- (2) Cooperate with community agencies as defined in N.J.A.C. 6A:16-4.1(b) and juvenile justice officials in providing evaluation, referral, and continuity of care for alcohol or other drug abuse treatment.

- m. While the student is at home because of the medical examination or after his or her return to school, the Principal or Superintendent may recommend or require alcohol and other drug assessment of the student or evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services that extend beyond the general school program, as necessary.

- (1) The findings of these additional evaluations alone shall not be used to prevent a student from attending school.

- n. If at any time it is determined that the student's use of alcohol or other drugs presents a danger to the student's health and well-being, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained in alcohol and other drug abuse treatment referral shall initiate a referral for alcohol or other drug abuse treatment.

E. Handling of Alcohol or Other Drugs



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1. A student's person, effects, or school storage places may be searched for substances in accordance with Board Policy and applicable laws regarding searches in schools.
2. A school employee who seizes or discovers a substance, or an item believed to be a substance or drug paraphernalia, shall immediately notify and turn it over to the Principal or designee.

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- a. The Principal or designee shall immediately notify the Superintendent or designee who in turn shall notify the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
- b. In accordance with the provisions of N.J.A.C. 6A:16-6.4(a), the school employee, Principal or designee shall safeguard the alcohol, other drug, or paraphernalia against further destruction and shall secure the alcohol, other drug, or paraphernalia until it can be turned over to the County Prosecutor or designee.
- c. The Principal or designee shall provide to the County Prosecutor or designee all information concerning the manner in which the alcohol, other drug, or paraphernalia was discovered or seized, including:
 - (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
 - (2) The identity of the student believed to have been in possession of the substance or paraphernalia.
- d. The Principal or designee shall not disclose the identity of a student who voluntarily and on his or her own initiative turned over the alcohol, other drug, or paraphernalia to a school employee, provided there is reason to believe the student was involved with the alcohol, other drug, or paraphernalia for the purpose of personal use and not distribution activities, and further provided the student agrees to participate in an appropriate treatment or counseling program.



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- (1) For the purposes of N.J.A.C. 6A:16-6.4, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall not constitute a voluntary, self-initiated request for counseling and treatment.

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F. Reporting Students to Law Enforcement Agencies

1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of his or her employment, has reason to believe that a student has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.
2. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
3. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the student involved.
4. The Superintendent or designee; however, shall not disclose the identity of a student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem, provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.
5. For the purpose of N.J.A.C. 6A:16-6.3, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not



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constitute a voluntary, self-initiated request for counseling and treatment.

6. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a student suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical examination,

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pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the student and for determining whether the student is under the influence of alcohol or other drugs or has been using anabolic steroids. The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.

7. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test, pursuant to N.J.A.C. 6A:16-4.3(a)3i and N.J.A.C. 6A:16-4.3(b)3i and N.J.A.C. 6A:16-4.3(a)4, was obtained as a result of the district Board of Education's voluntary random drug testing policy, pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

G. Parent Training Program/Outreach Programs

1. A substance abuse training program will be offered to the parents of students enrolled in the district. The program will be offered at times and places convenient to parents and on school premises or in other suitable facilities.
2. The program shall, at a minimum, provide:
 - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year, with recommendations



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as to the ways in which the parent may enhance, reinforce, and supplement that program;

- b. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;
- c. Instruction to assist the parent in the identification of the symptoms and behavioral patterns that might indicate a child may be involved in substance abuse;

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- d. Information on the State, local, and community organizations which are available for the prevention, early intervention, treatment, and rehabilitation of individuals who show symptoms of substance abuse; and
 - e. A review of the Board Policy and Regulation on substance abuse with attention to the role of parents.
3. The Board will establish an outreach program to provide substance abuse education for the parents of students in the district. In establishing the program, the Board shall consult with such local organizations and agencies as are recommended by the Commissioner. The Board shall insure the program is offered at times and places convenient to the parents of the district on school premises, or at other suitable facilities.
- a. In addition to the substance abuse education program required pursuant to N.J.S.A. 18A:40A-17, the Board shall provide assistance to parents who believe that their child may be involved in substance abuse.

H. Records and Confidentiality of Records

- 1. Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330.
- 2. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse



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shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, and N.J.A.C. 6A:16-3.2.

3. If a student involved in a school-based drug and alcohol counseling program provides information during the course of a counseling session which indicates the student's parent or other person residing in the student's household is dependent upon or illegally using substances pursuant to N.J.S.A. 18A:40A-7.1 and 7.2, that information shall be kept confidential and may be disclosed only under the circumstances expressly authorized as follows:

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- a. Subject to the student's written consent, to another person or entity whom the student specifies in writing in the case of a secondary student, or to a member of the student's immediate family or the appropriate school personnel in the case of an elementary student;
- b. Pursuant to a court order;
- c. To a person engaged in a bona fide research purpose; except that no names or other information identifying the student or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or
- d. To the Division of Child Protection and Permanency (DCP&P) or to a law enforcement agency, if the information would cause a person to reasonably suspect that the student or another child may be an abused or neglected child in accordance with statute or administrative code.

Any disclosure made pursuant to H.3.a. and b. above shall be limited to that information which is necessary to carry out the purpose of the disclosure, and the person or entity to whom the information is disclosed shall be prohibited from making any further disclosure of that information without the student's written consent. The disclosure must be accompanied by a written statement from the Superintendent or designee advising the recipient that the information is being disclosed from the records



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the confidentiality of which is protected by N.J.S.A. 18A:40A-7.1 et seq. and that this law prohibits any further disclosure of this information without the written consent of the person from whom the information originated.

Nothing in this Policy or Regulation prevents the DCP&P or a law enforcement agency from using or disclosing the information in the course of conducting an investigation or prosecution. Nothing in this Policy or Regulation shall be construed as authorizing the violation of any Federal law.

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The prohibition on the disclosure of information provided by a student shall apply whether the person to whom the information was provided believes that the person seeking the information already has it, has other means of obtaining it, is a law enforcement or other public official, has obtained a subpoena, or asserts any other justification for the disclosure of this information.

A person who discloses or willfully permits the disclosure of information provided by a student in violation of this Policy is subject to fines in accordance with N.J.S.A. 18A:40A-7.2.

4. Each incident of substance abuse shall be reported to the Commissioner on the ~~Electronic Violence and Vandalism Reporting System (EVVRS)~~ SSDS.



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Adopted Issued:



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Student Discipline/Code of Conduct
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[See POLICY ALERT Nos. 140, 147, 176, 193, 196, 204 and 217]

R 5600 STUDENT DISCIPLINE/CODE OF CONDUCT

A. Purpose

The Student Code of Conduct and this Regulation are established to achieve the following purposes:

1. Foster the health, safety, social, and emotional well-being of students;
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 problem student behaviors at all stages of identification; and
6. Establish parameters for school responses to violations of the code of student conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of student offenders and students' histories of inappropriate behaviors in accordance with N.J.A.C. 6A:16-7.2 through 7.98, as appropriate.

B. Expectations for Academic Achievement, Behavior, and Attendance

All students have a responsibility to comply with State statutes and administrative codes for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 123.1.



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C. Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2, any student who is guilty of continued and willful disobedience, open defiance of the authority of any teacher or person having authority over the student, the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, any of the following:

1. Continued and willful disobedience;
2. Open defiance of the authority of any teacher or person, having authority over the student;
3. Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
4. Physical assault upon another student;
5. Taking, or attempting to take, personal property or money from another student, or from the student's presence, by means of force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property;
7. Participation in an unauthorized occupancy by any group of students or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the Principal or other person then in charge of such building or facility;
8. Incitement which is intended to and does result in unauthorized occupation by any group of students or others of any part of a school or other facility owned by any school district;
9. Incitement which is intended to and does result in truancy by other students;



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10. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and

11. Harassment, intimidation, or bullying.

Students shall also be suspended from school for assault upon a school staff member in accordance with the provisions of N.J.S.A. 18A:37-2.1 and 2.2.

D. Students' Rights

Students subject to the consequences of the Student 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 students' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of students' 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, and N.J.A.C. 6A:16-7.2 through 7.5;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3 and N.J.A.C. 6A:16-7.1 through 7.98; and



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7. Protections pursuant to 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Pupil Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7165, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by students, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Pupil records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records, as well as other existing Federal and State laws and rules pertaining to student protections.

E. Comprehensive Behavioral Supports

Below are behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports may include, but are not limited to, the following:

1. Positive Reinforcement for Good Conduct and Academic Success

A student will be provided positive reinforcement for good conduct and academic success which may include, but are not limited to:

- a. Classroom rewards
- b. Academic incentives



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2. Supportive Interventions and Referral Services

A student may be referred to the school's Intervention and Referral Services Team in accordance with the provisions of N.J.A.C. 6A:16-8.1 and 8.2 and Policy and Regulation 2417.

3. Remediation of Problem Behavior

The following actions may be taken to remediate problem behavior. These actions will take into account the behavior's nature, the students' developmental ages, and the students' histories of problem behaviors and performance.

a. Restitution and Restoration

- (1) A student may be required to make restitution for any loss resulting from the student's conduct; or
- (2) A student may be required, at the discretion of the school district and when appropriate, to restore to its former condition any damaged or defaced property resulting from the student's conduct.

b. Counseling

- (1) A student may be required to consult with school guidance counselors or Child Study Team members.
- (2) The counselor will explain why the student's conduct is unacceptable to the school and damaging to the student, what the consequences of continued misconduct are likely to be, and appropriate alternative behaviors.
- (3) The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to the Child Study Team, the school's Intervention and Referral Services Team, a public or private social agency, a legal agency, or any other referral service that may assist the student.



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c. Parent Conferences

- (1) Students may be required to attend a meeting with their parent and appropriate school staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

d. Alternate Educational Program

- (1) Students may be assigned to an alternate educational program as recommended by the student's guidance counselor, classroom teacher, Child Study Team, and/or other school staff member.

4. Students with Disabilities

For students with disabilities, the remedial measures and behavioral interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

F. School Responses to Violations of Behavioral Expectations

1. In accordance with the provisions of N.J.A.C. 6A:16-7.1(c)5, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Board of Education that, at a minimum are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behavior that shall:



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- a. Include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions;
- b. Be consistent with other responses, pursuant to N.J.A.C. 6A:16-5.5;
- c. Provide for equitable application of the Code of Student Conduct without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical, or sensory disability; or any other distinguishing characteristic, pursuant to N.J.S.A. 10:5-1 et seq. and
- d. Be consistent with provisions of N.J.S.A. 18A:6-1, Corporal Punishment of Students.

G. Description of School Responses

School responses to violations of behavioral expectations are listed below:

1. Admonishment/Reprimand

- a. A school staff member in authority may admonish or reprimand a student's unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.

2. Temporary Removal from Classroom

- a. The classroom teacher may direct the student report to the office of the administrator in charge of student discipline.
- b. The teacher will complete a form that indicates the student's name and the conduct that has caused the student's removal from the teacher's room.
- c. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed.



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3. Meeting with School Administration and Parent

- a. The student's parent may be required to attend a meeting with the Principal or designee and the student to discuss the student's conduct and to ensure the parent and the student understand school rules and expectations.

4. Deprivation of Privileges

- a. Students may be deprived privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment. These privileges may include, but are not limited to:

- (1) Moving freely about the school building;
- (2) Participation in co-curricular or inter/intrascholastic activities;
- (3) Attendance at a school-related social or sports activity;
- (4) Participation in a graduation ceremony;
- (5) Transportation to and from school on a school bus; or
- (6) Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy and Regulation 5600 and N.J.A.C. 6A:16-7.1 et seq.

5. Detention

- a. A student may be required to report before or after the school day to detention. This detention may be assigned by the teacher or the Principal or designee.
- b. Transportation to detention before school or from detention after school will be the responsibility of the parent.
- c. A student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.



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6. Grade Adjustment

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

7. In-school Suspension

- a. If the school operates an in-school suspension program, a student may be removed from his/her regular classes and required to report to the in-school suspension program.
- b. In-school suspension will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

8. Suspension from School

- a. A student 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 will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

9. Expulsion

- a. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4, and Policy 5620.
- b. Expulsion is an extremely serious disciplinary measure and will not be imposed without the due process set forth in Policy and Regulation 5610 and Policy 5620.



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H. Chart of Discipline

1. A Chart of Student Discipline listing school responses to violations of behavioral expectations shall be approved by the Board and included in each school's student handbook.
2. The school responses to violations of behavioral expectations that are subject to student discipline including suspension or expulsion pursuant to N.J.S.A. 18A:37-2 outlined in a Chart of Student Discipline shall be consistent with the Board's policies and regulations/procedures on attendance, pursuant to N.J.A.C. 6A:16-7.6 and harassment, intimidation, and bullying, pursuant to N.J.A.C. 6A:16-7.7.
3. The Principal or designee will maintain a list of community-based health and social service provider agencies available to support a student and a student's family, as appropriate, and a list of legal resources available to serve the community.
4. The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment.
5. Nothing in Policy and Regulation 5600 shall prevent the school administration from imposing a consequence for unacceptable student conduct not listed or included in a Chart of Student Discipline.

I. Student Conduct Away from School Grounds

1. The Building Principal or designee has the right to impose a consequence on a student for conduct away from school grounds that is consistent with the Board's Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.
 - a. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2.



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- b. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.
 - c. Consequences for conduct away from school grounds shall be handled in accordance with the Board approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1, Policy and Regulation 5600, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 7.3, or 7.4.
2. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

J. School Bus Conduct

Violations of the rules regarding student conduct on school buses will be handled as follows:

- 1. The bus driver will report unacceptable conduct to the Principal of the school in which the student is enrolled by submission of a completed written report that includes the name of the student, the school, and the student's conduct.
- 2. The Principal or designee will investigate the matter, which may include meeting with the bus driver, bus aide, other students on the school bus, and the student who was reported by the bus driver.
- 3. The parent will be notified of the student's reported conduct.
- 4. The Principal or designee will make a determination if the student violated behavioral expectations and the discipline to be administered in accordance with the Code of Student Conduct.
- 5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.

K. Students with Disabilities



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For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, N.J.A.C. 6A:14, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

L. Records

1. Instances of student discipline will be recorded in the student's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330.
2. When a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information; Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), and N.J.A.C. 6A:32-7.5.
 - a. The record shall be provided within two weeks of the date that the student enrolls in the receiving district.
 - b. Written consent of the parent or adult student shall not be required as a condition of the record transfer; however, written notice of the transfer shall be provided to the parent or the adult student.
3. When a student transfers to a private school, which includes all sectarian or nonsectarian, nonprofit, institutional day, or residential schools that provide education for students placed by their parents and that are controlled by other than public authority, all student 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 the records would be provided to a public school, pursuant to 20 U.S.C. § 6301, Title IV § 4155 of the Elementary and Secondary Education Act.



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4. The Board shall not use a student's past offenses on record to discriminate against the student.
5. All student disciplinary records pursuant to N.J.A.C. 6A:16-7 shall conform with the requirements set forth in N.J.A.C. 6A:16-7.8(d).

M. Annual Review

The Superintendent will designate a school staff member to coordinate an annual review and update of Policy and Regulation 5600. The Superintendent's designee will:

1. Compile an annual summary report of violations of the student behavioral expectations and the associated school responses to the violations in the Student Discipline/Code of Conduct Policy and Regulation.
2. Convene a Student Discipline/Code of Conduct Committee comprised of parents, students, and community members that represent the composition of the district's schools and community to review the annual summary report and to develop recommendations, if any, to improve and update the Student Discipline/Code of Conduct Policy and Regulation.
3. The Superintendent's designee shall submit the Committee's recommendations, if any, to improve or update the Student Discipline/Code of Conduct Policy and Regulation.
4. The Superintendent will review the Committee's report with school administrators and will determine if the Student Discipline/Code of Conduct Policy and Regulation should be updated.
5. The Superintendent will recommend to the Board revisions to the Student Discipline/Code of Conduct Policy, if needed.



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Student Discipline/Code of Conduct

N. Policy and Regulation Publication and Distribution

The Student Discipline/Code of Conduct Policy and Regulation 5600, including the Chart of Student Discipline shall be disseminated annually to all school staff, students, and parents. These documents may be disseminated in handbooks, electronically, or in hard copy form. Principals will ensure these documents are made available to all students on or before the first day of each school year and to transferring students on the first day of their enrollment in this district.

Adopted:



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Removal of Students for Firearms Offenses

Jan 19

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[See POLICY ALERT Nos. 135, 144, 147, 158, 203 and 217]

R 5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES

A. Definitions

~~“Removal” means the exclusion of a student from the regular education program in the school in which the student was assigned and assigning the student to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.~~

~~“Suspension” means a temporary exclusion from school, following due process procedures as outlined in State law and administrative code.~~

~~“Expulsion” means a permanent exclusion from school which denies a student the free, thorough, and efficient public education provided by the public school district in which the student resides, based on specific conditions and following required due process procedures as outlined in State law and administrative code, including a hearing conducted by the Board of Education.~~

“School buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. **“School buildings” and “school grounds”** also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; **night field lights**; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. **“School buildings” and “school grounds”** also includes other facilities **such as defined in N.J.A.C. 6A:26-1.2**, playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land **in accordance with N.J.A.C. 6A:16-1.3 and 6A:26-1.2.**



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Removal of Students for Firearms Offenses

B. Removal of Students for Firearm Offenses

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.5, any student, other than a student with a disability, committing the following offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year:
 - a. Convicted or adjudicated delinquent for possession of a firearm on school grounds;
 - b. Convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds; and
 - c. Found knowingly in possession of a firearm on school grounds.
2. The Superintendent may modify, on a case-by-case basis, the removal of a general education student.
 - a. The Superintendent shall develop and maintain a written record of case-by-case modifications of the removal requirement of N.J.A.C. 6A:16-5.5(b)1, which shall be made available to the Commissioner of Education upon request.
3. Nothing in N.J.A.C. 6A:16-5.5 or this Policy and Regulation shall be construed to prohibit the expulsion of a general education student.
4. The Board shall immediately remove students with disabilities for offenses involving firearms in accordance with N.J.A.C. 6A:14 and applicable Federal regulations.

C. Procedures - Removal of Students for Firearm Offenses

1. The Principal shall:
 - a. Remove a student as set forth in B. above;
 - b. Isolate the student and place him or her under the supervision of school staff until the student's parent or a law enforcement official takes custody of the student;



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Removal of Students for Firearms Offenses

- c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice; and
 - e. Notify the student's parent of the following information:
 - (1) The removal action;
 - (2) The law enforcement notification;
 - (3) The change of custody, if it occurs; and
 - (4) A general education student's due process rights, as set forth in N.J.A.C. 6A:16-7.2 through 7.6, or the due process rights of a student with a disability, as set forth in N.J.A.C. 6A:14-2.7 and 2.8 and N.J.A.C. 6A:16-7.2 through 7.5.
2. A student, other than a student with a disability, removed from the general education program pursuant N.J.A.C. 6A:16-5.5 shall be placed in an alternative education program, according to the requirements of N.J.A.C. 6A:16-9.1 *et seq.*
- a. If placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10, until placement is available.
3. A student with a disability removed pursuant to B. above shall receive a placement in accordance with N.J.A.C. 6A:14.
4. A student, other than a student with a disability, removed pursuant to B. above shall be entitled to a hearing before the Board of Education in accordance with N.J.A.C. 6A:16-7.3 through 7.5.
5. If it is found that the removed student did not commit the offenses in B. above, the student shall be immediately returned to the program from which he or she was removed.



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Removal of Students for Firearms Offenses

D. Return to General Education Program

1. The Superintendent shall make the final determination on whether the general education student is prepared to return to the general education program, or will remain in an alternative education program, pursuant to N.J.A.C. 6A:16-9.1 et seq., or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10, based on the following criteria:
 - a. The nature and severity of the offense;
 - b. The Board's removal decision;
 - c. The results of relevant testing, assessment, or evaluation of the student; and
 - d. The recommendation of the Principal or Director of the alternative education program or home or other out-of-school instruction program in which the student has been placed.

E. Exception

1. The provisions of N.J.A.C. 6A:16-5.5 shall not apply to a firearm that is lawfully stored in a locked vehicle on school grounds, or when it is for activities approved and authorized by the Board of Education, as long as the Board adopts appropriate safeguards to ensure student safety.
 - a. All students shall obtain written authorization from the Superintendent to possess a firearm stored inside a locked vehicle on school grounds or used for participation in a school-sponsored function.
 - (1) The Superintendent shall not provide authorization to a student who has been convicted or adjudicated delinquent for possession of a firearm or for a crime involving the use of a firearm.

Adopted:



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Assaults on District Board of Education

Members or Employees

Jan 19

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[See POLICY ALERT Nos. 203 and 217]

R 5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES

A. Definitions

~~“Removal” means the exclusion of a student from the regular education program in the school in which the student was assigned and assigning the student to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.~~

~~“Suspension” means a temporary exclusion from school, following due process procedures as outlined in State law and administrative code.~~

~~“Expulsion” means a permanent exclusion from school which denies a student the free, thorough, and efficient public education provided by the public school district in which the student resides, based on specific conditions and following required due process procedures as outlined in State law and administrative code, including a hearing conducted by the Board of Education.~~

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



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Assaults on District Board of Education
Members or Employees

AB. Removal of Students for Assault on Board Members and Employees

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.7, any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school Board employee, or Board of Education member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, pursuant to N.J.S.A. 18A:37-2.1 shall be immediately removed from school.
2. A student, other than a student with a disability, who commits an assault pursuant to AB.1. above, shall be immediately removed from school consistent with due process procedures, pending a hearing, pursuant to N.J.A.C. 6A:16-7.2 through 7.5.
 - a. Nothing in N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student.
3. A student with a disability who commits an assault pursuant to AB. 1. above shall be removed in accordance with N.J.A.C. 6A:14.

BC. Procedures – Removal of Students for Assault on Board Members and Employees

1. The Principal or designee shall:
 - a. Remove a student as set forth in AB. above;
 - b. Isolate the student and place him or her under the supervision of school staff until the student's parent or an appropriate agency takes custody of the student;
 - c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the student's parent of the removal action and the student's due process rights; and



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Assaults on District Board of Education
Members or Employees

- e. Notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.
2. The Board of Education shall provide due process proceedings for all students in accordance with N.J.A.C. 6A:16-7.2, 7.3, 7.4, and 7.5 and for a student with a disability in accordance with N.J.A.C. 6A:14-2.7 and 2.8.

Adopted:



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Removal of Students for Assaults with
Weapons Offenses

Jan 19

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[See POLICY ALERT Nos. 203 and 217]

R 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

A. Definitions

~~"Removal" means the exclusion of a student from the general education program in the school in which the student was assigned and assigning the student to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.~~

~~"Suspension" means a temporary exclusion from school, following due process procedures as outlined in State law and administrative code.~~

~~"Expulsion" means permanent exclusion from school which denies a student the free, thorough, and efficient public education provided by the public school district in which the student resides, based on specific conditions and following required due process procedures as outlined in State law and administrative code, including a hearing conducted by the Board of Education.~~

"School buildings" and "school grounds" means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. "School buildings" and "school grounds" also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; **night field lights**; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. "School buildings" and "school grounds" also includes other facilities **such** as defined in N.J.A.C. 6A:26-1.2, playgrounds; and recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land **in accordance with N.J.A.C. 6A:16-1.3 and 6A:26-1.2.**



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Removal of Students for Assaults with
Weapons Offenses

B. Removal of Students for Assaults with Weapons Offenses

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.6, any student, other than a student with a disability, who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5 shall be immediately removed from the school's general education program for a period not exceeding one calendar year.
2. The Superintendent may modify on a case-by-case basis the removal of a general education student.
3. Nothing in N.J.A.C. 6A:16-5.6 shall be construed to prohibit the expulsion of a general education student.
4. The Board shall immediately remove students with disabilities for assaults with weapons offenses in accordance with N.J.A.C. 6A:14 and applicable Federal regulations.

C. Procedures – Removal of Students for Assaults with Weapons Offenses

1. The Principal or designee shall:
 - a. Remove a student as set forth in B. above;
 - b. Isolate the student and place him or her under the supervision of school staff until the student's parent or a law enforcement official takes custody of the student;
 - c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice; and



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Removal of Students for Assaults with
Weapons Offenses

- e. Notify the student's parent of the following information:
 - (1) The removal action;
 - (2) The law enforcement notification;
 - (3) The change of custody, if it occurs; and
 - (4) A general education student's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.5 or a student with a disability's due process rights, as set forth in N.J.A.C. 6A:14-2.7 and 2.8 and N.J.A.C. 6A:16-7.2 through 7.5.

- 2. A student, other than a student with a disability, removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 shall be placed in an alternative education program, according to the requirements of N.J.A.C. 6A:16-9.1 *et seq.*:

- a. If placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10, until placement is available.

- 3. A student with a disability removed pursuant to B. above shall receive a placement in accordance with N.J.A.C. 6A:14.

- 4. A student, other than a student with a disability, removed pursuant to B. above shall be entitled to an informal hearing, pursuant to N.J.A.C. 6A:16-7.2 and 7.3, and a hearing before the Board of Education pursuant to N.J.A.C. 6A:16-7.3.

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

D. Return to General Education Program

- 1. The Superintendent shall make the final determination on whether the general education student is prepared to return to the general education program or will remain in an alternative education program or receive home or other out-of-school instruction based on the following criteria:



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- a. The nature and severity of the offense;
- b. The Board's removal decision;
- c. The results of relevant testing, assessment, or evaluation of the student; and
- d. The recommendation of the Principal or Director of the alternative education program or home or other out-of-school instruction program in which the student has been placed.

E. Exception

- 1. The provisions of N.J.A.C. 6A:16-5.6 shall not apply to a student who has obtained the Superintendent's written authorization to lawfully possess a firearm or other weapon while participating in a school-sponsored function.
 - a. The Superintendent shall not provide authorization to a student who has been convicted or adjudicated delinquent for possession of a firearm or weapon or for a crime involving the use of a firearm.

Adopted:



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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol,
and Other Drug **Offenses Abuse**

Jan 19

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[See **POLICY ALERT** Nos. 179, 180, 193 and 217]

R 8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT,
INTIMIDATION, BULLYING, ALCOHOL,
AND OTHER DRUG **OFFENSES ABUSE**

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence; **including harassment, intimidation, and bullying;** vandalism; or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a student for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the ~~Electronic Violence and Vandalism Reporting System (EVVRS)~~ **Student Safety Data System (SSDS)**. A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

A. Reporting Violence;; **Including Harassment, Intimidation, and Bullying;** Vandalism;; and Alcohol and ~~or~~ Other Drug **Offenses Use**

1. For each incident report of violence;; **including harassment, intimidation, and bullying;** vandalism;; ~~or~~ and alcohol ~~or~~ and other drug **offenses abuse**, the Principal shall:
 - a. Review the incident report for accuracy in indicating the incident type, offender information, victim information, student demographics, and incident location;
 - b. Forward a copy of the incident report to the Superintendent; and
 - c. Notify the Superintendent of the action taken regarding the incident.
2. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.



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Reporting Violence, Vandalism, Harassment,
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and Other Drug **Offenses Abuse**

3. The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:17-46.
 - a. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

B. Reporting Requirements

1. The Superintendent shall:

- a. Submit a report to the New Jersey Department of Education in accordance with the provisions of N.J.S.A. 18A:17-46 of each incident of violence, **including harassment, intimidation, and bullying**, vandalism and alcohol and other drug **offenses abuse** in the school district utilizing the EVVRS SSDS;

(1) The reports shall be submitted twice each school year, once for all incidents occurring between September 1 and January 1 and once for all incidents occurring between January 1 and June 30, and shall include, at a minimum, all information pursuant to N.J.S.A. 18A:17-46;

(2) Prior to submission, the Superintendent shall **verify the accuracy of the reported information** ~~review the report to verify that it is an accurate and final report of all incidences of violence and vandalism in all of the schools in the school district;~~

(2) ~~Verify that the data entered onto the EVVRS are correct and in accordance with N.J.A.C. 6A:16-7.1(a)6; and~~



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- (3) The grade regarding the harassment, intimidation, and bullying efforts of each school and each school district shall be posted on the homepage of the school district's website, in accordance with the guidelines promulgated by the Commissioner of Education pursuant to N.J.S.A. 18A:17-46.

- b.(3) Provide for the annual training of staff to prepare them to fulfill the reporting requirements set forth in N.J.A.C. 6A:16-5.3.

C. Hearing Requirements

The Superintendent shall report to the Board all acts of violence, **including** vandalism, harassment, intimidation, **and** bullying, **vandalism**, and ~~incidents of~~ alcohol and other drug **offenses abuse** that occurred during the previous reporting period, in accordance with the provisions of N.J.S.A. 18A:17-46.

D. Knowingly Falsifying ~~t~~The Annual **Report on** Violence and Vandalism Report Required Under N.J.S.A. 18A:17-46

1. Whenever it is alleged that a school employee has knowingly falsified the reported **information on acts of violence or vandalism, or any incident included in the annual report on violence and vandalism**, the Board shall make a determination regarding whether the employee committed the act.
2. Any employee alleged to have knowingly falsified the reported **information** shall be notified in writing of such allegation and shall be entitled to a hearing before the Board.
 - a. ~~The hearing shall take place within thirty business days of the date on which the employee is notified of the allegation;~~
 - b. ~~The employee shall be entitled to be represented by a person of his or her choosing and to present witnesses on his or her behalf; and~~



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Reporting Violence, Vandalism, Harassment,
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- e. ~~The Board shall notify the employee of its determination in writing within five school days of the hearing.~~
3. Upon a determination by the Board that an employee has knowingly falsified the reported information, the Board, it shall take appropriate disciplinary action. ~~one or more of the following actions:~~
- a. ~~Impose minor discipline on a tenured or non tenured employee notwithstanding any other law to the contrary and if negotiated with the majority representative of the employees in the appropriate collective bargaining unit;~~
- b. ~~Withhold a tenured or nontenured employee's increment for predominantly disciplinary reasons, which shall be subject to the grievance procedures established pursuant to law and shall be subject to the grievance procedures of section 8 of N.J.S.A. 34:13A-29;~~
- c. ~~File tenure charges with the Secretary of the Board in writing and with a written statement of evidence under oath to support such charges;~~
- d. ~~Terminate employment for an employee:~~
- (1) ~~For tenured employees, the termination shall be in accordance with the outcome of the proceedings in D.3.c. above; or~~
- (2) ~~Impose such other disciplinary sanctions as may be authorized by law.~~
4. ~~Any action taken by the Board pursuant to D.3. above shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.~~



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5. ~~Any employee having been found responsible for the falsification of the report by the Board shall have the right to:~~
- a. ~~File a grievance under their respective bargaining agreements;~~
 - b. ~~Appeal the Board's determination to the Commissioner of Education in accordance with N.J.A.C. 6A:3 1.3 through 1.17 and subsequently to the State Board of Education; or~~
 - c. ~~Appeal the decision to the Superior Court of New Jersey.~~
6. ~~The availability of appeal options shall be based upon the action taken by the Board.~~

The A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

Issued:

