

Policy

ROLE OF PARENTS/GUARDIANS

The Paulsboro Board of Education believes that the education of children is a joint responsibility, one it shares with the parents/guardians and the school community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained and parental involvement in district concerns encouraged.

The board recognizes the vital role of parents/guardians in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parents/guardians are familiar with the needs, problems, gifts and abilities of their children, staff should seek to involve parents/guardians as much as possible in the planning of the individual program. Parents/guardians must, by law, be included in the development of certain educational programs for their children.

Parents/guardians are requested to keep the school apprised of changes in factors in the home situation which may affect pupil conduct or performance. Parents/guardians are specifically requested to inform the school of any changes in legal custody of the child.

Parents/guardians are responsible for their child's punctuality, attendance, cleanliness and propriety of dress.

The Superintendent of Schools shall develop procedures and regulations to implement this policy. These regulations shall include use of the parent/guardian's native language when necessary.

Rights and Obligations of 18 Year Old Students

New Jersey law does provide for the rights and obligations of persons 18 years of age and older. However, the same school rules and practice that apply to non-adult students shall still apply to adult students 18 years of age and older.

The school district shall continue to cooperate with the parents/guardian's of adult students by providing them with copies of correspondences and keeping them informed of their child's progress.

Adopted: 1994
NJSBA Review/Update: November 2008, January 2016
Readopted: March 2009

Key Words

Role of Parents/Guardians, Parents/Guardians

Legal References: <u>N.J.S.A.</u> 18A:35-4.9	Pupil promotion and remediation; policies and procedures
<u>N.J.S.A.</u> 18A:35-22	Notice to parents that child identified as eligible for enrollment; option of declining enrollment; involvement of parents in program
<u>N.J.A.C.</u> 6A:8-4.3	Accountability
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

ROLE OF PARENTS/GUARDIANS (continued)

No Child Left Behind Act of 2001, Pub. L. 107-110. 20 U.S.C.A. 6301 et seq.

Possible

<u>Cross References:</u>	*1220	Ad hoc advisory committees
	*1230	School-connected organizations
	*1250	Visitors
	*5113	Absences and excuses
	*5114	Suspension and expulsion
	*5120	Assessment of individual needs
	*5124	Reporting to parents/guardians
	*5125	Pupil records
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*6142.2	English as a second language; bilingual/bicultural
	*6146	Graduation requirements
	*6146.2	Promotion/retention
	*6147.1	Evaluation of individual student performance
	*6162.4	Community resources
	*6171.1	Remedial instruction
	*6171.3	At-risk and Title 1
	*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

ADMISSION

Eligibility

The Paulsboro Board of Education shall admit to its schools free of charge the following persons over five and under 20 years of age:

- A. Any student domiciled within the district;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his/her own child;
- C. Any student kept in the home of a person domiciled in the district, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the district, notwithstanding the existence of a domicile elsewhere;
- E. Any student whose parent/guardian moves to another district as the result of being homeless, subject to the provisions of administrative code;
- F. Any student placed in the home of a district resident by court order pursuant to statute;
- G. Any student previously residing in the district if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute; and
- H. Any student residing on federal property within the state pursuant to statute.

Proof of Eligibility

The board shall accept any of the forms of documentation that are listed in the administrative code when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the district.

The board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student.

The board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not legitimate bases for determining eligibility to attend school.

Kindergarten

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

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

ADMISSION (continued)

- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

Grade One

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

- A. The child will have attained the age of six years on or before October 1 of that school year;
- B. He/she has been in the first grade in another public school;
- C. Proof has been furnished of immunization against communicable diseases.

Transfers Into Grades Two through 12

Pupils transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Within the time prescribed by law, the Superintendent of Schools shall request in writing from the school or district of previous attendance, the pupil's records.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when the state-mandated assessment indicates that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

Joint Custody

When divorced parents/guardians have joint custody of (a) minor child(ren), admission shall be based on the present address of the parent/guardian with whom the child(ren) resided as of the date required by administrative code.

Affidavit Pupils

When there is any doubt as to whether a child is entitled to free public education in the district schools, all procedures of law and code shall be followed.

Nonresidents

The district is obliged to educate children of appropriate age residing in the district. The mere owning of any property whatsoever, does not qualify a parent/guardian to send children to school in this school district. See policy 5118 Nonresidents.

Students Returning from County Detention

The district shall accept all days of attendance and courses studied by a student at a county juvenile detention center and apply them toward district requirements for elementary, middle or high school graduation.

ADMISSION (continued)Admission of Students Exceeding Legal Age

The Board of Education may accept a person for secondary education beyond the legal attendance age through the procedure that follows:

1. The Board reserves the right to accept or reject any individual.
2. Each request shall be acted on individually.
3. The individual shall make his/her request in writing to the Principal for secondary education.
4. Upon approval by the Principal for secondary education, the request shall be presented to the Superintendent.
5. The Superintendent shall make his/her recommendation on this request to the Board of Education.
6. The Board members will then make their decision on the request.

This policy shall not include a person who becomes over-age while completing his/her normal secondary school program as long as he fulfills the rules and regulations applying to all secondary school studies.

Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as, pertinent federal law.

The board shall make this policy available to parents and the public.

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Key Words

Admission, Resident, Pupil Records, Affidavit Pupil, Homeless Pupil, Student Records, Affidavit Student, Homeless Student

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7B-12 <u>N.J.S.A.</u> 18A:7B-12.1 <u>N.J.S.A.</u> 18A:7C <u>N.J.S.A.</u> 18A:7C-12 <u>N.J.S.A.</u> 18A:36-19a <u>N.J.S.A.</u> 18A:36-25.1 <u>N.J.S.A.</u> 18A:38-1 <u>N.J.S.A.</u> 18A:38-2 <u>N.J.S.A.</u> 18A:38-3 <u>N.J.S.A.</u> 18A:38-4 <u>N.J.S.A.</u> 18A:38-5 <u>N.J.S.A.</u> 18A:38-5.1 <u>N.J.S.A.</u> 18A:38-6 <u>N.J.S.A.</u> 18A:38-7.7 <u>N.J.S.A.</u> 18A:38-8 <u>N.J.S.A.</u> 18A:38-25	District of residence; determination Homeless child; responsibility for education; determination of placement; payment of costs High School Graduation Standards Juvenile detention centers, transfer of credit Newly enrolled students; records and identification Proof of child's identity required for enrollment; transfer of record between districts Attendance at school free of charge Free attendance at school by nonresidents placed in district under court order Attendance at school by nonresidents Free attendance to persons over age Admission of pupils under age No child to be excluded from school because of race, etc. Time of admission of pupils; first school year Legislative findings and declarations Duty to receive pupils from other districts Attendance required of children between six and 16;
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ADMISSION (continued)

	exceptions
<u>N.J.S.A.</u> 18A:40-20	Immunization at public expense
<u>N.J.S.A.</u> 18A:44-1	Establishment of nursery schools or departments; eligibility for admission
<u>N.J.S.A.</u> 18A:44-2	Establishment of kindergarten; eligibility for admission
<u>N.J.S.A.</u> 26:1A-9.1	Exemption of pupils from mandatory immunization
<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or pupils
<u>N.J.A.C.</u> 6A:12-3.1	Choice district application procedures
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>N.J.A.C.</u> 6A:16-2.2	Required health services
<u>N.J.A.C.</u> 6A:16-2.4	Required student health records
<u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u>	Students at Risk of Not Receiving a Public Education
<u>N.J.A.C.</u> 6A:22-1.1 <u>et seq.</u>	Entitlement to Attend School Based on Domicile or Student Residency
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:22-3.1, 3.2, 3.3, 3.4	
<u>N.J.A.C.</u> 6A:23A-19.2, -19.3	Method of determining the district of residence
<u>N.J.A.C.</u> 6A:32-8.2	School enrollment
<u>N.J.A.C.</u> 8:57	Communicable diseases
<u>See particularly:</u>	
<u>N.J.A.C.</u> 8:57-2	
<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by pupils or adults infected by Human Immuno-Deficiency Virus (HIV)

Tepper v. Board of Education of the Township Hackensack, Bergen County, 1971 S.L.D. 549

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Plyler v. Doe, 457 U.S. 202 (1982)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512 (App.Div.1999)

Possible

<u>Cross References:</u>	3240	Tuition income
	*5118	Nonresidents
	5119	Transfers
	*5120	Assessment of individual needs
	*5141	Health
	*5141.2	Illness
	*5141.3	Health examinations and immunizations
	6142.5	Travel and exchange programs
	*6164.4	Child study team
	*6171.4	Special education
	6174	Summer school
	6178	Early childhood education/preschool

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

ATTENDANCE, ABSENCES, AND EXCUSES

The Paulsboro Board of Education believes that the regular attendance of students in each class and in school in general is critical to its educational mission. The district shall endeavor to achieve the ninety percent (90%) attendance rate required by the New Jersey Quality Single Accountability Continuum (NJQSAC). Continuity of instruction is an essential element in student performance and allows students the greatest opportunity to succeed at meeting the state learning standards in the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards. The chief school administrator shall oversee the development of effective strategies that maximize student attendance at all scheduled periods of actual instruction or supervised study activities and strive to:

- A. Encourage good attendance;
- B. Discourage unexcused absences;
- C. Identify patterns of absence, tardiness and early departures from school; and
- D. Intervene to prevent and correct problems with attendance.

Attendance

A day in session for purposes of attendance shall be a day on which the school is open and students are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is closed for such reasons as holidays, teachers' institutes and inclement weather shall not be considered as days in session.

A school day shall consist of not less than four hours of actual instruction. One continuous session of two and one-half hours may be considered a full day in kindergarten.

A day of attendance shall be one in which a student is present for the full day under the guidance and direction of a teacher while school is in session. Where there are two sessions in a day due to overcrowding, either session of four hours or more, exclusive of lunch or recess, shall be the equivalent of a full day's attendance.

A student shall be recorded as absent in the school register when not in attendance at a session, except students excused due to religious holidays who shall be recorded as excused. An excused absence for any reason other than due to religious holidays shall not be counted as a day of attendance in the school register.

The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with law (N.J.A.C. 6A:32-8.3—School attendance). In a school which is in session during both the forenoon and the afternoon, a student shall be present at least one hour during both the forenoon and the afternoon in order to be recorded as present for the full day. In a school which is in session during either the forenoon or the afternoon, a student shall be present at least two hours in the session in order to be recorded as present for the full day.

A student not present in school because of his or her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.

Excused and Unexcused Absence

ATTENDANCE, ABSENCES AND EXCUSES (continued)

- A. An absence shall be considered an "excused absence" for the purpose of determining promotion, retention, truancy, grades, course credit, eligibility to make up missed assignments and tests for full credit, and violations of the school code of conduct for attendance, for the following reasons (school district must select options):
1. The student's illness;
 2. Requirements of a student's individual health care plan;
 3. A death or critical illness in the student's immediate family, or of others with permission of principal;
 4. Quarantine;
 5. Observance of the student's religion on a day approved for that purpose by the State Board of Education;
 6. The student's suspension from school;
 7. Requirements of the student's individualized education program (IEP);
 8. Alternate short or long term accommodations for students with disabilities;
 9. The student's required attendance in court;
 10. Interviews with an admissions officer of an educational institution;
 11. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;
 12. Such good cause as may be acceptable to the principal.

Attendance need not always be within the school facilities. A pupil will be considered to be in attendance if he/she is present at any place where school is in session by authority of the board. The board shall consider each pupil assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reports daily or weekly, as prescribed, to such staff member the place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

- B. An "unexcused absence" is a student's absence for all or part of a school day for any reason other than those listed as excused absences in "A" above. An unexcused absence may be counted toward retention, truancy, loss of course credit, ineligibility to make up missed assignments and tests for full credit, and violations of the school code of conduct for attendance. Absence is expressly not excused for any of the following reasons (this list is intended to be illustrative and is not inclusive):
1. Family travel;
 2. Performance of household or babysitting duties;
 3. Other daytime activities unrelated to the school program;
 4. Leaving school without permission when school is still in session;
 5. Leaving class because of illness and not reporting to the school nurse as directed; or
 6. Being present in school but absent from class without approval. Such absence from class is a "class cut."

Tardiness

The orderly conduct of class activity depends upon the prompt and precise beginning of the program. Tardiness hinders the proper conduct of school activity. Students are expected to arrive to school and class on time. A student who is tardy to any class will be subject to disciplinary action as outlined in board policy 5131 Conduct and Discipline and the student code of conduct. Consequences for accumulated occurrences of tardiness may include detention, loss of credit and an unexcused school day absence.

Attendance and Instruction

In order for the board of education to fulfill its responsibility for providing a thorough and efficient education for each student, the complete cooperation of parents/guardians and students is required to maintain a high level

ATTENDANCE, ABSENCES AND EXCUSES (continued)

of school attendance.

The frequent absence of students from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of students to complete the prescribed curriculum requirements successfully. The following rules shall apply for student absences:

- A. A student shall be considered absent from class for tardiness in excess of one half of the total class period.
- B. A student shall be considered absent from school for participation in less than 4 instructional hours during the school day.

A pupil must be in attendance for 173 or more school days in order to be considered to have successfully completed the instructional program requirements of the grade/course to which he/she is assigned.

A waiver of these attendance requirements may be granted for good cause by the school principal upon recommendation of a review committee, appointed by him/her, and consisting of representative staff, including pupil service personnel and classroom teachers.

In recommending the granting of a waiver of this attendance requirement, the review committee shall consider the nature and causes of all absences rather than only those in excess of the eight (7) days. Documentation of the nature and causes of these absences shall be the responsibility of the pupil and parent/guardian. The absence of documented parent/guardian notes, doctor's notes, and other records that verify that an absence was excused according to board policy, shall be considered unexcused. Unexcused absences shall count toward truancy and may be subject to loss of grade or course credit toward promotion or graduation and disciplinary actions according to the code of student conduct. Notes from parents/guardians shall be considered but the district may require additional documentation such as doctor's notes or other official records to verify the note.

Parents/guardians are responsible for notifying the school early in the day when a child will be absent and for informing the school in writing of the reason for the absence.

Procedures for Unexcused Absences

When a student fails to report to class or school accumulating up to four unexcused absences, the district shall:

- A. Make a reasonable attempt to notify the student's parents/guardians of each unexcused absence prior to the start of the following school day;
- B. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parents;
- C. Identify in consultation with the student's parents needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
- D. Follow all procedures according to law and board policy 5142 Safety and 5141.4 Child Abuse and Neglect if a potential missing or abused child situation is detected;
- E. Cooperate with law enforcement and other authorities and agencies, as appropriate.

If contact through these means is unsuccessful the district may follow-up with another attempt to contact the parents/guardians or send a letter reporting the unexcused absence and requesting the parent/guardian to contact the school.

ATTENDANCE, ABSENCES AND EXCUSES (continued)Procedures for Persistent Absences

If the pattern of unexcused absences continues and five to nine unexcused absences are accumulated the district shall:

- A. Make a reasonable attempt to notify the student's parents/guardians of each unexcused absence prior to the start of the following school day;
- B. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parents to address patterns of unexcused absences previously;
- C. Evaluate the appropriateness of action taken as identify in consultation with the student's parents;
- D. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 1. Refer or consult with the building's intervention and referral services team;
 2. Conduct testing, assessments or evaluations of the student's academic, behavioral and health needs;
 3. Consider an alternate educational placement;
 4. Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
 5. Refer to the court or a court program as follows:
 - a. When the unexcused absences are determined to be violations of the compulsory education law and board policy;
 - b. When there is evidence of a juvenile-family crisis the student may be referred to Superior Court, Chancery Division, Family Part. "Juvenile-family crisis" pursuant to N.J.S.A. 2A:4A-22(g) means behavior, conduct or a condition of a juvenile, parent or guardian or other family member which presents or results in a threat to wellbeing and safety of the juvenile, serious conflict regarding the juvenile's conduct, unauthorized absence from home, pattern of unauthorized absence from school, or human trafficking;
 6. The implementation of all required procedures for potential abuse, neglect or missing child including cooperation with law enforcement and other authorities and agencies, as appropriate;
 7. Engage the student's family.

Discipline

All discipline regarding the attendance of students shall be consistent with the board policy 5131 Conduct and Discipline and the code of student conduct. Consequences for absences may include:

- A. Students may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth herein;
- B. Students may be denied participation in athletic competition if their attendance fails to meet the standards set forth herein;
- C. Loss of partial or total course credit;
- D. Detention or suspension.

No student who is absent from school for observance of a religious holiday or other excused absence shall be

ATTENDANCE, ABSENCES AND EXCUSES (continued)

disciplined and/or deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

Students, parents and guardians shall be notified of disciplinary actions for attendance including loss of credit and may appeal this determination through the procedure as set forth in board policy 5145.6 Student Grievance Procedure.

Truancy

For cumulative unexcused absences of 10 or more, the student between the ages of six and 16 is truant, pursuant to law. The district shall:

- A. Make a determination regarding the need for a court referral for the truancy;
- B. Make a reasonable attempt to notify the student's parents of the mandatory referral;
- C. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
- D. Cooperate with law enforcement and other authorities and agencies, as appropriate;
- E. Follow all procedures required by N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School and other applicable state and federal statutes as follows:
 1. An attendance officer who finds a truant child, shall take the child and deliver him/her to the parent/guardian or other person having charge and control of the child, or to the teacher of the school which such child is lawfully required to attend;
 2. The attendance officer shall examine into all violations and shall warn the child, the parent/guardian or other person having charge and control of the child of the consequences of the violation if persisted in;
 3. The attendance officer shall notify the parent/guardian or other person having charge and control of the child in writing, to cause the child to attend school within five days from the date on which notice is served, and regularly thereafter;
 4. The attendance officer shall have full police power to enforce the provisions of this article and may arrest without warrant any vagrant child or habitual truant or any child who is habitually incorrigible or who is vicious or immoral in conduct or illegally absent from school;
 5. The sheriff and his officers and all police officers and constables shall assist the attendance officer in the performance of their duties;
 6. A parent, guardian or other person having charge and control of a child between the ages of 6 and 16 years, who shall fail to comply with any of the provisions of this article relating to his duties, shall be deemed to be a disorderly person and shall be subject to a fine of not more than \$ 25.00 for a first offense and not more than \$ 100.00 for each subsequent offense, in the discretion of the court. In any such proceeding, the summons issuing therein, or in special circumstances a warrant, shall be directed to the alleged disorderly person and the child.

Unexcused Absences for Students in Special Education

The attendance guidelines, discipline and remedial measures set forth in this policy shall apply to classified students where appropriate and in accordance with the student's:

- A. Individualized education program (IEP);
- B. The Individuals with Disabilities Act (IDEA)
- C. Procedural protections set forth in N.J.A.C. 6A:14;

ATTENDANCE, ABSENCES AND EXCUSES (continued)

- D. Alternate short or long term accommodations for students with disabilities as required by law;
- E. Requirements of a student's individualized health care plan and individualized emergency healthcare plan.

District Sending and Receiving Relationships

The receiving school shall report attendance problems to the sending district responsible for the student. Following five or more cumulative unexcused absences school officials from the sending district shall proceed in accordance with the sending district's board attendance policy and procedure.

Regular Release of Pupils Before the End of the Normal School Day

There are varying situations which may justify release of certain pupils from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the pupil's educational program and the reasons for such release can be shown to have positive benefits for the pupil.

Late Arrival and Early Dismissal

The board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this district, the board shall require that the school be notified in advance of such absences by written request of the pupil's parent/guardian, which shall state the reason for the tardiness or early dismissal. Justifiable reasons may include:

- A. Medical or dental appointments which cannot be scheduled outside of school hours;
- B. Requirements of a student's individualized health care plan and individualized emergency healthcare plan;
- C. Requirements of the student's individualized education program (IEP);
- D. Alternate short or long term accommodations for students with disabilities;
- E. Medical disability;
- F. Motor vehicle driver's test;
- G. Interview for college entrance or employment;
- H. Family emergency;
- I. Court appearance;
- J. Such good cause as may be acceptable to the administration.

No pupil in grades kindergarten through eight shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act in his/her behalf.

Tardiness not covered by the causes listed shall be cumulative, and may affect course credit.

Legal Custody

ATTENDANCE, ABSENCES AND EXCUSES (continued)

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the board of any change in the pupil's custodian. The principal may take such steps as seem necessary to ensure that the child is released only to the proper legal custodian.

Potentially Missing Children

- A. If daily attendance records indicate a child is absent, and the parent/guardian has not called, a designated person shall attempt to contact the parent/guardian;
- B. If no telephone contact can be made, the attendance officer shall investigate;
- C. If the attendance officer cannot locate the child, he/she shall inform the principal, who shall inform the appropriate local authorities;
- D. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

Marking Missing Child's School Record

Whenever the chief school administrator receives notice from the Missing Persons Unit that a child has been reported missing, he/she shall mark the child's records in such a way that whenever a copy of or information regarding the record is requested, district personnel will be aware that the record is that of a missing child. If a copy of a marked school record is requested, the chief school administrator shall supply the record to the requestor without alerting him/her to the fact that the record has been marked, according to provisions in code and statute on accessing pupil records (see policy 5125 Pupil Records). After the chief school administrator has complied with the request for copies of records or information, he/she shall immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Missing Persons Unit.

Regulations

The chief school administrator shall develop procedures for the attendance of pupils including:

- A. The expectations and consequences regarding students' timely arrival of students to school and classes;
- B. The expectations and consequences regarding attendance at school and classes;
- C. A definition of unexcused absence that counts toward truancy that is consistent with the definition of a school day;
- D. School staff responses for unexcused absences for:
 - 1. Cumulative absences up to four;
 - 2. Cumulative absences of between five and nine;
 - 3. Cumulative unexcused absences of 10 or more; and
 - 4. Referral to court.

Dissemination and Implementation

The chief school administrator shall take all necessary steps to publicize this policy and may include these rules in district handbooks and/or on the district website. Parents/guardians and students shall be notified annually of the attendance policy.

The chief school administrator shall ensure that the rules for this policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

ATTENDANCE, ABSENCES AND EXCUSES (continued)

The board shall review the attendance policy on a regular basis.

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Key Words

Pupil Attendance, Attendance, Absences and Excuses, Student Attendance

<u>Legal References:</u>	<p><u>N.J.S.A.</u> 18A:11-1 General mandatory powers and duties <u>N.J.S.A.</u> 18A:35-4.9 Pupil promotion and remediation; policies and procedures <u>N.J.S.A.</u> 18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect <u>N.J.S.A.</u> 18A:36-19a Newly enrolled students; records and identification <u>N.J.S.A.</u> 18A:36-24 through -26 Missing children; legislative findings and declarations <u>N.J.S.A.</u> 18A:38-25 Attendance required of children between six and 16; exceptions <u>N.J.S.A.</u> 18A:38-26 Days when attendance required; exceptions <u>N.J.S.A.</u> 18A:38-27 Truancy and juvenile delinquency defined <u>N.J.S.A.</u> 18A:38-31 Violations of article by parents or guardians; penalties <u>N.J.S.A.</u> 18A:38-32 District and county vocational school attendance officers <u>N.J.S.A.</u> 18A:40-7 Exclusion of pupils who are ill <u>N.J.S.A.</u> 18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness <u>N.J.S.A.</u> 18A:40-9 Failure of parent to remove cause for exclusion; penalty <u>N.J.S.A.</u> 18A:40-10 Exclusion of teachers and pupils exposed to disease <u>N.J.S.A.</u> 18A:40-11 Exclusion of pupils having communicable tuberculosis <u>N.J.S.A.</u> 18A:40-12 Closing schools during epidemic <u>N.J.S.A.</u> 18A:54-20 Powers of board (county vocational schools) <u>N.J.S.A.</u> 52:17B-9.8a through -9.8c Marking of missing child's school record <u>N.J.A.C.</u> 6A:8-5.1 Graduation requirements <u>N.J.A.C.</u> 6A:16-1 <u>et seq.</u> Programs to support student development See particularly: <u>N.J.A.C.</u> 6A:16-7.6 Attendance <u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u> Evaluation of the Performance of School Districts <u>N.J.A.C.</u> 6A:32-8.1 <u>et seq.</u> Student Attendance and Accounting <u>N.J.A.C.</u> 6A:32-8.3 Student attendance <u>N.J.A.C.</u> 8:61-2.1 Attendance at school by students or adults with HIV infection</p>
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Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794 (Board may impose penalties for unjustifiable tardiness, improper absences from classes, truancy, and other unexcused absences)

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851 (Board may adopt policy to deny students course credit after a student was late or absent a specified number of times.)

C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood Regional School District, 1988 S.L.D. (June 22)(board acted unreasonably in applying its attendance policy to student with excessive absences due to chronic medical illness)

ATTENDANCE, ABSENCES AND EXCUSES (continued)

Student Attendance Policies and Procedures Compliance Checklist, New Jersey
Department of Education

www.nj.gov/education/students/safety/behavior/attendance/checklist.pdf

2014-2015 List of Religious Holidays Permitting Pupil Absence From School

<http://www.state.nj.us/education/genfo/holidays1415.htm>

Jerkins v. Anderson, 191, N.J. (2007)

Possible

<u>Cross References:</u>	*5020	Role of parents/guardians
	*5111	Admission
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5125	Pupil records
	*5141.2	Illness
	*5141.4	Child abuse and neglect
	*5142	Pupil safety
	*6146	Graduation requirements
	*6146.2	Promotion/retention
	*6147	Standards of proficiency
	*6147.1	Evaluation of individual student performance
	*6154	Homework/makeup work
	*6171.4	Special education
	*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

ATTENDANCE PROCEDURE AND DISCIPLINE

Absences and Excuses

Each pupil is required to attend school regularly, and in each case of absence shall present to the teacher on his/her return a written excuse from the parent/guardian.

Parents/guardians are responsible for notifying the school on the first day of a pupil's absence. If this procedure is not followed by the parent/guardian, the Principal or his/her designee shall initiate the Student Absentee Procedure (Unexplained Absences).

Excused Absences

Pupils receive an excused absence when they are absent from school for the following reasons:

1. Illness of the pupil (A pupil who is absent from school for five consecutive school days may be required to present a doctor's certificate upon returning to school. If there is a contagion, a doctor's note is required for re-entry.)
2. Serious illness of a member of the family which necessitates the absence of the student (after five days upon written verification of a doctor).
3. Death in the immediate family (length of time to be determined in each individual case by the principal).
4. Religious holidays as provided by law (N.J.S.A. 18A:36-14 through 36-16).
5. Such other absences, which have had prior approval of the principal. Pupils who plan to be absent for reasons other than the reasons above should seek approval by presenting a note from home to the principal.

Unexcused Absences

Unexcused absences are those which do not come under any of the definitions of excused absences.

Truancy

Any unauthorized absence from school shall be considered truancy.

Lateness to School or Class

Lateness will be dealt with in the following manner:

Billingsport School (Pre K-2)

1 st and 2 nd offense:	warning
3 rd offense:	referral sent to office and letter sent home
4 th – 10 th offense:	conference with parent

Loudenslager School (3-6)

1 st and 2 nd offense:	warning
3 rd offense:	referral sent to office and letter sent home
4 th – 10 th offense:	1 hour after school detention
11 th – 15 th offense:	1 day suspension with parent conference and court referral

ATTENDANCE PROCEDURE AND DISCIPLINE (continued)

Paulsboro Jr./Sr. High School

1st, 2nd and 3rd offense:

4th and 5th offense:

6th + offense:

warning and call to parent

referral sent to office, teacher detention and call to parent

call parent and refer to administration which could include:

teacher detention, Saturday school, out of school

suspension, court

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ATTENDANCE PROCEDURE AND DISCIPLINE (continued)PROCEDURES FOR HANDLING STUDENTS WHO ARE RETURNED HOME DURING THE SCHOOL DAY

- A. No one other than the Superintendent, Principal, or Assistant Principal shall exercise the authority to direct a student to return home during the school day .
1. In cases of illness, the nurse should recommend the necessary action to the Principal. In the absence of the Principal, the nurse shall exercise her own judgment but notify the central office of her action immediately.
 2. In cases of gross misbehavior, inappropriate dress or other alleged rule infractions, teachers, counselors and other professional personnel are obligated to report to the Principal. They shall not initiate punitive action such as exclusion or suspension from class.
 3. Under no circumstances shall non-professional personnel recommend or execute a particular course of action in the handling of pupils.
- B. If the Principal/Assistant Principal determines that a pupil must, for any reason, be returned home during the school day, he shall first contact the parent and request that the pupil be picked up. If this is not possible, the student should be transported home by school personnel (i.e., illness, accident, disciplinary action, emergencies). Under no circumstances shall a student be left at home unless the parent, guardian, or some other adult is home to assume full responsibility for the child.

Personnel available to transport students home include:

1. Assistant Principals
 2. Social Worker
 3. Nurses
 4. Attendance Officer
- C. In the absence of the Principal and Assistant Principal, secretarial and custodial personnel shall proceed in the following manner:
1. Call the Superintendent for direction or for authority to act.
 2. Call nurse for illness and accident cases; then notify Superintendent immediately.
 3. In discipline cases, or cases involving inappropriate school attire, keep the child in the classrooms or close by, under the supervision of the teacher until the Principal arrives. If the problem of misbehavior is sufficiently severe to warrant exclusion from the class, the child should be retained in the office until the Principal arrives.

The importance of professionals at all levels acting in emergencies and doing so with only their experience, intelligence and good judgment to guide them is recognized. Further, prompt and responsible action is encouraged. It is extremely important however, that sound procedures be followed and that proper administrative personnel be notified when problems arise. This will enhance the chances of the right thing being done for children and insure adequate support for action taken if and when disputes arise.

Policy

SUSPENSION AND EXPULSION

The Paulsboro Board of Education recognizes the need for every pupil to have a safe and orderly environment in which to learn. Additionally, the Board deems the suspension or expulsion of a pupil to be a serious penalty that should be imposed only when the pupil had materially and substantially interfered with the maintenance of good order in the school, or when it is necessary to protect the pupil's emotional safety and well-being.

The Paulsboro Board of Education also recognizes that pupils have the right to request redress of grievances. Accordingly, a procedure for dealing with individual and group grievances will be provided.

While the board believes that positive approaches to acceptable behavior are usually more effective, it is sometimes necessary to penalize pupils for violations of school regulations to ensure the good order of the school and to teach pupils the consequences of disruptive behavior.

Pupils who indulge in disruptive behavior may be suspended or expelled. Disruptive behavior includes, but is not limited to:

- A. Continued and willful disobedience;
- B. Open defiance of the authority of any teacher or person having authority over a pupil;
- C. Actions that constitute a continuing danger to the physical well-being of other pupils;
- D. Physical assault upon another pupil, a teacher, or any school employee with or without a firearm or other weapon;
- E. Taking, or attempting to take, personal property or money from another pupil whether by force or fear;
- F. Willfully causing, or attempting to cause, substantial damage to school property;
- G. Taking part in any unauthorized occupancy of a district facility and refusing to leave promptly when directed to do so by a person in authority;
- H. Inciting others to take part in an unauthorized occupancy;
- I. Inciting other pupils to truancy;
- J. Truancy and class cutting; leaving school property without permission;
- K. Poor attendance and lateness;
- L. Use or possession of unsafe or illegal articles;
- M. Use of any tobacco product on school property;
- N. Use, possession or sale of a controlled dangerous substance, drug paraphernalia, anabolic steroids or alcohol;

SUSPENSION AND EXPULSION (continued)

- O. Use of profanity or abusive language;
- P. Turning in a false alarm;
- Q. Tampering with or damaging property of other pupils or staff members;
- R. Selling or buying lottery tickets or any other gambling paraphernalia on school property.
- A. Harassment, intimidation and bullying.

Any pupil who commits an assault (as defined by N.J.S.A. 2C:12-1) with or without a weapon upon a board member, teacher, administrator or other employee of the board of education shall be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil's suspension.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The Superintendent of Schools may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the board. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

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

The Superintendent of Schools shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commissioner of Education.

In-school Suspension

The board directs the administration to arrange facilities for in-school suspension whenever possible. Pupils will be required to occupy themselves with school-related work during such suspensions. No socializing shall be permitted. Pupils shall be counted as present in school but absent (excused) from individual classes.

General

Pupils on home suspension shall be counted absent (excused) unless the duration of the suspension requires home instruction.

Except when special considerations warrant (at the discretion of the administration), every pupil will be given a written warning in the form of a disciplinary notice that subsequent violation of school regulations may result in his/her exclusion or suspension.

Pupils under suspension are prohibited from participating in or attending any school-regulated activity during the period of their suspension. They may not enter the school buildings or grounds of this district without the permission of the Superintendent of Schools. Any pupil under suspension who enters the school buildings or grounds without the permission of the Superintendent of Schools may have the period of his/her suspension extended. The right to continue the suspension or to expel is reserved to the board of education, acting upon the recommendation of the administration.

SUSPENSION AND EXPULSION (continued)

Serious violations of school regulations which create a dangerous or unsafe condition for other pupils shall cause a pupil to be suspended upon the first offense.

Making up Missed Work

Pupils who are under suspension will be required to make up all assignments missed during the period of their suspension and will be given adequate opportunity to make up this work.

Upon their readmission, failure to complete the makeup assignments will result in a meeting with the parents/guardians. The Superintendent of Schools will notify parents/guardians by telephone and send a letter regarding the telephone conversation immediately.

Procedures

The administration shall establish, and the board shall approve, specific procedures for dealing with suspension cases. Regulations ensuring due process to all pupils before a suspension is imposed shall be developed with the advice of the board attorney and shall include at least:

- A. Informing the pupil of the charges against him/her;
- B. Giving the pupil a chance to reply to them.

These regulations shall also include safeguards for the dismissal of pupils suspended from school, procedures for calling an immediate conference with parents/guardians, limitations on the length of suspensions, and specifics for the reinstatement of pupils.

Every effort shall be made to adjust each suspension promptly so that the pupil can be returned to school with a minimum loss of school time and school work.

When the Superintendent of Schools imposes a suspension, he/she must report it to the board. No suspension for reasons other than assault upon a teacher, administrator, board member or other board employee may continue beyond the second regular meeting of the board following the suspension without board action. No suspension for assault upon a teacher, administrator, board member or other board employee may be continued beyond 30 days without board action. A suspended pupil may be reinstated by the Superintendent of Schools before board action.

Each pupil shall be afforded an informal hearing before the suspension or, if circumstances prohibit, as soon as possible after the suspension except that, when extraordinary circumstances involving the health and safety of the pupil or others in the school require immediate exclusion, the hearing may be delayed to such time as circumstances permit. Pupils suspended for a period of time longer than a short-term suspension shall be afforded a formal hearing before the board which shall take place not later than the second regular meeting of the board following the suspension. If the offense involves a weapon or assault with or without the weapon (as described above), the hearing shall take place not later than 30 days after the suspension occurs.

The board shall make a decision within five days of the close of the hearing. Any appeal of the board's decision shall be made to the Commissioner of Education within 90 days of the board's decision.

The board requires that such hearings shall be closed to the public, but should all parties thereto agree, the hearing may be publicly held. Each suspended pupil who has requested a formal hearing shall be restored to the regular educational program pending the outcome of the hearing, except when, in the opinion of the Superintendent of Schools, the presence of the pupil in school poses such a danger to

SUSPENSION AND EXPULSION (continued)

himself/herself or others as to warrant continued absence.

Each such pupil suspended from the schools of this district shall receive individual instruction commencing not later than five working days after the suspension occurs, except that the board may, on the recommendation of the Superintendent of Schools, assign the pupil to an alternate educational program to meet his/her particular needs (see policy #6172).

Expulsion

The board will consider expulsion only if:

- A. The Superintendent of Schools with his/her staff have exhausted all means of bringing about a correction of repeated misconduct; or
- B. The nature of a single act presents such a clear possibility of danger to others that immediate definitive action is indicated.

The parents/guardians of the pupil shall be interviewed, if possible, and advised of the reasons why expulsion is being considered, of the rights of the pupil to a full hearing which will afford him/her procedural due process, and the right of parents/guardians to appeal to the Superintendent of Schools.

The child shall remain out of school until either:

- A. An appeal made to the Superintendent of Schools is decided in the child's favor; or
- B. The appeal (if made) has been denied and the board has met to hear the Superintendent of School's recommendation.

If the board determines that the charges, if true, may warrant expulsion, the board will set a date for the hearing. The board attorney will arrange for the giving of legal notice to all parties concerned for the preparation and presentation of evidence in support of the charges at the hearing.

The pupil must receive:

- A. Notification of the charges against him/her;
- B. The names of the adverse witnesses;
- C. Copies of the statements and affidavits of those adverse witnesses;
- D. The opportunity to be heard in his/her own defense;
- E. The opportunity to present witnesses and evidence in his/her own defense;
- F. The opportunity to cross-examine adverse witnesses; and
- G. The opportunity to be represented by counsel.

Juvenile authorities and law enforcement agencies shall be notified or consulted if necessary.

If a pupil younger than 18 years of age is expelled, the board shall continue to supply an educational program for him/her.

SUSPENSION AND EXPULSION (continued)Implementation

The Superintendent of Schools shall develop detailed written procedures to implement this policy. He/she shall ensure uniform and consistent application of the policy and shall report to the board as required on its effectiveness.

When an alternative educational program is provided for a pupil identified as disruptive but not disabled, the Superintendent of Schools shall inform the board.

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 Revised:

Key Words

Suspension, Expulsion, Pupil Suspension/Expulsion, Student Suspension/Expulsion

<u>Legal References:</u>	<u>N.J.S.A.</u> 2C:12-1	Definition of assault
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:37-1 <u>et seq.</u>	Discipline of pupils
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:37-2.1	
	through -2.5, 18A:37-7	
	through -12	
	<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	Substance abuse
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:40A-9, -10,	
	-11, -12	
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:14-2.8	Discipline/suspension/expulsions
	<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 6A:16-1.3, -4.3,	
	-5.1, -5.5, -5.6, -5.7, 7.1	
	<u>N.J.A.C.</u> 6A:16-7.2	Short-term suspension
	<u>N.J.A.C.</u> 6A:16-7.3	Long-term suspension
	<u>N.J.A.C.</u> 6A:16-7.4	Expulsion
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
	<u>N.J.A.C.</u> 6A:32-2.1	Definitions

20 U.S.C.A. 1400 et seq. - Section 504 of the Rehabilitation Act of 1973

P.L. 103-382, Improving America's Schools Act of 1994

Goss v. Lopez, 419 U.S. 565, 581 (1975)

Tibbs v. Franklin Township Board of Education, 114 N.J. Super. 287 (App. Div.) aff'd 59 NJ 506 (1971)

R.R. v. Shore Reg. Board of Education, 109 N.J. Super. 337 (Ch. Div. 1970)

SUSPENSION AND EXPULSION (continued)

H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336

82: July 28, C.F. v. Board of Education of the Upper Freehold Regional School District

Honig v. Doe, 484 U.S. 305 (1988)

Somerset County Educational Services Commission v. North Plainfield Board of Education 1999 S.L.D. September 7

State in re G.S. 330 N.J. Super. 383 (Ch. Div. 2000)

P.L. 2010, c.122 amended N.J.S.A. 18A:37-2 to include harassment, intimidation or bullying as a good cause for suspension or expulsion.

See also Commissioners' Decisions indexed under "Pupils-Punishment of" in Index to N.J. School Law Decisions

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

<u>Cross References:</u>	*5113	Absences and excuses
	*5124	Reporting to parents/guardians
	*5131	Conduct/discipline
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	*6154	Homework/makeup work
	*6164.2	Guidance services
	*6164.4	Child study team
	*6171.4	Special education
	*6172	Alternative educational programs
	*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

NONRESIDENTS

The Paulsboro Board of Education shall operate the schools of this district for the benefit of all children resident in the district and such others as may be admitted, pursuant to statute and policy of the board. The board reserves the right to verify the residency of any pupil and the validity of any affidavit of guardianship. Documentation required to prove eligibility to attend the schools of this district shall be in accord with policy 5111 Admission and the administrative code.

Future Residents

A child otherwise eligible for attendance whose parent/guardian has signed a contract to buy, build or rent a residence in this district shall be enrolled without tuition charges during the semester in which they expect to become a resident.

Parents/guardians of children who are future residents shall be required to demonstrate proof of the anticipated residency. The board reserves the right to verify such claims, and to remove from school a nonresident pupil whose claim cannot be verified.

Former Residents

When the family of any Paulsboro High School senior moves from the district, a request for transfer may be made to the high school. If the family desires the pupil to continue in Paulsboro High School to complete the senior year a request must be made in writing to the Superintendent for his/her recommendation. Upon the Superintendents recommendation the request must be approved by the Board.

When the family of any child in the district moves out of the district after April 1st on any year, the family may have the option of transferring the child or allowing the child to remain in the Paulsboro School District until the end of the academic year.

Children of Nonresident Staff Members

Children of nonresident employees of the board may be enrolled in the schools of this district without payment of tuition and in accordance with policy for other nonresident pupils.

Foreign Exchange Students

The board may admit foreign exchange students into district schools in order to promote cultural awareness and understanding among students.

The board may accept exchange students on a J-1 visa who reside within the district as participants in group-sponsored exchange programs approved by the board. Tuition may be waived for students on a J-1 visa.

The board may accept privately sponsored exchange students on an F-1 visa for attendance only in secondary schools upon payment of tuition at the established district rate. Tuition cannot be waived for students on an F-1 visa, and attendance in district schools shall not exceed 12 months. Students attending the schools of this district on an F-1 visa may not participate in any adult-education programs sponsored by the board under any circumstances.

NONRESIDENTS (continued)

All potential organizations or individuals applying for admission shall forward the request to the Superintendent of Schools by July 1 proceeding the school year of attendance. Foreign exchange students shall comply with all immunization requirements for students of this district. The Superintendent of Schools shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission.

Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as pertinent federal law.

Other Nonresident Pupils

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

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

When a child must either relocate to or from this district because his/her parent/guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States and has been ordered into active service, the child shall be eligible to attend the schools of this district without paying tuition. The district shall not be responsible for transporting the child.

The Superintendent of Schools or his/her designee shall recommend to the board for its approval the admission of qualified applicants.

The board shall not be responsible for the transportation to or from school of any nonresident pupils, except as may be required by state or federal law.

The board shall annually determine tuition rates for nonresident pupils. Tuition rates shall be determined on a per pupil basis and by tuition established for the pervious year in accordance with state board rules. Tuition shall be charged monthly, in advance of attendance.

Sending/ Receiving Relationships

The Paulsboro Board of Education has sending/receiving relationships for students grades 9-12, with the Board of Education of Greenwich.

All students who enter Paulsboro High School on a tuition basis must be certified by the Board Secretary from sending district.

Tuition rates for students attending Paulsboro High School shall be determined annually according to formulas in accordance with state board rules. The tuition rate shall be officially adopted by the Board of Education at an official meeting scheduled prior to September 1st of each academic school year.

NONRESIDENTS (continued)

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Key Words

Nonresidents, Tuition Pupil, Affidavit Pupil, Homeless Pupil

<u>Legal References:</u>	<p><u>N.J.S.A.</u> 18A:7F-45 <u>N.J.S.A.</u> 18A:11-1 <u>N.J.S.A.</u> 18A:36B-14 <u>et seq.</u> <u>N.J.S.A.</u> 18A:38-1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.S.A.</u> 18A:38-1.1, 38-2, 38-3, 38-8, 38-9 <u>N.J.S.A.</u> 18A:46-20 <u>N.J.S.A.</u> 18A:54-20 <u>N.J.A.C.</u> 6A:12-1.3 <u>et seq.</u> <u>N.J.A.C.</u> 6A:17-1.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:22 <u>See particularly:</u> <u>N.J.A.C.</u> 6A:22-3 <u>N.J.A.C.</u> 6A:22-3.1 <u>N.J.A.C.</u> 6A:23A-19.2 <u>N.J.A.C.</u> 6A:23A-19.3 district of residence 8 <u>U.S.C.</u> 1101 - <u>Illegal Immigrant and Immigration Responsibility Act of 1997</u> <u>Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood</u>, 132 <u>NJ</u> 327; cert. denied, 510 <u>U.S.</u> 991 (1993); subsequent listing 333 <u>N.J. Super.</u> (App. Div. 2000) <u>No Child Left Behind Act of 2001</u>, Pub. L. 107-110, 20 <u>U.S.C.A.</u> 6301 <u>et seq.</u> <u>J.A. v. Board of Education of South Orange/Maplewood</u>, 318 <u>N.J. Super.</u> 512 (App. Div 1999)</p>	<p>Definitions General mandatory powers and duties <u>Interdistrict Public School Choice Program Act of 1999</u> Attendance at school free of charge Receiving pupils from outside district; establishment of facilities Powers of board (county vocational schools) Interdistrict Public School Choice Students at Risk of Not Receiving a Public Education Student residency Eligibility to attend school Students domiciled within the school district Method of determining the district of residence Address submission for determining the</p>
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Possible

<u>Cross References:</u>	<p>3240 Tuition income *5111 Admission *5114 Suspension and expulsion 6142.5 Travel and exchange programs *6151 Class size</p>
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*Indicates policy is included in the Critical Policy Reference Manual.

Policy

TRANSFERS

General

All transfers into the schools of the district shall be in accord with file code 5111 Admission. Students transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Pupils entering the district schools shall be assigned to their appropriate grade level placement. The assignment of pupils to classes shall be made by the Principal in consultation with appropriate staff members.

Pupils shall be tested upon entrance to the schools.

Transfers

The Superintendent or designee shall forward the records of a district pupil who has transferred to another school within the mandated number of days of receipt of the request of the Superintendent of the district to which the pupil transfers.

Withdrawals

The Board directs that whenever a high school pupil wishes to withdraw, effort should be made to determine the underlying reason for such action and the resources of the district should be used to assist the pupil in reaching his career goals. No pupil under the age of 18 will be permitted to withdraw without the written consent of a parent. Pupils dropping out of school are encouraged to enroll in a general educational development program.

The administration shall keep on the number of dropouts and report results to the Board.

Dropout rates are to be compared with those available for other areas and the state as a whole, and used generally in program evaluations.

Early Identification of Potential Dropouts

The Superintendent, in consultation with appropriate staff, shall develop criteria for the identification of potential dropouts before they reach eighth grade. The needs of such pupils shall be assessed with the purpose of determining strategies for providing them with the motivation for completing their education.

Intradistrict Transfers in Compliance with No Child Left Behind

When a school in the district fails to achieve adequate yearly progress as defined by the state for two consecutive years, parents/guardians shall be informed of options for students in that school, including the option of transferring to another school in the district. Notices to parents/guardians shall list the possible accepting schools and describe information on their performance. Only schools that have achieved adequate yearly progress shall be included on the list.

The lowest-achieving students from the lowest-income families, as identified through federal free or reduced-price lunch statistics, shall be given priority in transferring.

Transportation shall be provided at no cost to transferring students until the school that they are leaving demonstrates adequate improvement. Funding of transportation shall not exceed the limits described in

TRANSFERS (continued)

NCLB. Students may remain in the school into which they have transferred until they have completed the highest grade in that school.

Unsafe School Choice Option

If a school in the district is identified as “persistently dangerous” by the state department of education, all students in that school shall be offered on a space available basis the option of transferring into another school in the district that has not been so designated. Parents/guardians shall be notified within 15 calendar days after the district is notified of the school’s status, and all transfers shall be completed by the beginning of the school year following. To the extent possible, transfers shall be into schools in the district that are making adequate yearly progress. Students may remain in the school into which they have transferred until the school of origin is no longer identified as “persistently dangerous.”

In addition, any student who becomes a victim of a violent criminal offense while in school or on school grounds shall be offered the option of transferring into a safe school within the district. The student shall be given the option within 10 days of the incident, and the transfer shall occur within 30 days of determination that the student was a victim. Applicable definitions and criminal offenses shall be as listed in the statewide policy.

Transportation shall not be provided to students transferring out of “persistently dangerous” schools and student victims of violent criminal offenses.

If the board cannot offer a safe school alternative within the district to students choosing to transfer out of a “persistently dangerous” school or to a student who has been a victim of a violent criminal offense, the Superintendent of Schools shall attempt to establish an agreement with a neighboring district. The board shall review and approve any agreement prior to its application.

The Superintendent of Schools shall ensure that the district complies with all requirements of federal law and the state department of education. He/she shall prepare regulations to implement this policy.

Adopted: 1994
 NJSBA Review/Update: November 2008, February 2016
 Readopted: March 2009

Key Words

Transfers, Persistently Dangerous Schools, Victims of Violent Crimes

<u>Legal References:</u>	<u>N.J.S.A. 18A:7B-12</u> <u>N.J.S.A. 18A:36-19a</u> <u>N.J.S.A. 18A:36-25.1</u> <u>N.J.S.A. 18A:36B-1 et seq.</u> <u>N.J.S.A. 18A:38-8</u> <u>N.J.A.C. 6A:12-3.2</u> <u>N.J.A.C. 6A:23A-19.2</u> <u>N.J.A.C. 6A:32-8.2</u>	District of residence; determination Newly enrolled students; records and identification Proof of child’s identity required for enrollment; transfer of record between districts <u>Interdistrict Public School Choice Program Act of 1999</u> Duty to receive pupils from other districts Criteria to guide the Commissioner’s approval of choice program applications Method of determining the district of residence School enrollment
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No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Possible

<u>Cross References:</u>	*5111 *5125 *5131	Admission Pupil records Conduct/discipline
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TRANSFERS (continued)

*5131.5	Vandalism/violence
*5141.3	Health examinations and immunizations

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

ASSESSMENT OF INDIVIDUAL NEEDS

Each pupil shall be assessed upon entrance into the district's schools and beginning in grade three shall be assessed annually thereafter, to identify pupils not meeting district proficiency levels.

The Superintendent of Schools shall develop procedures to implement a program of individual pupil needs assessment that shall include but not be limited to:

- A. Identifying district needs as the basis for development of mandated goals; development of staff inservice programs; selecting and approving instructional materials; staffing;
- B. Identifying and determining the needs of:
 - 1. Gifted and talented pupils;
 - 2. Disruptive pupils;
 - 3. Disaffected pupils;
 - 4. Potential dropouts;
 - 5. Students who exhibit one or more potential indicators of dyslexia or other reading disability;
 - 6. Pupils who require basic skills improvement programs;
 - 7. Pupils with limited English proficiency;
 - 8. Pupils who may require formal referral to the child study team for classification.

Policies addressing these specific groups and appropriate educational programs for them are listed in the cross references to this policy.

- C. Disseminating results of such assessments to parents/guardians and to appropriate staff and state and federal agencies as required without invading the privacy of the individual pupil.

The Superintendent of Schools/designee shall review all individual assessment procedures annually to ensure that they serve the purposes for which they are intended. At all times, these procedures shall be in full conformity with federal and state law.

Dyslexia Assessment

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

The board shall select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities.

The board shall ensure that each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected by the board. The screening shall be conducted no later than the student's completion of the first semester of the second grade.

Students newly enrolling in the district or transferring into the district in kindergarten or grades one through six who exhibit potential indicators of dyslexia or other reading disabilities and who have not been previously

ASSESSMENT OF INDIVIDUAL NEEDS (continued)

assessed, shall be assessed using the board selected age-appropriate screening instruments. Students shall be assessed at the same time as other students enrolled in the student's grade if feasible. If other students enrolled in the student's grade have previously been screened, the assessment shall be conducted within 90 calendar days of the date the student is enrolled in the district.

Potential indicators of dyslexia or other reading disabilities include, but are not be limited to:

- A. Difficulty in acquiring language skills;
- B. Inability to comprehend oral or written language;
- C. Difficulty in rhyming words;
- D. Difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words;
- E. Difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and
- F. Trouble in replication of content.

The screening shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities. If the results of the assessment substantiate that the student possesses one or more potential indicators of dyslexia or other reading disabilities, the student shall receive a comprehensive assessment for the learning disorder. If the diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, appropriate evidence-based intervention strategies shall be provided to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

Adopted: 1994
 NJSBA Review/Update: November 2008, February 2016
 Readopted: March 2009, June 2016
 Revised:

Key Words

Pupil Assessment; Assessment of Individual Needs

<u>Legal References:</u>	<p><u>N.J.S.A.</u> 18A:7A-10 <u>N.J.S.A.</u> 18A:40-5.1 <u>N.J.S.A.</u> 18A:40-5.2 <u>N.J.S.A.</u> 18A:40-5.3 <u>N.J.S.A.</u> 18A:40-5.4 <u>N.J.A.C.</u> 6A:8-3.1 <u>et seq.</u> <u>N.J.A.C.</u> 6A:8-4.1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.A.C.</u> 6A:8-4.1(d), -4.3(c)(d), -4.4 <u>N.J.A.C.</u> 6A:8-5.1 <u>N.J.A.C.</u> 6A:10-1.1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.A.C.</u> 6A:10-2.4 <u>N.J.A.C.</u> 6A:10-5.1 <u>et seq.</u></p>	<p>Evaluation of performance of each school Definitions relative to reading disabilities Distribution of information on screening instruments Screening for dyslexia, other reading disabilities Comprehensive assessment for learning disorder Implementation of the Core Curriculum Content Standard Implementation of the Statewide Assessment System Graduation requirements Educator effectiveness Evaluation procedures for all teaching staff members Components of principal evaluation</p>
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ASSESSMENT OF INDIVIDUAL NEEDS (continued)

<u>N.J.A.C. 6A:10-7.1</u>	Evaluation of the chief school administrator
<u>N.J.A.C. 6A:14-1.1 et seq.</u>	Special Education
<u>See particularly:</u>	
<u>N.J.A.C. 6A:14-1.3, 3.3, 3.4, 3.8, 4.11, 4.12</u>	
<u>N.J.A.C. 6A:15-1.1 et seq.</u>	Bilingual Education
<u>See particularly:</u>	
<u>N.J.A.C. 6A:15-1.3, -1.10, -1.11</u>	
<u>N.J.A.C. 6A:16-8.1</u>	Establishment of intervention and referral services
<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C. 6A:32-2.1</u>	Definitions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible**Cross References:**

*1100	Communicating with the public
*1120	Board of education meetings
*2240	Research, evaluation and planning
4010	Goals and objectives
*4131/4131.1	Staff development; inservice education/visitations/conferences
*5111	Admission
5119	Transfers
*5124	Reporting to parents/guardians
*5125	Pupil records
*6010	Goals and objectives
*6141	Curriculum design/development
*6142.2	English as a second language; bilingual/bicultural
*6146	Graduation requirements
*6146.2	Promotion/retention
*6147	Standards of proficiency
*6147.1	Evaluation of individual student performance
*6160	Instructional services and resources
6161	Equipment, books and materials
*6161.1	Guidelines for evaluation and selection of instructional materials
*6164.2	Guidance services
*6164.4	Child study team
*6171.1	Remedial instruction
*6171.2	Gifted and talented
*6171.3	At-risk and Title 1
*6171.4	Special education
*6172	Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

REPORTING TO PARENTS/GUARDIANS

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

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

The Superintendent of Schools shall develop procedures for reporting pupil progress which:

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

The schools shall keep parents informed of both negative and positive behavior demonstrated in school activities.

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

Parental Notification

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

Adopted: 1994
NJSPA Review/Update: November 2008, February 2016
Readopted: March 2009

Key Words

Parents/Guardians; Reporting to Parents/Guardians; Role of Parents/Guardians

Legal References: N.J.S.A. 18A:7E-2 through -5 School report card program
N.J.S.A. 18A:11-1 General mandatory powers and duties

REPORTING TO PARENTS/GUARDIANS (continued)

<u>N.J.S.A.</u> 18A:35-4.9	Pupil promotion and remediation; policies and procedures
<u>N.J.S.A.</u> 18A:40A-12	Reporting of pupils under influence or believed to be using anabolic steroids; examination report, return home; treatment; evaluation of possible need and referral
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.A.C.</u> 6A:8-4.3	Accountability
<u>N.J.A.C.</u> 6A:8-4.5	Public reporting
<u>N.J.A.C.</u> 6A:8-5.1	Graduation requirements
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:14-1.1, -2.3, -2.4, -2.5, -2.6, -3.5, -7.9	
<u>N.J.A.C.</u> 6A:15-1.1 <u>et seq.</u>	Bilingual Education
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:15-1.13, -1.15	
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-7.1(d, k)	General considerations

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible

<u>Cross References:</u> *1000/1010	Concepts and roles in community relations; goals and objectives
*1120	Board of education meetings
*1250	Visitors
*2224	Nondiscrimination/affirmative action
*3542.31	Free or reduced-price lunches/milk
*5020	Role of parents/guardians
*5113	Absences and excuses
*5114	Suspension and expulsion
*5120	Assessment of individual needs
*5125	Pupil records
*5126	Awards for achievement
*5131	Conduct/discipline
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.3	Health examinations and immunizations
*5142	Pupil safety
*5145.12	Search and seizure
*5200	Nonpublic school pupils
*6010	Goals and objectives
*6142.1	Family life education
*6142.2	English as a second language; bilingual/bicultural
*6145	Extracurricular activities
*6145.1/6145.2	Intramural competition; interscholastic competition
*6146	Graduation requirements
*6164.2	Guidance services
*6164.4	Child study team
*6171.1	Remedial instruction
*6171.3	At-risk and Title 1
*6171.4	Special education
*6173	Home instruction
6174	Summer school

REPORTING TO PARENTS/GUARDIANS (continued)

6178 Early childhood education/preschool

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

STUDENT RECORDS

The Paulsboro Board of Education shall conform in all respects to the requirements of state and federal law regarding gathering, maintaining, securing, disclosing, allowing access to and destruction of student records.

The Superintendent of Schools shall be responsible for the security of student records maintained in the school district. He/she shall formulate and the board shall review administrative procedures to guarantee the safety and security of all student records, and to provide authorized persons and organizations access to these records at a convenient place and time within the limits stipulated by law, i.e., within 10 days of the request but prior to any review or hearing conducted in accordance with state board of education regulations.

Student records shall include all those mandated by the New Jersey administrative code or state statutes, or authorized by administrative directives, and such permitted records as the board of education shall authorize by resolution at a regular public meeting in order to promote the educational welfare of the student. Records so authorized must comply with code standards as to relevance and objectivity.

The Paulsboro Board of Education shall report annually at a public meeting a description of the types of student records it has authorized certified school personnel to collect and maintain.

Student records shall contain only such information as is relevant to the education of the student, and is objectively based on the personal observations or knowledge of the originator of the record.

All anecdotal information and assessment reports collected on a student shall be dated and signed by the individual who originated the data.

Parents/guardians and adult students shall be notified annually in writing of their rights in regard to student records. Such rights include:

- A. Notification of rights in writing, in dominant language of parent/adult student, if possible. When the parent or adult student's dominant language is not English, or the parent/adult student is deaf, the district shall provide interpretation of the record in the dominant spoken or sign language;
- B. Copies of applicable state and federal laws and local policies made available on request;
- C. Should the parental rights of one or the other parent/guardian be terminated by a court of appropriate jurisdiction, it is the responsibility of the person/agency having legal custody to notify the district that the right to review student records should be denied the person whose rights have been terminated;
- D. Parents/guardians or adult students have the right to seek to include in the records material they think pertinent or to seek exclusion from the records of material that is untrue, irrelevant to the student's present educational situation or otherwise improperly contained in the student's record. Parents/adult students have the right to request an immediate stay of disclosure pending final determination of the challenge procedure. They also have the right to challenge the district's granting or denial of access to the student's records. The Superintendent of Schools shall devise procedures to review such requests. These procedures shall include an appeal process as required by New Jersey administrative code.

Student Information Directories

The district shall compile, publicize and make available a "student information directory" as defined in the administrative code. Such directory information and school facilities shall be available to educational,

STUDENT RECORDS (continued)

occupational and military recruiters as required by law.

The district must notify parents/guardians and adult students annually in writing of their rights in regard to student participation in educational, occupational and military recruitment programs.

Such rights include:

- A. Notification of these rights in writing, in dominant language of parents/guardians or adult student.
- B. A 10-day period in which to submit a written statement to the Superintendent of Schools prohibiting the district from including any or all types of information about the student in any student information directory before allowing access to such directory and school facilities to educational, occupational and military recruiters pursuant to statute.
- C. A 10-day period to submit a written statement to the Chief School Administrator excluding information from any school directory for official use.
- D. Copies of applicable state and federal laws and local policies will be made available on request.

District Review of Student Records

The Superintendent of Schools shall require all permitted student records of students currently enrolled in the regular educational program to be reviewed annually by certified school personnel to determine the educational relevance of the material contained therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the student or educational situation.

Such information shall be destroyed and shall not be recorded elsewhere nor shall a record of such deletion be made.

Such data may not be removed from the record of a disabled student without prior parental notice.

Records of Classified Students

All records of disabled students shall be maintained in accordance with administrative code and established procedures that will ensure proper accessibility and confidentiality.

A special confidential file shall be maintained listing the code numbers assigned to disabled students on whose behalf the board of education must take public action. Motions concerning disabled students shall be anonymous and refer to this confidential file. This shall be maintained in accordance with N.J.A.C. 6A:32-7.

Parents/adult students or designees shall be permitted to inspect and review the contents of the student's record maintained by the district without unnecessary delay and before any meeting regarding the student's IEP. Any consent required for disabled students under N.J.A.C. 6A:32-7 shall be obtained according to N.J.A.C. 6A:14-1.3 "Consent" and N.J.A.C. 6A:14-2.3.

Transfer of Student Records

- A. The Superintendent of Schools shall request records of a newly enrolled student from the district of previous attendance as soon as possible after enrollment, but in any case within the time limit prescribed by the administrative code.
- B. The Superintendent of Schools shall forward mandated student records as soon as possible upon receipt of the request from the Superintendent of Schools of the district to which the student has transferred, but in any case within the time limit prescribed by the administrative code. Permitted records shall be forwarded in the same manner at the same time if parental permission was given at the time the student's

STUDENT RECORDS (continued)

parents/guardians informed the district of the transfer.

- C. All records of district students moving into the ninth grade in the Paulsboro school system shall be transferred in a secure and orderly fashion at the mutual convenience of the Superintendent of Schools in all sending and receiving districts.

Permitted Access to Student Records

A non-adult student may assert rights of access only through his/her parent/guardian. However, certified school personnel may, in their discretion, disclose student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.

A parent/guardian or adult student shall either have access to or be specifically informed about only that portion of another student's record that contains information about his/her own child or himself/herself.

A student record may be withheld from a parent of a student under 18 or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld.

The board shall limit access to, disclosure of and communication regarding student records and health records to authorized organizations, agencies or persons as defined by code.

Particular attention shall be paid to the development of procedures whereby student records are made accessible to assigned secretarial and clerical staff in the performance of their duties, and to compliance with requirements for the security of computerized student records that will limit access to authorized persons. Limited access shall be granted to secretarial and clerical personnel under the direct supervision of certified school personnel to those portions of the record and to the extent necessary to record data and conduct routine clerical tasks.

The district will make a charge for copies.

School personnel are not prohibited from disclosing information in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In complying with this policy all individuals shall adhere to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 20 U.S.C. 1232g; 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

Conditions of Access

No student record shall be altered or destroyed during the time period between a request to review the record and the actual review of the record. Those from outside the school whose access requires consent of parents/adult students must submit the request in writing, together with any required authorization, to the Superintendent of Schools/designee. District regulation shall be developed in accordance with code to ensure that records are not altered, damaged or lost during inspection, and that records of access granted are complete.

Retention and Destruction of Records

The Superintendent of Schools shall develop regulations in accordance with the administrative code concerning retention and destruction of student records. No additions may be made to the record after the graduation or permanent departure of a student without the prior written consent of the parent/adult student.

New Jersey district of last enrollment must keep in perpetuity: name, date of birth, gender, citizenship,

STUDENT RECORDS (continued)

address, phone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

Liability

Liability shall not be attached to any member, officer or employee of the board of education permitting access or furnishing student records in accordance with these rules and regulations. It shall be the responsibility of the Superintendent of Schools to keep abreast of all changes in state and federal law and regulation concerning student records.

Adopted: 1994
 NJSBA Review/Update: November 2008, February 2016
 Readopted: March 2009

Key Words

Student Records, Student Records, Records, Special Education Student Records

<u>Legal References:</u> <u>N.J.S.A.</u> 2A:4A-60 <u>et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A.</u> 18A:36-19	Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
<u>N.J.S.A.</u> 18A:36-19.1	Military recruiters; access to schools and student information directories
<u>N.J.S.A.</u> 18A:36-35	Disclosure of certain student information on Internet prohibited without parental consent
<u>N.J.S.A.</u> 18A:40-4	Examination for physical defects and screening of hearing of students; health records
<u>N.J.S.A.</u> 18A:40-19	Records and reports of tuberculosis testing; disposition; inspection
<u>N.J.S.A.</u> 26:5C-7 through -14	Acquired Immune Deficiency Syndrome
<u>N.J.S.A.</u> 47:1A-1 <u>et seq.</u>	Examination and copies of public records (<u>Open Public Records Act</u>)
<u>N.J.S.A.</u> 47:3-15 <u>et seq.</u>	Destruction of Public Records Law
<u>N.J.S.A.</u> 52:17B-9.8a through -9.8c	Marking of missing child's school record
<u>N.J.A.C.</u> 6A:8-4.2	Documentation of student achievement
<u>N.J.A.C.</u> 6A:14-1.1 <u>et seq.</u>	Special Education
<u>See particularly:</u> <u>N.J.A.C.</u> 6A:14-1.3, -2.3, -2.9, -7.9	
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u> <u>N.J.A.C.</u> 6A:16--2.2, -2.4, -3.2, -5.4, -6.5, -7.10, -11.1	
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-2.1	Definitions
<u>N.J.A.C.</u> 6A:32-7.1 <u>et seq.</u>	Student records
<u>N.J.A.C.</u> 6A:32-8.1	School register
<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV)
<u>N.J.A.C.</u> 15:3-2	State records manual

STUDENT RECORDS (continued)

20 U.S.C.A. 1232g - Family Educational and Privacy Rights Act

42 U.S.C.A. 4541 et seq. - Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980

42 CFR Part II

Owasso Independent School District No. I-001 v. Falvo, 534 U.S. (2002)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible

Cross References:

*1110	Media
*1120	Board of education meetings
3543	Office services
*3570	District records and reports
*5113	Absences and excuses
*5124	Reporting to parents/guardians
*5131	Conduct/discipline
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141.2	Illness
*5141.3	Health examinations and immunizations
*5142	Student safety
*6145.1/6145.2	Intramural competition; interscholastic competition
*6147.1	Evaluation of individual student performance
*6164.2	Guidance services
*6171.4	Special education
*9322	Public and executive sessions

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

PUPIL RECORDS FOR STUDENTS WITH EDUCATIONAL DISABILITIES

The district's Director of Special Education shall ensure that:

- A. Records of classified pupils with educational disabilities shall be stored and maintained separate from the records of the general school population. Copies of all or part of the pupil's child study team records will be filed in:
 1. Office of special services
 2. Confidential file in the building of attendance
 3. Teacher's confidential file
 4. Related service provider's confidential file
 5. Nurse's confidential file
- B. All records for each individual pupil shall be maintained together in the pupil's school of attendance. If parts of a pupil's file are maintained separately, in each and every one of the files there must be a prominent notice (sticker) of the existence and location of each and every other file. When copies of records are provided to a parent/guardian or pupil, a photocopy of the notice (sticker) will also be provided. When pupil records are computerized, a security block must be programmed and installed to guard against unlawful entry into the files.
- C. A "Request to View Pupil Records" sheet will be included in each pupil's file. When the file is reviewed by any authorized person, this form also stipulates if copies of the file were provided.

A copy of a "Release of Records" form will be included in the file when a parent/guardian gives signed consent for records to be released.
- D. The parents/guardians, adult pupil or their designated representative shall be permitted to inspect, review and appeal the contents of the pupil's records maintained by the district board of education. When requested, this inspection shall occur without unnecessary delay before any meeting regarding the individualized education program.
- E. Provisions for security of computer-stored records of pupils with educational disabilities shall be separate from those provided for the security of computerized pupil records in general.
- F. Clerical and secretarial tasks related to such records shall be performed by special education clerks or secretaries only, except when it is necessary to use the services of other confidential employees.
- G. Records of classified pupils moving within the State of New Jersey will be forwarded within two weeks of a request by the receiving district. Written parent/guardian consent is not required.
- H. Records of classified pupils moving out of the State of New Jersey will be forwarded within two weeks of a request by the receiving district. Written parent/guardian consent is required.
- I. Upon graduation or permanent departure of a pupil from the school system:
 1. The parent/guardian or adult pupil shall be notified in writing that a copy of the entire pupil record will be provided to them upon request.
 2. Information in pupil records may be destroyed but only in accordance with the destruction of public records law, N.J.S.A. 47:3-15 m. Such destruction shall be accomplished only after written parent, guardian or adult pupil notification and written parent/guardian or adult pupil permission has been

PUPIL RECORDS FOR STUDENTS WITH EDUCATIONAL DISABILITIES (continued)

granted, or after reasonable attempts at such notification and reasonable attempts to secure parent/guardian permission have been unsuccessful.

- J. For the district's general policy and regulations on pupil records, see General Pupil Records Policy 5125.

Adopted:	1994
NJSBA Review/Update:	November 2008, February 2016
Readopted:	March 2009

Policy

COMMENCEMENT ACTIVITIES

The Paulsboro Board of Education endorses graduation activities and ceremonies. The date of graduation shall annually be recommended by the Superintendent of Schools and approved by the board.

Graduation shall not occur prior to completion of the required 180 days of pupil instruction.

Guidelines for Graduation Year Activities

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

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

- A. Consistent involvement in disciplinary action(s);
- B. Suspension;

The final decision shall be made by the Superintendent of Schools.

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

Graduation Procedures and Ceremonies

No pupil shall be barred from participation in graduation ceremonies for arbitrary or discriminatory reasons. A pupil who may be prevented from participation and his/her parents/guardians shall be so notified in advance and no later than two weeks prior to the close of the school year.

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

- A. Rental or purchase of cap and gown;
- B. One year book;
- C. Other, as may be determined by the board.

Financial hardship shall be defined by eligibility standards for free and reduced price meals under the state school lunch program.

The board reserves the right to deny participation in graduation activities when extreme circumstances warrant it. Such denial shall be treated in the same manner as a suspension and the pupil so affected shall be afforded the rights of review provided in policies of this board.

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

COMMENCEMENT ACTIVITIES (continued)Awarding of Diplomas

A board member shall present a copy of the Declaration of Independence, the Constitution of the United States and the amendments thereto, and the Constitution of the State of New Jersey and the amendments thereto to each pupil upon graduation from elementary school.

The president of the Board of Education and/or another designated member of the board shall award the diplomas. Board members, including Board members of sending districts, shall be afforded the opportunity to award diplomas to their own children.

The board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

Adopted: 1994
 NJSBA Review/Update: November 2008, February 2016
 Readopted: March 2009

Key Words

Commencement Activities, Graduation Ceremonies

Legal References: N.J.S.A. 18A:7C-5.1 Boards of education prohibited from excluding students from graduation ceremony or from obtaining yearbook for inability to pay fees
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:36-18 Books containing organic laws at graduation
N.J.S.A. 18A:37-2 Causes for suspension or expulsion of pupils
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:8-5.1 et seq. Implementation of Graduation Requirements
N.J.A.C. 6A:16-7.1 et seq. Student Conduct

Ballato v. Long Branch Board of Education, 1990 S.L.D. (August 20)

Lee v. Weisman, 112 S.Ct. 2649 (1992)

R.L. v. Kingsway Regional Board of Education, 95 NJAR2d (EDU) 296

D.C. v. Parsippany Troy Hills Board of Education, 96 NJAR2d (EDU) 697

DO'G v. Ridgefield Park Board of Education, 96 NJAR2d (EDU) 820

R.F. v. Park Ridge Board of Education, 97 NJAR2d (EDU) 1

American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F.3d 1471 (3d Cir. 1996)

Possible

Cross References: *5113 Absences and excuses
 *5114 Suspension and expulsion
 *5126 Awards for achievement
 *5131 Conduct/discipline

COMMENCEMENT ACTIVITIES (continued)

- *6111 School calendar
- *6115 Ceremonies and observances
- *6141.2 Recognition of religious beliefs and customs
- *6146 Graduation requirements

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

CONDUCT/DISCIPLINE

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

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

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

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

The superintendent of schools shall establish the degree of order necessary to the educational program in which students are engaged.

Code of Conduct

The superintendent of schools shall oversee the development of and the board shall approve a code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The code of conduct shall be based on parent/guardian, student and community involvement, and locally determined core ethical values. The superintendent of schools has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and 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, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The board shall direct development of detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

The district code of conduct shall contain:

- A. A description of student responsibilities that includes expectations for academic achievement, behavior and attendance;

CONDUCT/DISCIPLINE (continued)

- B. A description of behaviors that will result in suspension or expulsion;
- C. A description of the students' rights to:
 - 1. Advance notice of behaviors that will result in suspensions or expulsions;
 - 2. Education that supports student development into productive citizens;
 - 3. Attendance in safe and secure school environment;
 - 4. Attendance in school irrespective of marriage, pregnancy, or parenthood;
 - 5. Due process and appeal procedures in accordance with law and board policy;
 - 6. Parent notifications consistent with board policy and law for law enforcement interviews (5145.11 Questioning and Apprehension), short-term and long-term suspension (5114 Suspension and Expulsion), due process and appeal procedures, and attendance (5113 Attendance, Absences and Excuses);
 - 7. Records and privacy protections (5125 Student Records).
- D. A description of behavioral supports that promote positive student development and assist each student in fulfilling the district behavioral expectations established including intervention and referral services, remediation, and intervention and supports services for students with disabilities;
- E. A description of graded responses to violations of the code of conduct that includes remediation, is consistent with law concerning corporal punishment, and is consistent with laws and board policies concerning violence/vandalism (5131.5) and, weapons and dangerous instruments (5131.7);
- F. Cover the board attendance policy (5113) and the harassment, intimidation and bullying policy (5131.1);
- G. Lists community-based health and social service providers, and local legal resources.

Student Behavioral Infractions

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

A student whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended in accordance with N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.2, N.J.A.C. 6A:16-7.3 or expulsion in accordance with N.J.A.C. 6A:16-7.4, following due process. However, one incident alone is not sufficient cause for an expulsion.

Any student who commits an assault (as defined by N.J.S.A. 2C:12-1) upon a board member, teacher, administrator or other employee of the board of education shall be suspended from school immediately according to procedural due process, and suspension in accordance with N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.2, N.J.A.C. 6A:16-7.3 or expulsion in accordance with N.J.A.C. 6A:16-7.4. However, one incident alone is not sufficient cause for an expulsion. Proceedings shall begin no later than 30 calendar days from the date of the student's suspension.

Substance Abuse

In accordance with statute and code, penalties shall be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties shall be graded according to the severity of the

CONDUCT/DISCIPLINE (continued)

offense. Infractions shall be reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality shall be protected in accordance with federal and state law.

Weapons Offenses

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The Superintendent of Schools may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the board. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

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

The Superintendent of Schools shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commissioner of Education.

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

Harassment, Intimidation or Bullying

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

The board prohibits acts of harassment, intimidation or bullying against any student in accordance with board policy 5131.1 Harassment, Intimidation and Bullying, and law.

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

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

CONDUCT/DISCIPLINE (continued)

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

Disabled

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

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

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

Any staff member that commits the act of harassment, intimidation or bullying shall be subjected to disciplinary charges which could result in either suspension or termination.

Policy and Procedure Development, Review and Dissemination

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

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

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

The superintendent of schools shall annually:

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

Implementation

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

CONDUCT/DISCIPLINE (continued)

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

Adopted: 1994
 NJSBA Review/Update: November 2008, February 2016
 Readopted: March 2009
 Readopted: November 18, 2009, June 2016
 Revised:

Key Words

Conduct, Discipline, Pupil Conduct, Student Conduct, Weapons, Vandalism

Legal References: N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
N.J.S.A. 2C:12-1 Definition of assault
N.J.S.A. 2C:33-19 Paging devices, possession by students
N.J.S.A. 2C:39-5 Unlawful possession of weapons
N.J.S.A. 18A:6-1 Corporal punishment of pupils
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:25-2 Authority over pupils
N.J.S.A. 18A:36-19a Newly enrolled students; records and identification
N.J.S.A. 18A:37-1 et seq. Discipline of Pupils
 See particularly:
N.J.S.A. 18A:37-15
N.J.S.A. 18A:40A-1 et seq. Substance Abuse
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:14-2.8 Discipline/suspension/expulsions
N.J.A.C. 6A:16-1.1 et seq. Programs to Support Student Development
 See particularly:
N.J.A.C. 6A:16-2.4
 -4.1, -5.1, -6.1, -6.2,
 -7.1 through -7.5
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

P.L. 2007, c.129, amends N.J.S.A. 18A:37-15 and includes electronic communication in the definition of public school “harassment, intimidation or bullying”

20 U.S.C.A. 1415(k) Individual with Disabilities Education Act Amendments of 1997

Bethel School District No. 403, v. Fraser, 478 U.S. 675 (1986)

Hazelwood v. Kuhlmeier 484 U.S. 260 (1988)

Honig v. Doe, 484 U.S. 305 (1988)

See also Commissioners’ Decisions indexed under “Pupils – Punishment of” in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A.

CONDUCT/DISCIPLINE (continued)

10:5-1 to -49, when students harass another student because of his perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division on Civil Rights.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

<u>Cross References:</u>	*1220	<u>Ad hoc</u> advisory committees
	*1410	Local units
	3517	Security
	*3541.33	Transportation safety
	*4131/	Staff development; inservice education/visitation conferences
	4131.1	
	4148	Employee protection
	*4231/	Staff development; inservice education/visitation conferences
	4231.1	
	4248	Employee protection
	5000	Concepts and roles in pupil personnel
	5010	Personal goals and objectives for pupils
	*5020	Role of parents/guardians
	*5113	Absences and excuses
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5127	Commencement activities
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	5132	Dress and grooming
	5145	Rights
	5145.2	Freedom of speech/expression
	*5145.4	Equal educational opportunity
	*5145.6	Pupil grievance procedure
	*5145.11	Questioning and apprehension
	*5145.12	Search and seizure
	*6145	Extracurricular activities
	*6164.4	Child study team
	*6171.4	Special education
	*6172	Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

HARASSMENT, INTIMIDATION AND BULLYING

The board of education believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Since students learn by example, school administrators, faculty, staff, and volunteers are required to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The board of education expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. The board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The standards of character education are an essential component of the Paulsboro School District's Code of Conduct. The board believes that with the appropriate infusion of character education into the school curriculum, modeling of appropriate behavior by adults; support and assistance of students in school, the community and home; our students will achieve the above standards of character education.

The board prohibits acts of harassment, intimidation or bullying against any student. School responses to harassment, intimidation and bullying shall be aligned with the board approved code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The superintendent shall be responsible for ensuring the prompt investigation and response to all reports of harassment, intimidation and bullying committed on school grounds, at school activities and on school buses. In addition, the superintendent shall ensure that this policy is applied to incidents of harassment, intimidation and bullying that are committed off school grounds in cases where a school employee is made aware of such actions. The superintendent has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.6.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The board directs the superintendent or his or her appropriately trained and qualified designee to develop detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

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

A. A reasonable person should know, under the circumstances, will have the effect of physically or

HARASSMENT, INTIMIDATION AND BULLYING (continued)

emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or

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

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

Consequences and Remedial Measures for Acts of Harassment, Intimidation or BullyingStudents

Consequences and remedial measures 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. Consequences shall be consistent with the board approved code of student conduct and N.J.A.C. 6A:16-7. Consequences and remedial measures shall be designed to:

- A. Correct the problem behavior;
- B. Prevent another occurrence of the problem;
- C. Protect and provide support for the victim of the act; and
- D. Take corrective action for documented systemic problems related to harassment, intimidation or bullying.

Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including short and long-term suspension or expulsion, as permitted by law. The consequences and remedial measures may include, but are not limited to:

A. Consequences

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

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- f. Supportive student interventions, including participation of the intervention and referral services team;
 - g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
 - h. Behavioral management plan, with benchmarks that are closely monitored;
 - i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
 - j. Involvement of school disciplinarian;
 - k. Student counseling; l. Parent conferences; m. Student treatment; or n. Student therapy.
2. Environmental (Classroom, School Building or School District)
- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
 - b. School culture change;
 - c. School climate improvement;
 - d. Adoption of research-based, systemic bullying prevention programs;
 - e. School policy and procedures revisions;
 - f. Modifications of schedules;
 - g. Adjustments in hallway traffic;
 - h. Modifications in student routes or patterns traveling to and from school;
 - i. Supervision of students before and after school, including school transportation;
 - j. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
 - k. Teacher aides;
 - l. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
 - m. General professional development programs for certificated and non-certificated staff;
 - n. Professional development plans for involved staff;
 - o. Disciplinary action for school staff who contributed to the problem;
 - p. Supportive institutional interventions, including participation of the intervention and referral services team;
 - q. Parent conferences;
 - r. Family counseling;
 - s. Involvement of parent-teacher organizations;

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

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

Staff

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges which could result in suspension or termination. The consequences and remedial measures may include, but are not limited to:

- A. Consequences
- 1. Admonishment;
 - 2. Temporary removal from the classroom;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

3. Deprivation of privileges;
4. Withholding of Increment
5. Suspension;
6. Legal action; and
7. Termination

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Support group;
- d. Recommendations of behavior or ethics council;
- e. Corrective action plan;
- f. Behavioral assessment or evaluation;
- g. Behavioral management plan, with benchmarks that are closely monitored;
- h. Counseling;
- i. Conferences; j. Treatment; or k. Therapy.

2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Supervision;
- h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- i. General professional development programs for certificated and non-certificated staff;
- j. Professional development plans for involved staff;
- k. Disciplinary action;
- l. Supportive institutional interventions, including participation of the intervention and referral services team;
- m. Conferences;
- n. Counseling;

Reporting Harassment, Intimidation and Bullying Behavior

The superintendent, principal and/or their designee shall be responsible for receiving complaints alleging violations of this policy.

The board shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report. Any school employee, board member, contracted service provider, student, visitor or volunteer who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying, must report the incident to the building principal or his/her designee.

The following procedures shall apply to the reporting of incidents of harassment, intimidation and bullying:

- A. All acts of harassment, intimidation, or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident;

HARASSMENT, INTIMIDATION AND BULLYING (continued)

- B. The principal shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services; and
- C. All acts of harassment, intimidation, or bullying shall be reported in writing to the school principal within two school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying.

A board member, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the building principal and any appropriate school official, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

A board member or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in this policy, shall be immune from a cause of action for damages arising from any failure to remedy the reported incident.

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

District Anti-Bullying Coordinator

The superintendent shall appoint a district anti-bullying coordinator. The superintendent shall make every effort to appoint an employee of the school district to this position. The district anti-bullying coordinator shall:

- A. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, and bullying of students;
- B. Collaborate with school anti-bullying specialists in the district, the board of education, and the superintendent to prevent, identify, and respond to harassment, intimidation, and bullying of students in the district;
- C. Provide data, in collaboration with the superintendent, to the Department of Education regarding harassment, intimidation, and bullying of students; and
- D. Execute such other duties related to school harassment, intimidation, and bullying as requested by the superintendent.

The district anti-bullying coordinator shall meet at least twice a school year with the school anti-bullying specialists in the district to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

School Anti-Bullying Specialist

The principal in each school shall appoint a school anti-bullying specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the principal shall appoint that individual to be the school anti-bullying specialist. If no individual meeting these criteria is currently employed in the school, the principal shall appoint a school anti-bullying specialist from currently employed school personnel. The school anti-bullying specialist shall:

- A. Chair the school safety team;
- B. Lead the investigation of incidents of harassment, intimidation, and bullying in the school; and

HARASSMENT, INTIMIDATION AND BULLYING (continued)

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

School Safety Team

The district shall form a school safety team in each school to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. The school safety team shall meet at least two times per school year.

The school safety team shall be appointed by the principal and consist of the principal or his or her designee who, if possible, shall be a senior administrator; a teacher in the school; the school anti-bullying specialist; a parent of a student in the school; and other members to be determined by the principal. The school anti-bullying specialist shall serve as the chair of the school safety team.

The school safety team shall:

- A. Receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;
- B. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- C. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
- D. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- E. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- F. Participate in the training required pursuant to the provisions of (N.J.S.A.18A:37-13 et seq.) and other training which the principal or the district anti-bullying coordinator may request;
- G. Collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of students; and
- H. Execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

No parent/guardian who is a member of the school safety team shall:

- A. Receive complaints of harassment, intimidation or bullying of students that have been reported to the principal;
- B. Receive copies of reports prepared after an investigation of a harassment, intimidation or bullying incident;
- C. Identify and address patterns of harassment, intimidation or bullying of students; or
- D. Participate in any other activities of the team which may compromise the confidentiality of a student.

Investigating Reported Harassment, Intimidation and Bullying

All reported incidents of harassment, intimidation and bullying shall be investigated promptly and in

HARASSMENT, INTIMIDATION AND BULLYING (continued)

accordance with law and the following procedures:

- A. All investigations shall be thorough and complete, and documented in writing, and shall include, but not be limited to:
 - 1. Taking of statements from victims, witnesses and accused;
 - 2. Careful examination of the facts;
 - 3. Support for the victim; and
 - 4. Determination if alleged act constitutes a violation of this policy.
- B. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. The principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation.
- C. The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.
- D. The results of the investigation shall be reported to the superintendent within two school days of the completion of the investigation, and in accordance with law and board policy. The superintendent may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
- E. The results of each investigation shall be reported to the board of education no later than the date of the next board meeting following the completion of the investigation, and include:
 - 1. Any services provided;
 - 2. Training established;
 - 3. Discipline imposed; or
 - 4. Other action taken or recommended by the superintendent.
- F. The superintendent or his or her designee shall ensure that parents or guardians of the students who are parties to the investigation shall receive information about the investigation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the board and include:
 - 1. The nature of the investigation;
 - 2. Whether the district found evidence of harassment, intimidation, or bullying; or
 - 3. Whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying.

Range of Ways to Respond to Harassment, Intimidation or Bullying

The board of education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials.

In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s)

HARASSMENT, INTIMIDATION AND BULLYING (continued)

occurred. Institutional (i.e., classroom; school building; school district) responses include: A. School and community surveys;

B. Mailings;

C. Focus groups;

D. Adoption of research-based bullying prevention program models; E. Training for certificated and non-certificated staff;

F. Participation of parents and other community members and organizations;

G. Small or large group presentations for staff, students, and the community for fully addressing a positive school climate and culture as well as the issues surrounding harassment, intimidation and bullying in the school community; and

H. The involvement of law enforcement officers, including school resource officers.

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who committed the act. Responses may include:

A. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion);

B. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management;

C. School responses can include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices;

D. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs and coordination with community-based organizations (e.g., mental health; health services; health facilities; law enforcement; faith-based).

The range of ways in which the school shall respond once an incident of harassment, intimidation or bullying is identified shall be defined by the principal in conjunction with the school anti-bullying specialist, and shall include an appropriate combination of counseling, support services, intervention services, and other programs as defined by the commissioner.

Retaliation and Reprisal Prohibited

The board prohibits reprisal or retaliation or false accusation against any person who witnesses and/or reports an act of harassment, intimidation or bullying by any student, school employee, board member, contracted service provider, visitor or volunteer. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation or false accusation shall be determined by the superintendent and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and board policies and procedures.

Any act of retaliation or reprisal or false accusation against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, board member, contracted service provider, volunteer or visitor who engages in the act of retaliation or reprisal or who falsely accuses

HARASSMENT, INTIMIDATION AND BULLYING (continued)

another shall be subjected to consequence and appropriate remedial action. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

A. Students

The consequences and appropriate remedial action for a student found to have engaged in retaliation, reprisal and/or falsely accused another as a means 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. Consequences may include positive behavioral interventions, notification of the parents/guardians, up to and including short or long-term suspension or expulsion, as permitted by law;

B. School Employees

Consequences and appropriate remedial action for a school employee found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including suspension or dismissal from service;

C. Board Members

Consequences and appropriate remedial action for a board member found to have committed an act of harassment, intimidation, or bullying; or found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including a public sanction or filed ethics charges;

D. Visitors, Volunteers, Contracted Service Providers, and All Other Persons

Consequences and appropriate remedial action for a visitor, volunteer, contracted service providers and all other persons found to have engaged in harassment, intimidation or bullying; or engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined by the superintendent after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

Consequences and remediation for students, employees, board members, visitors, volunteers, and contracted service providers, engaging in harassment, intimidation or bullying or engaged in retaliation, reprisal and/or false accusations may include the following:

A. Consequences

1. Admonishment;
2. Temporary removal from the classroom or school;
3. Deprivation of privileges
4. Prohibited from access to the school facilities (visitors, vendors, board members, all other people);
5. Classroom or administrative detention;
6. Referral to disciplinarian;
7. In-school suspension during the school week or the weekend;
8. After-school programs;
9. Out-of-school suspension (short-term or long-term);
10. Legal action;
11. Withholding of Increment;
12. Suspension;
13. Expulsion;
14. Termination;
15. Termination of service agreements or contracts (vendors, volunteers);
16. Public sanction (board members);

HARASSMENT, INTIMIDATION AND BULLYING (continued)

17. Ethics charges (some administrators, board members). B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;
- f. Supportive student interventions, including participation of the intervention and referral services team;
- g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- h. Behavioral management plan, with benchmarks that are closely monitored;
- i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- j. Involvement of school disciplinarian;
- k. Counseling;
- l. Conferences; m. Treatment; or n. Therapy.

2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Supervision;
- h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- i. General professional development programs for certificated and non-certificated staff;
- j. Professional development plans for involved staff;
- k. Disciplinary action;
- l. Supportive institutional interventions, including participation of the intervention and referral services team;
- m. Conferences;
- n. Counseling;

Appeal Process

The parent or guardian may request a hearing before the board after receiving the information from the superintendent regarding the investigation. The hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

At the next board of education meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the superintendent's decision. The board's decision may be appealed to the Commissioner of Education, in accordance with law, no later than the 90 days after the issuance of the board's decision.

A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180

HARASSMENT, INTIMIDATION AND BULLYING (continued)

days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination."

Week of Respect

The week beginning with the first Monday in October of each year is designated as a "Week of Respect" in the State of New Jersey. The district, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation, or bullying as defined by law (N.J.S.A. 18A:37-14). Throughout the school year the district shall provide ongoing age-appropriate instruction focusing on preventing harassment, intimidation, and bullying in accordance with the Core Curriculum Content Standards.

Training

A. School Leaders

Any school leader who holds a position that requires the possession of a chief school administrator, principal, or supervisor endorsement shall complete training on issues of school ethics, school law, and school governance as part of the professional development for school leaders required in accordance with State Board of Education regulations. This training shall also include information on the prevention of harassment, intimidation, and bullying (N.J.S.A. 18A:26-8.2).

B. Teaching Staff Development

Each public school teaching staff member shall complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide (N.J.S.A. 18A:6-112).

C. Board Members

Within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education, a board member shall complete a training program on harassment, intimidation, and bullying in schools, including a school district's responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). A board member shall be required to complete the program only once (N.J.S.A. 18A:12-33).

D. Staff, Student and Volunteer Training

The school district shall:

1. Provide training on the school district's harassment, intimidation, or bullying policy to school employees and volunteers who have significant contact with students;
2. Provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements;
3. Ensure that the training includes instruction on preventing bullying on the basis of the protected categories as required by law (N.J.S.A. 18A:37-14) and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying; and
4. Develop a process for discussing the district's harassment, intimidation or bullying policy with students.

Information regarding the school district policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program and shall be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

Throughout the school year, the district shall provide ongoing age-appropriate instruction on preventing harassment, intimidation and bullying, consistent with the Core Curriculum Content Standards.

Reporting to the Board

Two times each year between September 1 and January 1 and between January 1 and June 30, the school board shall hold a public hearing at which the superintendent will report to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

- A. The number of reports of harassment, intimidation, or bullying;
- B. The status of all investigations;
- C. The nature of the bullying based on one of the protected categories identified in N.J.S.A. 18A:37-14 such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
- D. The names of the investigators;
- E. The type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying; and
- F. Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

Reporting to the Department of Education

The information, including but not limited to, oral reports, written reports or electronic reports shall also be reported once during each reporting period between September 1 and January 1 and between January 1 and June 30, to the Department of Education. The report shall include:

- A. Data broken down by the enumerated categories including the protected categories as listed above and the type of harassment, intimidation and bullying (any gesture; any written, verbal or physical act; or any electronic communication, whether it be a single or series of incidents); and
- B. Data broken down by each school in the district, in addition to district-wide data.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with law (N.J.S.A. 18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district.

Each school shall post the grade received by the school and the overall district grade on the homepage of the school's website. The district shall post all the grades for each school of the district and the overall district grade 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 10 days of the receipt of a grade by the school and district.

It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The superintendent will annually submit the report to the Department of Education utilizing the Electronic Violence and Vandalism Reporting system (EVVRS). The superintendent shall accurately report on each incident of violence, vandalism, alcohol and other drug abuse, and incident of harassment intimidation and bullying within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g).

HARASSMENT, INTIMIDATION AND BULLYING (continued)

The State Board of Education shall impose penalties on any school employee who knowingly falsifies the report. Therefore, the superintendent shall make a reasonable effort to verify reports of violence, vandalism, and harassment, intimidation, or bullying. The board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

Program Assessment and Review

Each school and the school district shall annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members. The programs or approaches shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying.

Policy Development and Review

The district harassment, intimidation and bullying policy shall be adopted through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

The district shall annually conduct a re-evaluation, reassessment, and review of this policy, making any necessary revisions and additions. The board shall include input from the school anti-bullying specialists in conducting its re-evaluation, reassessment, and review. The district shall transmit a copy of the revised policy to the appropriate executive county superintendent within 30 school days of the revision (beginning September 1, 2011).

Publication, Dissemination and Implementation

In publicizing this policy, the community including students, staff, board members, contracted service providers, visitors and volunteers, shall be duly notified that the rules detailed within apply to any incident of harassment intimidation and bullying that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds that substantially disrupts or interferes with the orderly operation of the school or the rights of other students in accordance with law.

The superintendent shall take the following steps to publicize this policy:

- A. Provide a link to this policy on a prominent place on the district website;
- B. Provide a link to this policy on a prominent place on each school's website;
- C. Distribute this policy annually to all staff, students and parents/guardians; and
- D. Print this policy in any district publication that sets forth the comprehensive rules, procedures and standards of student conduct and in student handbooks;

The district shall notify students and parents/guardians that the policy is available on the district's website. The district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the district website. Each school within the district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator and their school anti-bullying specialist on the home page of the school's website. The information concerning the district anti-bullying coordinator and the school anti-bullying specialists shall also be maintained on the Department of Education's website.

Additionally, the district shall make available, in an easily accessible location of its website, the Department of Education's guidance document for the use by parent/guardians, students and district staff to assist in resolving complaints concerning student harassment, intimidation or bullying.

HARASSMENT, INTIMIDATION AND BULLYING (continued)

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

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

NJSBA Review/Update: February 2016
 Adopted: October 12, 2011
 Readopted: June 2016
Key Words

Harassment, Intimidation, Bullying, False Accusation, Retaliation, Reprisal, Conduct, Discipline, Student Conduct

Legal References: <u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
<u>N.J.S.A. 18A:6-112</u>	Instruction on suicide prevention for public school teaching staff
<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
<u>N.J.S.A. 18A:12-33</u>	Training program; requirements
<u>N.J.S.A. 18A:17-46</u>	Reporting of certain acts by school employee; annual report; public hearing (acts of violence)
<u>N.J.S.A. 18A:25-2</u>	Authority over students
<u>N.J.S.A. 18A:26-8.2</u>	School leader defined; training as part of professional development
<u>N.J.S.A. 18A:36-19</u>	Student records; creation, maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A. 18A:36-19a</u>	Student records (Newly enrolled students; transfers of records, identification)
<u>N.J.S.A. 18A:37-1 et seq.</u>	Submission of Students to Authority (Discipline)
<u>N.J.S.A. 18A:37-13 et seq.</u>	<u>Anti-Bullying Bill of Rights Act</u>
<u>See particularly:</u>	
<u>N.J.S.A. 18A:37-14, -15, -17</u>	Harassment, intimidation, and bullying
<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsions (students with disabilities)
<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to support student development (includes student conduct code)
<u>See particularly:</u>	
<u>N.J.A.C. 6A:16-7.1, -7.5, -7.7</u>	
<u>N.J.A.C. 6A:30-1.4 et seq.</u>	Evaluation process for the annual review

Gebser v. Lago Vista Independent School District 524 U.S. 274 (1989) United States Supreme Court addresses the standard by which a district will be held liable for sexual harassment of a student by a school employee under Title IX --requires actual notice and deliberate indifference.

Davis v. Monroe County Board of Education 526 U.S. 629 (1999) United States Supreme Court establishes the standard under which a school district may be liable under Title IX for sexual harassment of one student by another student. The district will be liable for damages only where the school officials are proven to have been deliberately indifferent to harassment of which it is actually aware. The harassment must be "severe, pervasive and objectively offensive."

Saxe v. State College Area School District 240 F.3d 200 (3rd Cir 2001) A Pennsylvania school district's anti-harassment policy was overly broad and therefore violated the Constitutional guarantee of freedom of speech.

L. W. v. Toms River Regional Schools Board of Education 189 N.J. 381 (2007) The New Jersey Supreme Court held that the standard under which a school district may be liable under the New Jersey Law Against

HARASSMENT, INTIMIDATION AND BULLYING (continued)

Discrimination for student-on-student bullying or harassment is not the Title IX deliberate indifference standard, but is rather the same standard used under the NJLAD for hostile work environment cases. A district will be judged by whether the district's response met the "reasonable person" test: what would a reasonable person (teacher, supervisor, vice principal, principal, etc.) do in a similar situation. School districts will be shielded from liability under NJLAD when their preventive and remedial actions are reasonable in light of the totality of the circumstances.

Possible

<u>Cross References:</u>	*1220	<u>Ad hoc</u> advisory committees
	*1410	Local units
	3517	Security
	*3541.33	Transportation safety
	*4131/4131.1	Staff development; inservice education/visitation conferences
	4148/4248	Employee protection
	*4231/4231.1	Staff development; inservice education/visitation conferences
	5000	Concepts and roles for students
	5010	Goals and objectives for students
	*5020	Role of parents/guardians
	*5113	Attendance, absences and excuses
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5131	Conduct and discipline
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	5132	Dress and grooming
	*5142	Student safety
	5145	Rights
	5145.2	Freedom of speech/expression
	*5145.4	Equal educational opportunity
	*5145.6	Student grievance procedure
	*5145.1	Questioning and apprehension
	*5145.1	Search and seizure
	*6145	Extracurricular activities
	*6164.4	Child study team
	*6171.4	Special education
	*6172	Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

STUDENT DRIVING/PARKING

The Paulsboro Board of Education recognizes that all vehicles driven by students should be subject to a set of guidelines in order to protect both the students and the board's interest. No student may transport himself to school without adhering to the following guidelines.

- A. All vehicles, driven by students, are to be registered with the Paulsboro High School Assistant Principal's Office and a parking decal will be assigned following approval of the request for permission. This sticker must be permanently placed on the left rear side window of the automobile.
- B. Students parking on school ground must present the insurance card issued by the insuring company.
- C. Students must hold a valid New Jersey driver's license and observe good safe driving practices at all times.
- D. Students will be permitted to park vehicles on school grounds provided a request for permission is completed and signed by the student, parent and approved by school officials.

Adopted: 1994
NJSBA Review/Update: November 2008, February 2016
Readopted: March 2009

Key Words

Driving, Car, Parking

Legal References: N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes

Possible

Cross References: *3516 Safety
*5131 Conduct and discipline
*5142 Student safety

*Indicates the policy is included in the Critical Policy Reference Manual.

Regulation

STUDENT DRIVING/PARKING PROCEDURE

The below guidelines have been established to control student parking:

1. The only parking area for students is behind the building in the designated parking spaces. No parking in the following areas:
 - a. Faculty parking area;
 - b. Parking spaces near the main entrance.
2. All drivers will respect the established rules for entering and leaving the driving areas of the school. The rules for entering, parking, and leaving are as follows:
 - a. All vehicles will be parked in such a manner that the wheels of the vehicle are inside the parking lanes.
 - b. Vehicles will give right-of-way to persons walking across driveway or parking lot.
 - c. Students are not permitted to sit in their car during school hours – 7:55 A.M.-2:36 P.M.
 - d. Students will not drive their car off school property at any time during school hours (7:55 A.M.-2:36 P.M.). This includes lunch period.
 - e. Vocational students will be transported by bus. Student use of cars for transportation to the vocational school is authorized by the principal and the vocational school only.
3. These parking privileges are subject to review at any time and will be revoked if the student does not observe safe driving rules or commits any infraction of the rules. Driver privileges may be revoked for infractions of school rules anytime during the school year.

Adopted: 1994
NJSBA Review/Update: November 2008, February 2016
Readopted: March 2009

Policy

CAMPUS DISTURBANCES

It is the right of every pupil to go to and from school, and to obtain an education in the schools, without fear of molestation, physical or verbal. The Paulsboro Board of Education hereby states that it will take such measures as are necessary, including suspension, permanent expulsion, or prosecution in the courts, against any person, pupil or other, who so interferes with the education of others.

The Board of Education therefore makes it clear that it will support teachers and other staff members who report violations of the school regulations, or violations of their own orders, because such violations do interfere with the rights of others. The disruption of the educational program of the schools by disorder or any other purposeful activity will not be tolerated. The Board of Education will prosecute any unauthorized person who enters upon school property.

For purposes of this policy, disorder shall be any deliberate activity by an individual or a group, whether peaceful or violent, which interferes with the normal operation of the school.

The Board, having the responsibility for providing an educational program for the pupils of this district, shall have the authority to preserve order for the proper functioning of that program.

No pupil shall encourage any other pupil on or off school property to participate in any protest, march, picketing, or similar activities which cause or result in the disruption of any lawful function or activity of the school to which he is assigned or any other school in the Paulsboro School System.

Pupils shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of the schools.

Adopted: 1994
NJSBA Review/Update: November 2008, February 2016
Readopted: March 2009

Legal References: N.J.S.A. 18A:25-2 Authority over pupils
 N.J.S.A. 18A:37-4 Suspension of pupils

Cross References: 5114 Suspension and expulsion/pupil due process
 5131 Conduct/Discipline
 5131.1 Harassment, Intimidation and Bullying
 5131.5 Vandalism & Violence

Policy

VANDALISM/VIOLENCE

Vandalism

The Paulsboro Board of Education views vandalism against school property by pupils as reprehensible. The causes of such misbehavior often are complex, calling for careful study by parents/guardians, school staff and appropriate community officials.

The board believes that pupils should respect property and take pride in the schools of this district. Whenever a pupil has been found to have done willful and malicious damage to property of the board, the principal of the school shall notify the Superintendent of Schools. The board will hold the pupil or his/her parents/guardians liable for the damage caused by him/her.

When vandalism is discovered, the administration is directed to take such steps as are necessary to identify the vandals. If pupils have taken part in the vandalism, the appropriate administrator shall:

- A. Identify the pupils involved;
- B. Call together persons, including the parents/guardians, needed to study the causes;
- C. Decide upon disciplinary and/or legal action possibly including suspension. Should parents/guardians fail to cooperate in the discussions, the administration may charge the pupil with being delinquent by a petition stating the offense and requesting appearance in juvenile court;
- D. Take any constructive actions needed to try to guard against further such pupil misbehavior;
- E. Seek appropriate restitution.

Violence

Physical violence including assault with or without a weapon, against another pupil, a staff member or board member is prohibited and will result in the disciplinary sanctions included in policies on suspension and expulsion and conduct/discipline. Disruptive behavior that is characterized by violence, even though not directed toward another person, should be reported by the classroom teacher to the school principal, unless instructed otherwise, so that possible program adjustments may be identified.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm or any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The Superintendent of Schools may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the board.

Any school employee observing or having direct knowledge from a participant or victim of an act of violence in the Paulsboro Public Schools should complete the standard report form and submit it to the school principal who is responsible for preparing the official report to the Superintendent of Schools. Staff will report accurately and not falsify information.

VANDALISM/VIOLENCE (continued)

The [board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements pursuant to N.J.S.A. 18A:17-46.](#)

Two times each year between September 1 and January 1 and between January 1 and June 30, the school board(s) shall hold a public hearing at which the superintendent of schools reports to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

Threats of Violence

The board is committed to promoting healthy relationships and a safe learning environment. Therefore, it shall not tolerate pupil threats of harm to self or others or other threatening behaviors, including threats to damage school property. Threatening behaviors shall not be tolerated on school property or at activities under the jurisdiction of the board of education.

Pupils shall inform a teacher, guidance counselor or principal when he/she is in possession of knowledge of such threats. Staff shall immediately notify the principal of any threat or threatening behavior that he/she has knowledge of, has witnessed or received. All such threats shall be promptly reported to the appropriate law enforcement agency.

Pupils who perpetrate threatening behaviors shall be disciplined in accordance with policy and regulations on suspension and expulsion and conduct/discipline.

Unsafe School Choice Option

The Superintendent of Schools shall comply with all requirements of the Unsafe School Choice Option policy adopted by the state board of education for schools in districts that receive funds under the No Child Left Behind Act of 2001. He/she shall keep the board informed of all state requirements and actions taken to implement the policy.

Particularly, if a school in the district is designated as "persistently dangerous" as defined in the policy, corrective action plans shall be prepared and presented to the board for review. The corrective action plans shall be in the format provided by the department of education and shall describe how the schools will reduce the number of incidents of violence as determined by the Electronic Violence and Vandalism Reporting System (EVVRS).

Likewise, if a student while at school or on school grounds becomes a victim of a violent criminal offense as defined by state statute, he/she shall be offered the option of transferring to another safe school within the district.

Parents/guardians shall be informed according to law and policy.

The board shall be provided with access to a copy of the current statewide Unsafe School Choice Option Policy.

School Violence Awareness Week

This school district shall observe School Violence Awareness Week, the week beginning on the third Monday in October of each year. Organized activities focused on the prevention of school violence will be offered to students, employees and board members. Local law enforcement personnel will be invited to participate.

Violence and Vandalism Reporting

VANDALISM/VIOLENCE (continued)

The Superintendent of Schools will annually submit a report utilizing the Electronic Violence and Vandalism Reporting system (EVVRS) accurately reporting on each incident of violence, vandalism and alcohol and other drug abuse and harassment, intimidation and bullying within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g). Board action shall be based on a consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.

Implementation

The Superintendent of Schools shall oversee the development of implementing regulations on all aspects of this policy, including the establishment of procedures for cooperation between school staff and law enforcement officials for all situations involving firearms or other deadly weapons.

Adopted: 1994
 NJSBA Review/Update: November 2008, February 2016
 Readopted: March 2009
 Revised:

Key Words

Conduct, Discipline, Pupil Conduct, Student Conduct, Vandalism, Violence

Legal References: N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
N.J.S.A. 2A:53A-15 Liability of parent or guardian for willful destruction of property by infant under 18
N.J.S.A. 2C:39-5 Unlawful possession of weapons
N.J.S.A. 18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
N.J.S.A. 18A:25-2 Authority over pupils
N.J.S.A. 18A:36-5.1 School Violence Awareness Week
N.J.S.A. 18A:37-1 et seq. Discipline of Pupils
 See particularly:
N.J.S.A. 18A:37-2, -2.1
 through -2.5, -3, -7
 through -12
N.J.A.C. 6A:14-2.8 Discipline/suspension/expulsion
N.J.A.C. 6A:16-1.1 et seq. Programs to Support Student Development
 See particularly:
N.J.A.C. 6A:16-5.1,
 -5.2, -5.3, -5.5, -5.6, -5.7,
 -6.1

"H.A." v. Warren Hills Regional School District, 1976 S.L.D. 336

See also Commissioners' Decisions indexed under "Pupils – Punishment of" in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

VANDALISM/VIOLENCE (continued)

Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Possible

<u>Cross References:</u>	*1120	Board of education meetings
	*3250	Income from fees, fines, charges
	3517	Security
	4148	Employee protection
	4248	Employee protection
	*5114	Suspension and expulsion
	*5119	Transfers
	*5124	Reporting to parents/guardians
	*5131	Conduct/discipline
	5131.4	Campus disturbances
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	*6114	Emergencies and disaster preparedness
	*6172	Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

DRUGS, ALCOHOL, TOBACCO

The Paulsboro Board of Education and the staff of Paulsboro Public Schools (hereafter referred to as the "board" and the "staff") recognize that the misuse of drugs is a serious problem with enormous impact upon the welfare of the entire school community. We, therefore, must maintain that the use of drugs, alcohol, steroids, and tobacco and the unlawful possession of these substances is wrong and harmful. The board of education is committed to utilizing wellness strategies that encourage the prevention, intervention, and cessation of drug, alcohol, steroid, and tobacco abuse.

The board of education recognizes that tobacco is a gateway drug and highly addictive and that the use of tobacco products is a health, safety, and environmental hazard for students, employees, visitors, and school facilities. The board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, faculty/staff and visitors. The board acknowledges that adult employees and visitors serve as role models for students. The board recognizes that it has an obligation to promote positive role models in schools and to promote a healthy learning and working environment, free from unwanted smoke and tobacco use for the students, employees, and visitors on the school campus. Finally, the board recognizes that it has a legal authority and obligation pursuant to P.L. 2005, Chapter 383 New Jersey Smoke-Free Air Act as well as the federal Pro-Children's Act, Title X of Public Law 103-227 and the No Child Left Behind Act, Part C, Environmental Smoke, Section 4303.

Students

For the purpose of this policy, "drug" includes all controlled dangerous substances set forth in N.J.S.A. 24:21-1 et seq. and all chemicals that release toxic vapors set forth in N.J.S.A. 2C:35-10.4 et seq.

- A. The Board of Education prohibits the use, possession and/or distribution of any drug, alcohol, tobacco, or steroids on school premises, and at any event away from the school provided by the board. Compliance with a drug-free standard of conduct at all school functions is mandatory for all students. Pupils suspected of being under the influence of drugs, alcohol, tobacco, or steroids will be identified, evaluated, and reported in accordance with the law. Assessment will be provided by individuals who are certified by the New Jersey State Board of Examiners as substance awareness coordinators or by individuals who are appropriately certified by the New Jersey Board of Examiners and trained in alcohol and other drug abuse prevention. A pupil who uses, possesses, or distributes drugs, alcohol, tobacco or steroids on school premises or while attending a school-sponsored activity will be subject to discipline that may include suspension or expulsion, and may be reported to appropriate law enforcement personnel. Pupils suspected of involvement with alcohol, drugs or steroids away from school premises will be offered appropriate treatment and remediation. Treatment services for students who are affected by alcohol or other drug use will be provided by individuals who are certified as substance awareness coordinators or who are otherwise appropriately trained in drug and alcohol prevention, intervention, and follow-up. Treatment will not be at the board's expense.
- B. The board directs the establishment of a program designed to provide short-term counseling and support services for pupils who are in care or returning from care for alcohol and other drug dependencies. Pursuant to N.J.S.A. 18A:40A-16 the district shall establish a parent/guardian substance abuse program offered at times and places convenient to the parents/guardians of the district on school premises or other facilities.

DRUGS, ALCOHOL, TOBACCO (continued)Enforcement of Drug-free School Zones

The Board of Education recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. The board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. The board shall, therefore, establish a formal Memorandum of Agreement with the appropriate law enforcement authorities and set forth the following policies and procedures after consultation with the county prosecutor and approval by the county superintendent of schools. The Memorandum of Agreement shall be consistent with the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions).

Law Enforcement Liaison

In order to ensure that such cooperation continues, the board directs the superintendent to designate a school district liaison(s) to law enforcement agencies and to prescribe the roles and responsibilities of the school liaison(s). Such assignment shall be in accordance with the district's collective bargaining agreement, if applicable.

Undercover Operations

The board hereby recognizes that the superintendent may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that drug use and/or drug trafficking is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective. The board hereby authorizes the superintendent to request such intervention under these circumstances. The board recognizes that the superintendent is not permitted to ask the board's approval for his/her action and is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

The board recognizes that law enforcement authorities may contact the superintendent to request that an undercover operation be established in a district school. The board recognizes that the superintendent is prohibited from discussing the request with the board. The board hereby authorizes the superintendent to act upon any such request in the manner that he/she determines is in conformity with the law and the Attorney General's Executive Directive 1988-1 and that is in the best interests of the students and the school district.

The board directs the superintendent and school principal to cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The superintendent, principal, or any other school staff or district board member who may have been informed about the undercover operation is required to immediately communicate information to the county prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

At the completion of an undercover operation in a school, and with the consent of the appropriate law enforcement authority, the superintendent shall report to the board regarding the nature of the operation, the result of the operation, and any serious problems encountered during the operation.

Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures, and Arrests

Any school employee who has reason to believe a student(s) or a staff member(s) is using or distributing controlled dangerous substances, including anabolic steroids, or drug paraphernalia on school premises shall bring that information to the school principal who, in turn, shall report same to the superintendent. The superintendent shall immediately report that information to the appropriate law enforcement agency. If, after

DRUGS, ALCOHOL, TOBACCO (continued)

consultation with the law enforcement official, it is determined that further investigation is necessary, the superintendent will cooperate with the law enforcement authorities in accordance with the law and administrative code. He/she will provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the superintendent may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no exigent circumstances exist, the superintendent and staff will cooperate with the law enforcement officials and provide them access to the office of a school administrator or some other area away from the general student population. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment. The superintendent or the principal shall immediately notify the student's parent/guardian whenever a pupil is arrested for violating any laws prohibiting the possession, use, sale, or distribution of any controlled substance or drug paraphernalia.

Whenever the police have been summoned to a school building by the superintendent, the superintendent shall report the reason the police were summoned and any pertinent information to the board at its next regular meeting. If confidentiality is required, the report shall be made in executive session.

Student Searches and Securing Physical Evidence

The principal or his/her designee may conduct a search of a student's person or belongings if the search is necessary to maintain discipline and order in the school, and the school official has a reasonable suspicion that the student is concealing contraband. All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Supreme Court in New Jersey v. T.L.O., U.S. 325 (1985), and the New Jersey School Search Policy Manual.

If, as a result of the search, a controlled dangerous substance or drug paraphernalia is found, or if a controlled dangerous substance or drug paraphernalia is by any means found on school property, the individual discovering the item or substance shall immediately notify the building principal; the principal shall immediately notify the superintendent who shall immediately, in turn, notify the appropriate law enforcement agency. The principal shall ensure that the controlled or dangerous substance and/or drug paraphernalia is labeled and secured in a locked cabinet or desk until law enforcement officials pick it up. The principal shall then contact the student's parents/guardians to inform them of the occurrence.

Whenever law enforcement officials have been called into the school, and a search of a student's person or belongings is necessary, or an interrogation is to be conducted, the superintendent shall request that the law enforcement officials conduct the search, seizure, or interrogation.

Police Presence at Extracurricular Activities

The superintendent is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of an officer(s) in the event of an emergency or when the superintendent believes that uniformed police presence is necessary to deter illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

Resolving Disputes Concerning Law Enforcement Activities

The board authorizes the superintendent to contact the chief executive officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If for any reason the dispute or objection is not satisfactorily resolved with the chief executive officer of the agency, the superintendent shall work in conjunction with the county prosecutor and, where appropriate, the division of criminal justice to take appropriate steps to resolve the matter. Any dispute that

DRUGS, ALCOHOL, TOBACCO (continued)

cannot be resolved at the county level shall be reported to the board and shall be resolved by the attorney general whose decision will be binding.

Confidentiality of Pupil Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school district's own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 42 CFR 2 and N.J.A.C. 6A:16-6.5.

Tobacco

Tobacco use is now recognized as a chronic disease and public health hazard. Tobacco use is associated with conditions such as heart disease, emphysema, asthma, high blood pressure, diabetes, and many other chronic diseases. The most effective strategy for discouraging tobacco use by young people is a wellness strategy that supports prevention, intervention, and cessation.

A. Tobacco Use and Possession

1. No student, faculty/staff member or school visitor is permitted to use any tobacco product or electronic smoking device:
 - a. In any building, facility, or vehicle owned, leased, rented or chartered by the district;
 - b. On any school grounds and property—including athletic fields and parking lots—owned, leased, rented, utilized (e.g., adjacent parking lots) or chartered by the board of education;
 - c. At any school-sponsored or school-related event on-campus or off-campus (e.g., field trips, proms, sporting events off campus, etc).
2. In addition, school district employees, school volunteers, contractors or other persons performing services on behalf of the school district (e.g., bus drivers) also are prohibited from using tobacco products at any time while on duty in accordance with their contracts or in the presence of students, either on or off school grounds.
3. Further, no student is permitted to possess a tobacco product while in any school building, while on school grounds or property or at any school-sponsored or school-related event, or at any other time that students are under the authority of school personnel.

B. Definition of Tobacco Products, Tobacco Use, and Electronic Smoking Device

For the purposes of this policy:

1. "Tobacco product" is defined to include but is not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products);
2. "Tobacco use" includes smoking, chewing, dipping, or any other use of tobacco products;
3. "Electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

C. Signage

Signs will be posted in a manner and location that adequately notify students, faculty/staff and visitors about the Comprehensive Tobacco-Free School Policy.

DRUGS, ALCOHOL, TOBACCO (continued)

D. Compliance for Students

In recognition that tobacco use is a public health issue and that tobacco is a gateway drug and highly addictive, the board of education recognizes that intervention rather than punishment is the most effective way to address violations of this policy. Students who violate the school district's tobacco-use policy will be referred to the student assistance coordinators (SAC), guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling, and referral. The administration will consult with appropriate health organizations in order to provide student violators with access to an Alternative-to-Suspension (ATS) program. The ATS program will provide up-to-date information on the many consequences of tobacco use, offer techniques that students can use to stop tobacco use at school, and provide referrals to local youth tobacco cessation programs.

Parents/guardians will be notified of all violations and actions taken by the school. Schools may also use community service as part of the consequences. Ordinarily, and consistent with a wellness strategy, suspension will only be used after a student has three or more prior violations or has refused to participate in other outlined measures.

E. Compliance for Faculty, Staff, and Visitors

As with students, intervention rather than punishment is the most effective way to address adult violations of this policy. Faculty or staff who violate the school district's tobacco-use policy will be referred to the Employee Assistance Program (EAP) or a tobacco cessation program. Employees who repeatedly violate the policy or do not comply with intervention or cessation referrals may be subject to consequences in accordance with district policy and their contract. Visitors using tobacco products will be informed about the policy and asked to refrain while on school property. Visitors who continue to violate the policy will then be asked to leave the premises. Law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the school property.

F. Opportunities for Cessation

The administration will consult with the county health department and other appropriate health organizations (e.g., American Lung Association, American Cancer Society, etc.) to provide students and employees with information and access to support systems, programs and services (e.g., NJDHSS Quitline 1 866 NJSTOPS (657-8677) and njquitline.org) to encourage them to abstain from the use of tobacco products.

G. Prevention Education

The administration will consult with appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean and inviting school environment.

H. Procedures for Implementation

The administration will develop a plan for communicating the policy that may include information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage in buildings and around campus. A process that identifies intervention and referrals for students, faculty/staff, and visitors who violate the policy will be created and communicated to all students, faculty/staff and parents.

Ongoing Implementation of this Policy

DRUGS, ALCOHOL, TOBACCO (continued)

A. Prevention Education for Students

The board will enforce the laws of New Jersey requiring a program of drug, alcohol, steroid, and tobacco education. The superintendent of schools shall prepare and submit to the board for its approval a comprehensive curriculum for such instruction in grades seven through 12 of alcohol and other drug education in accordance with department of education chemical health guidelines, pursuant to N.J.S.A. 18A:40A-1 *et seq.* Drug, alcohol, steroid, and tobacco education shall be integrated with the health curriculum

B. Faculty Education and Inservice Training

All district personnel shall be alert to signs of alcohol, drug, steroid, and tobacco use by pupils and shall respond to those signs in accordance with procedures established by the superintendent of schools of schools. The board of education will provide inservice training to assist teaching staff members in identifying the pupil who uses drugs, alcohol, steroids, and/or tobacco and in helping pupils with drug-, alcohol-, steroid-, and tobacco-related problems in a program of rehabilitation. The superintendent of schools will ensure that all district employees receive annual inservice training to make them aware of their responsibilities in accordance with board policies and N.J.A.C. 6A:16-3.1.

C. Annual Review and Distribution of Policy

The board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the board will consult with the executive county superintendent, local community members, and the county prosecutor's office.

In accordance with N.J.S.A. 18A:40A-10, copies of the policy statement shall be distributed to pupils and their parents/guardians at the beginning of each school year. Board policy and procedures shall disseminated be annually to all school staff, students and parents through its website or other means (N.J.A.C. 6A:16-4.2).

D. Administrative Regulations

The superintendent of schools may develop administrative regulations for:

1. A comprehensive program of drug, alcohol, steroid, and tobacco education;
2. The identification and remediation of pupils involved with drugs, alcohol, steroids, and tobacco;
3. The examination and treatment of pupils suspected of being under the influence of drugs, alcohol, steroids, or tobacco to determine the extent of the pupil's use or dependency;
4. The treatment of pupils who use, possess or distribute drugs, alcohol, steroids, and tobacco in violation of law or this policy through referral to an appropriate drug/alcohol/tobacco abuse program as recommended by the department of health; and
5. The readmission to school and treatment of pupils who have been convicted of drug, alcohol, steroid, or tobacco offenses.

E. Reporting and Liability

The superintendent of schools will annually submit a report utilizing the Electronic Violence and Vandalism Reporting system (EVVRS) accurately reporting on each incident of violence, vandalism including harassment, intimidation and bullying, and alcohol and other drug abuse within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g). Board action shall be based on a consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.

DRUGS, ALCOHOL, TOBACCO (continued)

At an annual hearing the superintendent of schools shall report to the board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year.

Any staff member who reports a pupil to the principal or his/her designee in compliance with the provisions of this policy shall not be liable in civil damages as a result of making such a report as provided for under N.J.S.A. 18A:40A-1 et seq.

F. Confidentiality Requirements

All policies and procedures must comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II.

G. Parental Compliance

Substance abuse in the district is considered a health risk. It is the expressed position of the district that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve the family in the rehabilitation plan subject to the confidentiality restrictions of 42 CFR Part II.

Optional Random Drug Testing of High School Students

School districts have the option to conduct random testing of high school students who possess a school parking permit or who participate in extracurricular activities, including sports, for alcohol or other drug use. Testing, if conducted, will comply with the requirements of N.J.A.C. 6A:16-4.4, "voluntary policy for random testing of student alcohol or other drug use." Before instituting testing, a public hearing will be held concerning the district's policy and procedures. Collection and testing of specimens will be only by the individuals authorized by the regulations. The district's procedures will include a procedure whereby students or their parents may challenge a positive result from alcohol or other drug tests.

Adopted: 1994
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 Revised:

Key Words

Drugs, Alcohol, Tobacco, Steroids, Substance Abuse, Smoking, Drinking, Drug Testing

Legal References: <u>N.J.S.A. 2A:62A-4</u>	Reports by educational personnel on dependency upon or illegal use of controlled dangerous substances or use of intoxicating vapor releasing chemicals; immunity from liability
<u>N.J.S.A. 2C:29-3a</u>	Hindering apprehension or prosecution
<u>N.J.S.A. 2C:33-15</u>	Possession or consumption of alcoholic beverage by person under legal age, penalty
<u>N.J.S.A. 2C:33-16</u>	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
<u>N.J.S.A. 2C:33-17</u>	Offer or service of alcoholic beverage to underage person; disorderly persons; exceptions
<u>N.J.S.A. 2C:33-19</u>	Paging devices, possession by students
<u>N.J.S.A. 2C:35-1 et seq.</u> See particularly:	<u>New Jersey Comprehensive Drug Reform Act of 1987</u>

DRUGS, ALCOHOL, TOBACCO (continued)

- N.J.S.A. 2C:35-7, -10
N.J.S.A. 2C:35-2
N.J.S.A. 9:6-1 et seq.
N.J.S.A. 9:17A-4
- Definitions
Abuse abandonment, cruelty, and neglect of child; what constitutes
Consent by minor to medical care or treatment; venereal disease, sexual assault or drug use or dependency; notice and report of treatment; confidentiality
- N.J.S.A. 18A:25-2
N.J.S.A. 18A:36-19.2
- Authority over pupils
Student locker or other storage facility; inspections; notice to students
- N.J.S.A. 18A:37-1
N.J.S.A. 18A:37-2
N.J.S.A. 18A:38-25
- Submission of pupils to authority
Causes for suspension or expulsion of pupils
Attendance required of children between six and sixteen, exceptions
- N.J.S.A. 18A:38-31
N.J.S.A. 18A:40A-1 et seq.
See particularly:
N.J.S.A. 18A:40A-1, -2, -3, -4, -5, and -9
- Violation of article by parents or guardian, penalties
Substance abuse
- N.J.S.A. 18A:40A-22 to -25
N.J.S.A. 24:21-2
- Random student drug testing
Definitions (New Jersey controlled dangerous substances)
- N.J.S.A. 26:3D-55 et seq.
N.J.A.C. 6A:8-3.1
N.J.A.C. 6A:9B-12.2
N.J.A.C. 6A:14-2.8
N.J.A.C. 6A:16-1.1 et seq.
See particularly:
N.J.A.C. 6A:16-4.4
See also:
N.J.A.C. 6A:16-1.3, -2.2, -2.4, -3.1, -3.2, -4.1 through -4.3, -5.3, -6.1 -6.5
- New Jersey Smoke-Free Air Act
Curriculum and instruction
Student assistance coordinator
Discipline/suspension/expulsion
Programs to Support Student Development
- Voluntary policy for random testing of student alcohol or other drug use.
- N.J.A.C. 6A:32-12.1 et seq. Pupil Behavior
- Drug Free Workplace Act of 1988 Enacted November, 1988 (Pub. L. 100-690, Title V, Subtitle D) 102 Stat. 4305-4308
- Regulations Under Drug Free Workplace Act, C.F.R. 4946 (1/31/89)
- 42 CFR Part 2--Confidentiality of alcohol and drug abuse patient records
- F.G. v. Bd. of Ed. of Hamilton, 1982 S.L.D. 382
- G.L.H. v. Bd. of Ed. of Hopewell Valley Regional School District, et al., 1987 S.L.D. April 20, aff'd St. Bd. 1987 S.L.D. Sept. 2
- State in re T.L.O., 94 N.J. 331 (1983), reversed on other grounds, New Jersey v. T.L.O., 569 U.S. 325 (1985).
- State of New Jersey v. Jeffrey Engerud, 93 N.J. 308 (1983)
- Honig v. Doe 484 U.S. 305 (1988)

DRUGS, ALCOHOL, TOBACCO (continued)

Vernonia School District v. Acton, 515 U.S. 646 (1995)

In the Matter of the Tenure Hearing of Graceffo, 2000 S.L.D. (September 2002)

Board of Education of Independent School District No. 92 of Pottawatomie County et al. v. Earls et al., 536 U.S. (2002)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

Cross References:

*1330	Use of school facilities
*1410	Local units
*4131.1	In-service education/visitations/conferences
*4231.1	In-service education/visitations/conferences
*5114	Suspension and expulsion
*5124	Reporting to parents/guardians
*5125	Pupil records
*5131	Conduct/discipline
*5131.7	Weapons and dangerous instruments
*5141.3	Health examinations and immunizations
*5141.21	Administering medication
*5145.12	Search and seizure
*6145.1/6145.2	Intramural competition; interscholastic competition
6145.7	Social events/meetings
*6154	Homework/makeup work
*6172	Alternative educational programs
*6173	Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

DRUGS, ALCOHOL, STEROIDS PROCEDURE

Procedures and Guidelines

A. Prevention

1. The district has developed and implemented a comprehensive anabolic steroid, alcohol, and other drugs curriculum from K-12 to include but not necessarily limited to:
 - a. Emphasis on decision-making skills;
 - b. Emphasis on self-image building;
 - c. Emphasis on assertiveness skills;
 - d. Emphasis on knowledge about anabolic steroids, alcohol, and drugs and their harmful effects.
2. The schools shall develop in-service programs for staff with assistance from specialists to cover the following areas:
 - a. Identification of substance abusers;
 - b. Their role in the prevention of potential anabolic steroids, alcohol, and other drug abuse problems;
 - c. Their role in assisting or referring pupils with substance abuse problems.
3. The school, in cooperation with community agencies, shall develop programs for parents/guardians that will deal with:
 - a. Identification of anabolic steroid, alcohol, and other drug abusers;
 - b. Their role in the prevention of potential abuse problems;
 - c. Their role in dealing with an abuse problem that already exists.
4. The schools shall design programs and procedures to enhance pupil's self-image, decision making and assertiveness.

B. Intervention

1. The district should facilitate the growth of pupil groups that would promote positive peer pressure and positive alternatives for recreation and would help promote the health and welfare of pupils.
2. The district shall make available confidential counseling services for pupils considered a high risk for anabolic steroids, alcohol, and other drug abuse problems.
3. All staff members should be open to pupils who approach them in genuine need of advice and/or counsel. If determined that more professional care is needed, the counselor, nurse or child study team shall be contacted.
4. The district shall compile information regarding community and school services available to pupils. This information will be readily available to the pupils (e.g., in the library, in the student handbook, etc.).

C. Evaluation/ Treatment

1. Evaluation services shall be provided by the district child study team and appropriate outside agencies to determine:
 - a. The extent of the pupil's anabolic steroids, alcohol, or other drug use dependency; or
 - b. The pupil's need for special education services.
2. Treatment services for pupils who are affected by anabolic steroids, alcohol, or other drug abuse will be provided by the district child study team and will consist of:
 - a. Instruction and counseling; and

DRUGS, ALCOHOL, TOBACCO (continued)

- b. Referral and support services for pupils who are in care or returning from care for anabolic steroids, alcohol, or other drug dependency.
 - 3. A district-developed resource guide of local treatment options has been developed and is readily available in each school administrative and/or guidance office for pupils, parent/guardians and staff members.
 - 4. The child study team in cooperation with parents/guardians and/or the division of youth and family services shall make a concerted effort to assist in the placement of pupils with serious anabolic steroid, alcohol, or other drug use problems in appropriate facilities to treat such problems.
- D. Discipline
 - 1. Possession of or use of anabolic steroids, alcoholic beverages or controlled dangerous substances while on school premises and/or participating in any school activity shall be subject to disciplinary actions identified by the discipline code for each school and approved by the board of education. Notification will be made to the local police department for each offense
 - 2. Selling, distributing or purchasing anabolic steroids, alcohol or controlled dangerous substances in or on school grounds or during any school activity shall be subject to disciplinary actions identified by the discipline code for each school and approved by the board of education. Notification will be made to the local police department for each offense and all materials confiscated shall be submitted to that department.
 - 3. Consistent with the Paulsboro Services School District Board of Education policies, due process provisions are provided for alleged violations of this anabolic steroids, alcohol, and other drugs abuse policy.
- E. Reporting, notification and examination procedures
 - 1. If a pupil voluntarily reveals to any school personnel that another pupil is involved with--or is considering becoming involved with—anabolic steroids, alcohol, or other drugs, the school staff member(s) shall use his/her best judgment to decide which of the alternatives listed below to follow without revealing the pupil's name:
 - a. To listen and discuss in confidence the situation as related by the pupil;
 - b. To consult with the administration, the nurse, the guidance counselor, and/or mental health personnel; and
 - c. To consult appropriate in-school or approved out-of-school agencies.
 - 2. If a pupil is suspected of being under the influence of anabolic steroids, alcohol, or other drugs (or a pupil reports knowing a substance user):
 - a. Pupil should be observed if there are any symptoms (e.g., abnormal and/or erratic pupil behavior). If there are observable symptoms, teacher should have pupil escorted to nurse's office. (If there are no symptoms, observe until that time when there is no basis for continuing.
 - b. Nurse proceeds as follows:
 - (1) Notifies the principal or his/her designee who immediately notifies the parent/guardian and the superintendent;
 - (2) Records contact with pupil on medical files;
 - (3) Determines if immediate medical attention is needed, and follows emergency medical procedures if needed.
 - c. Principal is responsible to:
 - (1) Tell parents/guardians that the child is ill and asks that the parents/guardians come to school immediately;
 - (2) Explain to the parent/guardian that the pupil is thought to have used anabolic steroids, alcohol or other drugs.
 - (3) Arrange for an immediate examination of the pupil by a doctor for the purpose of

DRUGS, ALCOHOL, TOBACCO (continued)

- diagnosing if the pupil is under the influence. This doctor may be selected by the Parent/guardian, or if such doctor is not immediately available, the examination may be done by the medical inspector or at the emergency room of the nearest hospital. The pupil should be accompanied by a designated staff member and a parent/guardian if available.
- d. The pupil's parent/guardian and the superintendent or principal shall receive a written report from the attending physician within 24 hours of the examination to determine whether or not the pupil was under the influence.
 - e. If the written report of the medical examination is not submitted to the parent, guardian, principal and Superintendent within 24 hours, the pupil shall be allowed to return to school until such time a positive diagnosis of anabolic steroids, alcohol, or drug use is received.
 - f. If the medical examination reveals a positive diagnosis of anabolic steroids, alcohol, or drug abuse, the pupil shall be returned to the care of a parent or guardian as soon as possible. The pupil will not be permitted to return to school without a written report stating the nature of the pupils illness and that the pupil is physically and mentally able to perform in school.
 - g. Refusal or failure by a parent or guardian to comply with the provisions of law shall be deemed a violation of the compulsory education and/or child neglect laws and appropriate action will be taken within the constraints of the law.
 - h. School principal will decide upon the consequences of the pupil's behavior. For example, a pupil may be allowed to return to class, to participate in an intervention program, to have further assessment, to attend a community agency program or may be suspended.
 - i. In all instances involving the use of anabolic steroids, alcoholic beverages or other drugs, a Violence, Vandalism and Substance Abuse Incident Report shall be made.
3. If the possession is observed by school personnel:
 - a. The school employee observing the possession will escort the pupil(s) to principal's office to be privately interviewed.
 - b. Notification of parents/guardians will take place and the pupil will be temporarily excluded from school, pending further investigation and assessment of the pupil.
 - c. Necessary legal authorities will be notified by the school.
 - d. Investigation and assessment of the pupil will dictate further action (e.g., suspension, referral to school programs or community agencies, expulsion).
 4. If the pupil is thought to be in possession:
 - a. A request to search a school locker is submitted to the principal in writing by a staff member, stating the circumstances that are perceived to warrant a search. The principal is to meet with the staff member who originates the request.
 - b. All requests for the search of a pupil's person or possessions shall be directed to the superintendent or his/her designee.
 - c. The superintendent or his/her designee shall assess whether in his/her discretion there are reasonable grounds to believe that a pupil:
 - (1) Possess evidence of illegal activity; or
 - (2) Possess evidence of activity that would interfere with school discipline and order.

In determining "reasonableness," the following factors will be considered:

 - (1) The value and reliability of the information. Is there additional substantiating evidence? (An anonymous tip does not meet the standard.)
 - (2) The pupil's age, history and school record.
 - (3) The prevalence and seriousness of the problem in the school to which the search would be directed.
 - (4) Does the pupil have a reasonable expectation of privacy in the item to be searched? Have locker inspections been conducted routinely as per policy?
 - (5) Exigency--would the evidence be destroyed or removed if an immediate search

DRUGS, ALCOHOL, TOBACCO (continued)

- was not conducted? Is there time to request parental permission?
- d. If, after weighing the total factual picture, the superintendent or his/her designee determines an immediate search is warranted, the following shall apply:
 - (1) Whenever possible, there shall be present at any search of a pupil or his/her possessions the pupil, the superintendent or his/her designee and the pupil's parent/guardian (or a third party if the parent/guardian is unavailable).
 - (2) If criminal activity is involved, law enforcement officers shall be contacted.
 - (3) The superintendent or his/her designee shall be responsible for the custody, control and disposition of any substance or object seized. However, once confiscated all substances, materials will be submitted to the local police department.
 - (4) The superintendent or his/her designee shall be responsible for the prompt recording in writing all reasons for the search, the persons present, the objects found and disposition of them, and the search follow-up steps recommended.
 - (5) Investigation and assessment of the pupil will dictate further action.
 - e. The superintendent will notify the board of education in writing of incidents of locker search that result in the confiscation of any substance or object and certify that these administrative procedures were followed in each case. Any procedures not needed or used on a case-by-case basis are to be so reported. When exceptional circumstances warrant the immediate opening of a locker by a principal without the knowledge or presence of the pupil or parent/guardian involved, such action based on protection of life or public property is to be so reported to the board. All reports to the board should be made within the framework of retaining pupil confidentiality.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Policy

WEAPONS AND DANGEROUS INSTRUMENTS

The Board of Education prohibits the possession and/or use of firearms, other weapons, or instruments that can be used as weapons on school property, on a school bus, at any school function, or while enroute to or from school or any school function.

For the purpose of this policy "weapon" includes but is not limited to those items enumerated in N.J.S.A. 2C:39-1r. The principal shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possession or use posing a threat to students, staff or property.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school-based function shall be immediately removed from the school's regular education program pending a hearing before the board to remove the pupil from the regular education program for a period of not less than one calendar year.

The principal/designee shall be responsible for the removal of such a pupil and shall immediately report the removal to the Superintendent of Schools. The Superintendent of Schools may modify a pupil's removal on a case-by-case basis. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

A student found or observed on school property or at a school event in possession of a weapon or dangerous instrument other than a firearm shall be reported to the principal/designee immediately. The principal shall immediately inform the Superintendent of Schools/designee and appropriate law enforcement officials with all known information concerning the matter, including the identity of the pupil involved.

Assault by a student with a weapon on a teacher, administrator, board member or other employee of the board is strictly prohibited and shall result in the student's immediate removal from the general education program for a period not exceeding one calendar year. Subject to a hearing before the board, the student shall be placed in an alternative education program.

The Superintendent of Schools shall determine at the end of the year whether the student is prepared to return to the regular education program in accordance with procedures established by the Commissioner of Education.

Disciplinary action shall be taken against students who possess, handle, transmit or use firearms, other weapons, or dangerous instruments. Classified students shall be disciplined in accordance with their IEP and in compliance with law and administrative code. As in all disciplinary cases, due process will be provided (see policies 5114 Suspension and expulsion and 5131 Conduct/discipline).

A violence and vandalism report shall be filed whenever a student is found to be in possession of a firearm, other weapon, or dangerous instrument.

Remotely Activated Paging Devices (Beepers)

No student shall bring or possess a remotely activated paging device on any property used for school purposes without the written permission of the Paulsboro School Board or designee.

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

Permission shall not be granted unless and until the student has established a reasonable basis for possessing the device.

Student members of a volunteer fire company or first aid, ambulance or rescue squad may carry remotely activated paging devices provided that:

- A. The student is required to respond to an emergency, and
- B. A copy of the statement by the chief executive officer of the volunteer fire company or first aid, ambulance or rescue squad authorizing the possession of the paging device is in the possession of the student at all times while the student is in possession of the remotely activated paging device.

Fireworks

Fireworks are illegal in the State of New Jersey. Therefore, no fireworks will be allowed at school or on school grounds. Fireworks are considered dangerous and will be treated in the same manner as weapon.

Implementation

The board directs the Superintendent of Schools to develop regulations to implement this policy.

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009

Key Words

Weapons, Dangerous Instruments, Violence, Paging Devices, Beepers, Firearms

<u>Legal References:</u> <u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A. 2C:12-1</u>	Definition of assault
<u>N.J.S.A. 2C:33-19</u>	Paging devices, possession by students
<u>N.J.S.A. 2C:39-1</u>	Definitions
<u>N.J.S.A. 2C:39-5</u>	Unlawful possession of weapons
<u>N.J.S.A. 2C:39-6</u>	Exemptions
<u>N.J.S.A. 18A:6-1</u>	Corporal punishment of pupils
<u>N.J.S.A. 18A:36-19.2</u>	Student locker or other storage facility; inspections; notice to students
<u>N.J.S.A. 18A:37-1</u>	Submission of pupils to authority
<u>N.J.S.A. 18A:37-2</u>	Causes for suspension or expulsion of pupils
<u>N.J.S.A. 18A:37-2.1</u> through -2.5	Assaults by pupil upon teacher, administrator, board member or employee of board of education; suspension; expulsion proceedings ...
<u>N.J.S.A. 18A:37-7</u> through -12	<u>Zero Tolerance for Guns Act</u>
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsion
<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
<u>See particularly:</u> <u>N.J.A.C. 6A:16-1.3, -5.2,</u> <u>-5.4, -5.5, -5.6, -6.1, -6.2,</u> <u>-6.3(b), -6.4</u>	

WEAPONS AND DANGEROUS INSTRUMENTS (continued)

P.L. 103-382, Improving America's Schools Act of 1994 Section 1702, Prohibits possession or discharge of a firearm in a school zone,
Pub. L. 101-647

Attorney General's Executive Directive No. 1988-1, Memorandum of Agreement (revised, amended)

State in re T.L.O., 94 N.J. 331 (1983), reversed on other grounds, New Jersey v. T.L.O., 569 U.S. 325 (1985).

See also Commissioners' Decisions indexed under "Pupils – Punishment of" in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

Cross References: *5114 Suspension and expulsion
*5131 Conduct/discipline
*5131.5 Vandalism/violence
*5131.6 Drugs, alcohol, tobacco (substance abuse)
*5145.11 Questioning and apprehension
*5145.12 Search and seizure
*6172 Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

Electronic Devices Including Cell Phones

The Paulsboro Board of Education recognizes the need to provide access to technological resources which include probable two-way telecommunication devices which can include, but not limited to, the following: cell phones (with or without cameras), walkie-talkies, other hand held computing devices used as communication devices such as cameras, as well as new technology items designed for similar procedures and other devices including, but not limited to, electronic games and personal stereos, such as MP3/IPOD players. Exceptions will be made for students with specific needs that require such devices as per their Individual Educational Plan (IEP) provided that they do not abuse that privilege.

The Paulsboro Board of Education extends the privilege to possess and use personal communication devices before and after the instructional day, provided such devices are not displayed, activated, or used inside the school buildings during the instructional day. The instructional day includes, but is not limited to, lunch breaks, class changes, study halls, and other structured or non-structured activity that occurs during the normal school day, as well as extracurricular or after school activities. Students are responsible to ensure that their devices are turned off and out of sight.

Although these devices can be of educational value, too often they are used to:

- communicate among students who are supposed to be involved with instruction.
- communicate answers to tests.
- cause a disruption by continuing an argument and/or starting a fight.
- using "Face book" and/or other mass communication systems during instructional time.

Students who violate this policy will be subject to disciplinary action as stated in the Paulsboro High School Disciplinary Infractions and Penalty Guide and the School District Policy:

First Infraction:

Confiscation of device for the day, with return to the student at the end of the day along with a two hour after school detention.

Second Infraction:

Confiscation of device and return to the parent, with 2 days of 2 hour after school detentions.

Third Infraction:

Confiscation of device and out of school suspension. Device will be returned to the parent at the re-entry conference or upon request.

Adopted: June 16, 2010

Legal References:

<u>N.J.S.A. 2C:33-19</u>	Paging devices, possession by students
<u>N.J.S.A. 2C:39-1</u>	Definitions
<u>N.J.S.A. 2C:39-6</u>	Exemptions
<u>N.J.S.A. 18A:6-1</u>	Corporal punishment of students
<u>N.J.S.A. 18A:36-19.2</u>	Student locker or other storage facility Inspections; notice to students
<u>N.J.S.A. 18A:37-1</u>	Submission of students to authority
<u>N.J.S.A. 18A:37-2</u>	Causes for suspension or expulsion
<u>N.J.S.A. 6:29-10.1 et seq.</u>	Safe and drug free schools
<u>N.J.S.A. 6A:14-2.8</u>	Discipline/suspension/expulsion
P.L. 103-382, Improving America's Schools Act of 1994	
<u>N.J.A.C. 6A-16-5.8</u>	Any repeat offense

NJSBA Review: February 2016

Policy

STUDENT DRESS CODE

The Paulsboro Board of Education wishes to adopt a mandatory school dress code policy for students in grades Pre-K through twelfth. It is firmly believed that young people who are safe and secure, who learn basic American values, and the essentials of good citizenship, are better students. Parents, teachers, and school officials have come to see a school dress code as one positive and creative way to reduce discipline problems, prevent future discipline problems from occurring, and increase school safety.

It has been observed that the adoption of a mandatory school dress code can promote school safety, improve discipline, and enhance the learning environment. The Paulsboro Board of Education strongly believes that the following issues would support such a school dress code policy:

- A. An adopted school dress code will create security through identification, enabling school officials to recognize intruders;
- B. A more positive atmosphere conducive to education will be established;
- C. Similar clothing will eliminate peer pressure dealing with student attire;
- D. The dress code will promote a statement of identity;
- E. A sense of school unity will be created;
- F. Students will be instilled with discipline;
- G. School spirit will be enhanced;
- H. The dress code will help assist families with the economic burden of clothing school age children since following the dress code is less costly.

Specific Clothing Requirements for Students

Students shall be required to dress for school according to the following guidelines:

- A. Shirts shall be:
 - 1. Red, red and white, or white polo type shirts with short or long sleeves;
 - 2. Of an appropriate size and fit (not skin tight) for the students;
 - 3. Tucked in or have a tailored bottom not to exceed four inches below waist/belt level.
- B. Outerwear in cold weather shall be:
 - 1. A red, red and white, white or grey sweater;
 - 2. A red, red and white, or white mock turtleneck, that may be worn under the polo shirt;
 - 3. A red, white or grey crew neck sweatshirts, that may be worn over collared polo shirt. Sweatshirts may be plain or with a Paulsboro School or Paulsboro athletic logo;
 - 4. Warm-up style jacket in red only may be worn over the polo shirt.
- C. Rules for wearing outerwear during school:

STUDENT DRESS CODE (continued)

1. Hooded sweatshirts are prohibited;
2. All outerwear shall be of an appropriate size and fit.
3. The polo collar must be worn on the outside of the sweatshirt or other outerwear.

D. Bottoms

1. Male students

- a. Wear beige or blue khaki pants or shorts (seasonal);
- b. Wear pants that are of the appropriate size, length, and fit (not skin tight);
- c. Wear pants properly at the waist (shorts- minimum 5" inseam)
- d. Shall not wear spandex, slitted, or mesh pants or shorts (or on any part of pants or shorts);
- e. Shall not wear baggy, *cargo type pants or shorts, bell bottom pants, or jeans.

2. Female students

- a. Wear beige or blue khaki pants or skorts, shorts (seasonal);
- b. Wear pants, skorts and shorts that are of the appropriate size, length, and fit (not skin tight);
- c. Wear pants, skorts and shorts properly at the waist (shorts- minimum 5" inseam)
- d. Wear tights (of appropriate color) or shorts under skorts.
- e. Shall not wear spandex, slitted, or mesh pants, skorts and shorts (or on any part of pants, skorts or shorts);
- f. Shall not wear baggy, *cargo type pants or shorts, bell bottom pants, or jeans;
- g. Shall not wear clothing with holes, tears, or cuts;
- h. Shall not wear clothing with logos or insignias

**Cargo pants are defined as loosely cut pants designed for tough outdoor activities distinguished by one or more cargo pockets. A cargo pocket is a form of patch pocket, often with accordion folds for increased capacity closing with a flap secured by a snap, button, or Velcro. Cargo pockets may be hidden within the legs.*

E. Foot Apparel

Casual sneakers, dress shoes or boots are permitted. Students' choice of style. Students must wear sneakers on scheduled gym days. Platform sneakers, however, are not be permitted.

General Requirements

The Paulsboro Board of Education believes that personal appearance of an individual begins with tasteful dress, cleanliness, and common sense. Appropriate dress is instrumental in creating a feeling of pride on the part of Paulsboro students resulting in better behavior, greater school spirit, and higher academic achievement.

The following guidelines must be met:

- A. All clothing must be neat, clean, and modest. Clothing which leaves the midriff, back or shoulders exposed shall not be worn. Any clothing which is so tight as to be form fitting is immodest and prohibited. Pants must be worn at the waist;
- B. Garments or accessories imprinted with the following detract from the educational process and therefore are prohibited:
 1. Double meaning;

STUDENT DRESS CODE (continued)

2. Crude phrases or drawings;
 3. Profanity or sexual references;
 4. Slogans or drawings advocating violence.
- C. The following items are prohibited from being worn during school hours:
1. Hats, head bands, bandanas, picks, combs, curlers, hoods, and other head coverings;
 2. Undergarments worn as outer garments;
 3. Sunglasses, unless medically approved by a physician;
 4. Metal/rope chains, spikes, or related items.
- D. Hats are to be removed before entering the building and are not to be put back on until after students leave the building;
- E. Shoes must be worn at all times in school. Shoes do not include flip-flops or slippers. Sandals, secured with back strap, and sneakers are acceptable except where they interfere with safety standards (science labs, wood shops, etc.);
- F. Coats and/or other outer clothing are not to be worn in school, including the cafeteria;
- G. Students must change before and after physical education classes;
- H. The dress code also applies when participating in a school-sponsored activity, during regular school hours;
- I. Not all circumstances are necessarily covered by this dress code. Teachers who have any doubt regarding the attire of a student should send the student to an administrator for clarification.

Adopted: January 24, 2008
 NJSBA Review/Update: December 2008, April 2016
 Readopted: March 2009
 Readopted: February 2012
 Readopted: October 2012
 Readopted: July 2016
 Revised:

Key Word:

Uniforms, Gangs, Dress Code

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
 N.J.S.A. 18A:37-1 Submission of students to authority

Cross References: *5131 Student Conduct and Discipline
 *5142 Student Safety

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

STUDENT DRESS CODE

MALE STUDENTS

BOTTOMS

Navy or beige khaki pants or shorts (seasonal) of the appropriate size, length, and fit (not skin tight) for the students and worn properly at the waist (shorts – minimum 5" inseam) no spandex, slitted, mesh, baggy, cargo type*, bell bottom pants, or jeans will be permitted. No holes, tears, or cuts in bottoms. No logos or insignias on bottoms. Paulsboro School District or building names will be permitted on shorts.

**Cargo pants are defined as loosely cut pants designed for tough outdoor activities distinguished by one or more cargo pockets. A cargo pocket is a form of patch pocket, often with accordion folds for increased capacity closing with a flap secured by a snap, button, or Velcro. Cargo pockets may be hidden within the legs.*

TOPS

Red, red and white, or white polo type shirts with either short or long sleeves of the appropriate size and fit (not skin tight) for the students. All shirts must be tucked in or have a tailored bottom not to exceed four inches below belt level. In cold weather, red, red and white, white, navy blue, or black sweater of appropriate size and fit (not skin tight) may be worn. A red, red and white, or white mock turtleneck may be worn under the polo type shirts. Students will be permitted to wear red, white, or gray crew neck sweatshirts over their collared polo shirts. These sweatshirts can be plain or with a Paulsboro school or Paulsboro athletic logo. No other logos or insignias are permissible. The polo collar must be worn on the outside of the sweatshirt. If sweatshirts are removed in class or before going to next class, they must be folded and put in a book bag/back pack or carried or put in school locker. They are NOT to be worn over the shoulder with the arms tied in front, nor are they to be worn around the waist (like a skirt). **Under no circumstances will a hooded sweatshirt be permitted.**

FOOT APPAREL

Casual sneakers, dress shoes or boots are permitted. Students' choice of style. Students must wear sneakers on scheduled gym days. Platform sneakers, however, are not be permitted.

SOCKS

Student choice of appropriate socks.

FEMALE STUDENTS

BOTTOMS

Students shall wear navy or beige khaki pants, skorts, or shorts (seasonal) of the appropriate size, length, and fit (not skin tight) for the students and worn properly at the waist (shorts – minimum 5" inseam) no spandex, slitted, mesh, baggy, cargo type*, bell bottom pants or jeans will be permitted. No holes, tears, or cuts in bottoms. No logos or insignias on bottoms. Paulsboro School District or building names will be permitted on

STUDENT DRESS CODE (continued)

shorts. Appropriate jumpers may be **worn only at Billingsport School**. Girls will wear tights (of appropriate color) or shorts under jumpers (only at Billingsport) or under skorts at Loudenslager and PHS.

**Cargo pants are defined as loosely cut pants designed for tough outdoor activities distinguished by one or more cargo pockets. A cargo pocket is a form of patch pocket, often with accordion folds for increased capacity closing with a flap secured by a snap, button, or Velcro. Cargo pockets may be hidden within the legs.*

*

TOPS

Red, red and white, or white polo type shirts with either short or long sleeves of the appropriate size and fit (not skin tight) for the students. All shirts must be tucked in or have a tailored bottom not to exceed four inches below belt level. In cold weather, red, red and white, white, navy blue, or black sweater of appropriate size and fit (not skin tight) may be worn. A red, red and white, or white mock turtleneck may be worn under the polo type shirts. Students will be permitted to wear red, white, or gray crew neck sweatshirts over their collared polo shirts. These sweatshirts can be plain or with a Paulsboro school or Paulsboro athletic logo. No other logos or insignias are permissible. The polo collar must be worn on the outside of the sweatshirt. If sweatshirts are removed in class or before going to next class, they must be folded and put in a book bag/back pack or carried or put in school locker. They are NOT to be worn over the shoulder with the arms tied in front, nor are they to be worn around the waist (like a skirt). **Under no circumstances will a hooded sweatshirt be permitted.**

FOOT APPAREL

Casual sneakers, dress shoes or boots are permitted. Students' choice of style. Students must wear sneakers on scheduled gym days. Platform sneakers, however, are not be permitted.

SOCKS/STOCKINGS

Student choice of appropriate socks/stockings.

Financial Considerations

- A. No student shall be denied attendance at school, penalized, or otherwise subject to compliance measures for failing to follow the dress code by reason of financial hardship.
- B. Once a dress code is adopted, the school shall:
 - 1. Develop a procedure and criteria to identify families in need of financial assistance to be reviewed every April by the Paulsboro Board of Education.
 - 2. Determine the form and type of financial assistance appropriate for the individual school community.
 - 3. Designate a specific staff member/school volunteer to assist those families in need of assistance.
- C. Each school shall work with staff, the local school community, and business partners to identify resources for assisting families.

Financial Assistance Criteria

STUDENT DRESS CODE (continued)

If a family is in need of financial assistance to follow the dress code that family is required to produce the following information:

1. Current 1040 Form
2. W-2 Form
3. Letters of Verification/Support of need/State or Federal Aid documents or Unemployment Letter

The building administrator will verify such information and submit appropriate paperwork to the district business office.

Voucher Process

1. Request for financial consideration may only come from a parent/guardian
2. Request form must be signed by a parent/guardian
3. All request forms shall be submitted to the principal or his/her designee
4. Once approved, the completed request, verification and request forms are to be sent to the school business administrator's office for issuance of voucher.
5. Vouchers will be confidentially distributed at the school.

ADMINISTRATIVE CLAUSE

The administration reserves the right to restrict any clothing determined to interfere with the instructional process. In addition, the administration reserves the right to allow changes to the dress code for special days. Transfer students will have a ten (10) school day time period in which to comply with the district dress code.

Compliance Incentives:

Each school shall develop incentives and positive reinforcement measures to encourage full compliance with the dress code. In addition, the school principal shall communicate expectations, rationale, and benefits to the parents so that they are fully understood by the student and his/her family.

No student shall be considered non-compliant with the policy in the following instances:

- A. When a student wears a button, armband, or other accouterment to exercise the right to freedom of expression protected by the United States and/or New Jersey Constitution.
- B. When a student wears the uniform of a nationally recognized youth organization such as the Boy Scouts or Girl Scouts on regular meeting days.
- C. When a student wears religious apparel of a recognized denomination or sect that precludes them from wearing any other clothing.

The Paulsboro Board of Education makes it known that sanctions will be rendered upon students who refuse to conform to this policy. The sanctions are as follows:

REFUSAL TO CONFORM TO SCHOOL DRESS CODE

Paulsboro High School

- | | |
|-------------|---|
| 1st Offense | <ol style="list-style-type: none">1. Conference with student2. Phone call to parent/guardian indicating that student will get letter3. Warning letter sent home with student (letter must be returned with signature of parent/guardian) |
| 2nd Offense | <ol style="list-style-type: none">1. Letter and phone call to parent/guardian (requesting parent/guardian : bring change of clothing as per dress code) - letter to be signed by parent/guardian2. One after school detention after parent/guardian notification |

STUDENT DRESS CODE (continued)

3. Letter listing consequences for 3rd offense
- 3rd Offense:)
1. Letter, phone call, and conference with parent/guardian
 2. Two after school detentions at Paulsboro High School
 3. Letter listing consequences for 4th offense
- 4th &
Subsequent
Offenses:
1. One day suspension for each 4th and subsequent offenses

Loudenslager Elementary School

- 1st Offense
1. Conference with student
 2. Phone call to parent/guardian indicating that student will get letter
 3. Warning letter sent home with student (letter must be returned with signature of parent/guardian)
- 2nd Offense
1. Letter and phone call to parent/guardian (requesting parent/guardian : bring change of clothing as per dress code) - letter to be signed by parent/guardian
 2. Lunch detention
 3. Letter listing consequences for 3rd offense
- 3rd Offense
1. Letter, phone call, and conference with parent/guardian
 2. Two days of lunch detention
 3. Letter listing consequences for 4th offense
- 4th &
Subsequent
Offenses:
1. One day after school detention
 2. After 4th infraction student will be suspended for one day

Billingsport Elementary School

- 1st Offense
1. Conference with student
 2. Phone call to parent/guardian indicating that student will get letter
 3. Warning letter sent home with student (letter must be returned with signature of parent/guardian)
- 2nd Offense
1. Letter and phone call to parent/guardian (requesting parent/guardian : bring change of clothing as per dress code) - letter to be signed by parent/guardian
 2. Letter listing consequences of 3rd offense
- 3rd Offense
1. Letter and phone call asking for change of clothing.

Adopted: January 24, 2008
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009
 Readopted: February 2012
 Readopted: October 2012

Policy

MARRIED/PREGNANT PUPILS

No pupil, whether married or unmarried, who is otherwise eligible to attend the district's school(s) shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

No married pupil who is otherwise eligible to attend the district's school(s) shall be denied an educational program solely because of his/her marital status.

A pregnant pupil who does not wish to attend regular classes or who is physically unable to do so during her pregnancy may, on her request, be assigned to either a formal alternative educational program or home instruction.

A pupil who has received an alternate educational program or home instruction for reasons associated with her pregnancy shall be readmitted to the regular school program upon her request and the written statement of a physician that she is physically fit to do so.

A pregnant pupil under the age of 18 who wishes to withdraw from the district must have the written permission of her parents/guardians.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Married Pupils, Pregnant Pupils, Married Students, Pregnant Students

Legal References: N.J.S.A. 10:5-1 et seq. Law Against Discrimination
N.J.S.A. 18A:36-20 Discrimination prohibited
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education
See particularly:
N.J.A.C. 6A:7-1.4,-1.7

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

The Comprehensive Equity Plan, New Jersey State Department of Education

Possible

Cross References: *5141.3 Health examinations and immunizations
*5145.4 Equal educational opportunity
*6145 Extracurricular activities
*6154 Homework/makeup work
*6172 Alternative educational programs
*6173 Home instruction

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

FUND-RAISING ACTIVITIES

The Board of Education recognizes the value of having pupils participate in fund-raising activities, both as individuals and as groups, in order to help defray the cost of certain noncurricular field trips, or other worthwhile programs, or in support of a board approved charitable cause. The board also acknowledges that the solicitation of funds from pupils must be limited since compulsory attendance laws make the pupil a captive donor and since solicitation may disrupt the programs of the school.

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

Fund-raising activities should be reasonable in number and type and should not place excessive demands on pupils, parents/guardians and community members.

The board prohibits the collection of money in school or on school property or at any school-sponsored event by a pupil for personal benefit. Collection of money by school organizations approved by the board shall be approved by the principal. Collections by organizations outside the schools or by pupils on behalf of such organizations shall be approved by the Superintendent of Schools.

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

The board reserves the authority to limit or terminate fundraising activities by school-sponsored groups or outside organizations that encourage or require door-to-door solicitation.

The Superintendent and building administrators shall establish rules and regulations for the solicitation of funds and see to the distribution of both policy and implementing regulations to each student organization granted permission to solicit funds. No money shall be held in the school overnight.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Fund Raising, School-connected Organizations

Legal References:	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:19-14	Funds derived from pupil activities
	<u>N.J.S.A.</u> 18A:20-34	Use of schoolhouse and grounds for various purposes
	<u>N.J.S.A.</u> 18A:23-1	Audit when and how made
	<u>N.J.S.A.</u> 18A:23-2	Scope of audit
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 52:14-15.9c1. <u>et al.</u>	<u>Public Employee Charitable Fund-Raising Act</u>
	<u>N.J.A.C.</u> 6A:23A-16.1 <u>et seq.</u>	Double Entry Bookkeeping and GAAP Accounting n

FUND-RAISING ACTIVITIES (continued)

<u>N.J.A.C.</u> 6A:23A-16.12	Local School Districts
<u>N.J.A.C.</u> 6A:23A-16.13	Student activity funds
	School store business practices

Selfridge v. Kinnelon Board of Education, 1977 S.L.D. 522

Possible

<u>Cross References:</u>	*1140	Distribution of materials by pupils and staff
	1210	Community organizations
	*1230	School-connected organizations
	1314	Fundraising by outside organizations
	*1330	Use of school facilities
	*3400	Accounts
	*3450	Money in school buildings
	*3453	School activity funds
	3571	Financial reports
	*3571.4	Audit
	*6145	Extracurricular activities
	*6153	Field trips

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

HEALTH

The Paulsboro Board of Education believes that good health is vital to successful learning. In order to help district pupils achieve and maintain good health, the board directs the Superintendent of Schools to develop pupil health services that employs professional personnel and interacts with both parents/guardians and community health agencies. The program shall include but not be limited to:

- A. Employment of a medical inspector to perform those duties required by law, and to advise the Superintendent of Schools on all matters affecting the health of pupils;
- B. Employment of at least one certified school nurse to assist with physical examinations; conduct biennial scoliosis screening; conduct an audiometric screening; maintain pupil health records; observe and recommend to the principal the exclusion of pupils who show evidence of communicable disease or who have not submitted acceptable evidence of immunizations; instruct teachers on communicable diseases and other health concerns; train and supervise the emergency administration of epinephrine for school staff who have been designated as delegates; supervise other nursing tasks; provide appropriate response to Do Not Resuscitate (DNR) orders; maintain valid, current Cardiopulmonary Resuscitation (CPR) certification; review and summarize health and medical information for the Child Study Team; write and update annually the accommodation plan under Section 504 for any student who requires one;
- C. Provision of proper and adequate facilities, equipment and supplies for professional health personnel and other staff;
- D. Establishment of a system of pupil health records in compliance with state law;
- E. Implement the Core Curriculum Content Standards in physical education, health, family life, safety, and use of drugs, alcohol, tobacco and anabolic steroids; recommendations for appropriate equipment and supplies to teach such courses;
- F. Development of rules and procedures to foster good pupil health, and periodic dissemination of these rules and procedures to the staff;
- G. Development of a program to provide safe drinking water and otherwise to maintain the buildings, grounds, facilities and equipment of the district in sanitary condition in accordance with law;
- H. Development and enforcement of an eye protection program as required by statute and administrative code;
- I. A regular report to the board on progress and accomplishments in the field of pupil health;
- J. Health services to staff that support pupil health;
- K. Provision of emergency services for injury and sudden illness;
- L. Provision for required physical examinations including an examination to certify that a pupil returning to school after suffering a contagious/infectious condition or illness is no longer a threat to the health of others;
- M. Development of all regulations and procedures necessary for evaluation of pupils suspected of being

HEALTH (continued)

under the influence of drugs/alcohol, tobacco or anabolic steroids;

- N. Encouragement of correction of defects through fully informing pupils and parents/guardians concerning the findings of health examinations for scoliosis.
- O. Preparation for the potential disruption of a pandemic flu outbreak, such as avian flu, by filling out a school preparedness checklist available from www.pandemicflu.gov or NJSBA, with periodic reports to the school board on steps the district has already taken, as well as additional steps that need to be taken, to prepare for a flu pandemic.

Annual Nursing Plan

The Superintendent of schools (or his/her designee) in conjunction with the school physician and the certified school nurse shall develop an annual Nursing Services Plan that details the provision of nursing services based upon the needs of the students in this school district. The Nursing Services Plan shall be adopted annually at a regular meeting and submitted to the county superintendent of education for review and approval. The Nursing Services Plan shall include:

- A. A description of the basic nursing services provided all students;
- B. A summary of specific medical needs of individual students and the services required to address the needs;
- C. A description of how nursing services will be provided in an emergency;
- D. Detailed nursing assignments for all school buildings;
- E. The nursing services and additional medical services provided to nonpublic schools.

Students with Diabetes

As used in this policy, an "individualized health care plan" means a document setting out the health services needed by the student at school, and an "individualized emergency health care plan" outlines a set of procedural guidelines that provide specific directions about what to do in a particular emergency situation. Both are to be developed by the school nurse, in consultation with the parent or guardian of a student with diabetes and other medical professionals who may be providing diabetes care to the student, and signed by the parent or guardian.

The board believes that diabetes is a serious chronic disease that impairs the body's ability to use food, and must be managed 24 hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low. In order to manage their disease, students with diabetes must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

Accordingly, a parent or guardian of a student with diabetes shall inform the school nurse, who shall develop an individualized health care plan and an individualized emergency health care plan for the student. Further, the parent or guardian must annually provide to the board of education written authorization for the provision of diabetes care as outlined in the plans, including authorization for the emergency administration of glucagon.

Both plans shall be updated by the school nurse prior to the beginning of each school year and as necessary if there is a change in the student's health status. The plans may include elements specified in N.J.S.A. 18A:40-12.13 including, but not limited to:

HEALTH (continued)

- A. The symptoms of hypoglycemia for that particular student and the recommended treatment;
- B. The symptoms of hyperglycemia for that particular student and the recommended treatment;
- C. The frequency of blood glucose testing;
- D. Written orders from the student's physician or advanced practice nurse outlining the dosage and indications for insulin administration and the administration of glucagon, if needed;
- E. Times of meals and snacks and indications for additional snacks for exercise;
- F. Full participation in exercise and sports, and any contraindications to exercise, or accommodations that must be made for that particular student;
- G. Accommodations for school trips, after-school activities, class parties, and other school-related activities;
- H. Education of all school personnel who may come in contact with the student about diabetes, how to recognize and treat hypoglycemia, how to recognize hyperglycemia, and when to call for assistance;
- I. Medical and treatment issues that may affect the educational process of the student with diabetes; and
- J. How to maintain communications with the student, the student's parent or guardian and healthcare team, the school nurse, and the educational staff.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff are trained in the care of these students, including staff working with school-sponsored programs outside of the regular school day. The school nurse shall also ensure that each school bus driver that transports a student with diabetes is provided notice of the student's condition, how to treat hypoglycemia, and emergency/parent contact information. A reference sheet identifying signs and symptoms of hypoglycemia shall be posted in plain view within school buildings.

The school nurse shall have the primary responsibility for the emergency administration of glucagon to a student with diabetes who is experiencing severe hypoglycemia. The school nurse shall designate, in consultation with the board of education, additional employees of the school district who volunteer to administer glucagon to a student with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom, on school grounds or at any school-related activity, if evaluated and determined to be capable of doing so consistent with the plan. The student's management and care of his/her diabetes shall include the following:

- A. Performing blood glucose level checks;
- B. Administering insulin through the insulin delivery system the student uses;
- C. Treating hypoglycemia and hyperglycemia;
- D. Possessing on the student's person at any time the supplies or equipment necessary to monitor and care for the student's diabetes;
- E. Compliance with required procedures for medical waste disposal in accordance with district policies and

HEALTH (continued)

as set forth in the individual health care plan; and

F. Otherwise attending to the management and care of the student's diabetes.

New Jersey Family Care

The school nurse shall ensure that the parent/guardians of students who are without medical coverage are notified of and provided information on the accessibility of the New Jersey Family Care Program in accordance with N.J.S.A. 18A:40-34.

Nonpublic School Pupils

The board shall provide mandated nursing services to nonpublic school pupils as required by law. See policy 5200.

The operation of the pupil health program shall be in compliance with the rules and regulations of the state department of education, local board of health and the state department of health and senior services, and state department of human services. The board shall review and adopt the regulations developed to implement the district's health services.

Automated Electronic Defibrillator (AED)

Because the board recognizes that medical emergencies may occur that justify the use of AEDs, the board shall acquire and maintain this equipment for use by qualified staff members. An applicable patient would exhibit all of the following signs as per American Heart Association standards on AED use:

- A. Is unconscious;
- B. Is not breathing;
- C. Have no signs of circulation (as confirmed by a pulse check).

Only those staff members documented as having completed the required training shall be authorized to use an AED. A coach, athletic trainer, or in the absence of the coach or athletic trainer and other designated staff member, who is appropriately trained and certified in the use of the AED shall be present during athletic events or team practices. In the event that no appropriately AED trained and certified staff person can be present at athletic events or team practices, the district shall ensure that a State-certified emergency services provider or other certified first responder is on site at the event or practice.

Placement, Accessibility and Maintenance of the AED

The AED shall be:

- A. Available in an unlocked location on school property with an appropriate identifying sign;
- B. Accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the district or nonpublic school are participating;
- C. Within reasonable proximity of the school athletic field or gymnasium, as applicable;
- D. Tested and maintained according to the manufacturer's operational guidelines and notification shall be provided to the appropriate first aid, ambulance, or rescue squad or other appropriate emergency medical services provider regarding the defibrillator, the type acquired, and its location in accordance with section

HEALTH (continued)

3 of P.L.1999, c.34 (N.J.S.A. 2A:62A-25).

Implementation of Procedures for Cardio-Pulmonary Resuscitation and AED Use

The superintendent of schools shall oversee the development and implementation of a district emergency action plan that establishes guidelines for use of the AED. The emergency action plan shall include:

- A. A list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications from the American Red Cross, American Heart Association, or other training program recognized by the Department of Health, in cardio-pulmonary resuscitation and in the use of a defibrillator. The list shall be updated, as necessary, at least once in each semester of the school year; and
- B. Detailed procedures on responding to a sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for: responding to the person experiencing the sudden cardiac event, calling 911, starting cardio-pulmonary resuscitation, retrieving and using the defibrillator, and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Any employee, student or other individual who inappropriately accesses and/or uses an AED will be subject to disciplinary action, up to and including expulsion from school and/or termination of employment. Civil and/or criminal liability may also be imposed on any student, employee or individual who inappropriately accesses and/or uses an AED. All usage will be reported to the board of education.

Immunity

A school district and its employees shall be immune from civil liability in the acquisition and use of defibrillators pursuant to the provisions of section 5 of P.L.1999, c.34 (C.2A:62A-27). A person who acts with gross negligence or willful misconduct in the use of defibrillators does not enjoy immunity.

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009, June 2016
 Revised:

Key Words

Health, Pupil Health, Student Health

<u>Legal References:</u>	<u>N.J.S.A. 2A:62A-23 to 27</u> <u>N.J.S.A. 18A:16-6, -6.1</u> <u>N.J.S.A. 18A:35-4.6 et seq.</u> <u>N.J.S.A. 18A:40-1</u> <u>N.J.S.A. 18A:40-3</u> <u>N.J.S.A. 18A:40-4.3</u> <u>N.J.S.A. 18A:40-5</u> <u>N.J.S.A. 18A:40-6</u> <u>N.J.S.A. 18A:40-7, -8,</u> -10, -11 <u>N.J.S.A. 18A:40-12.11 et seq.</u>	AED emergency medical services Indemnity of officers and employees against civil actions <u>Parents Right to Conscience Act of 1979</u> Employment of medical inspectors, optometrists and nurses; salaries; terms; rules Lectures to teachers Scoliosis; periodic examination; notice to parents or guardian Method of examination; notice to parent or guardian In general Exclusion of pupils who are ill Findings, declarations relative to the care of students with diabetes
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HEALTH (continued)

<u>N.J.S.A.</u> 18A:40-23 <u>et seq.</u>	Nursing Services for Nonpublic School Pupils
<u>N.J.S.A.</u> 18A:40-34	New Jersey Family Care Program
<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	Substance Abuse
<u>N.J.S.A.</u> 44:6-2	Maintenance by boards of education of clinics for indigent children
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:16-1.1, -1.3, -2.1, -2.3, -2.4	
<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>	Operation and Maintenance of School Facilities
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:26-12.3	
<u>N.J.A.C.</u> 8:57-1.1 <u>et seq.</u>	Reportable Communicable Diseases
<u>See particularly:</u>	
<u>N.J.A.C.</u> 8:57-2	Reporting of AIDS and HIV
<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Possible

<u>Cross References:</u> *1410	Local units
1420	County and intermediate units
*3510	Operation and maintenance of plant
*3516	Safety
*3542	Food service
*4112.4	Employee health
*4131/4131.1	Staff development; in-service education/visitations/conferences
4151.2	Family illness/quarantine
*4212.4	Employee health
4251.2	Family illness/quarantine
*5111	Admission
*5125	Pupil records
*5131	Conduct/discipline
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141.1	Accidents
*5141.2	Illness
*5141.3	Health examinations and immunizations
*5141.4	Child abuse and neglect
*5141.21	Administering medication
*5142	Pupil safety
*5200	Nonpublic school pupils
*6142.4	Physical education and health
*6142.12	Career education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

ACCIDENTS

Each principal shall develop a program of accident prevention suited to his/her school. The Superintendent of Schools shall review and approve such programs. When unforeseen situations arise, and an accident occurs, a school nurse or other assigned staff member shall be responsible for providing emergency services to a child or staff member. The medical inspector shall prepare a list of first aid treatment for the most common minor injuries. This list shall be made known to the staff.

Guidelines for Dealing with Accident/Injury

- A. The school nurse or another trained person shall be responsible for administering first aid. Universal precautions shall be taken in the handling of blood and body fluids to ensure the containment of bloodborne pathogens. (See policies and regulations 4112.4/4212.4 Employee health and 5141.2 Illness).
- B. In all cases where the nature of an injury appears in any way serious, every effort shall be made to contact the parent/guardian and/or family physician immediately.
- C. Parents/guardians shall be requested to pick up their child. If a parent/guardian is unable to provide such transportation, no pupil who is injured shall be sent home alone. A pupil who is injured shall not be taken home unless it is known that someone is there to receive him/her.
- D. In extreme emergencies, the school nurse, school doctor or principal may make arrangements for immediate hospitalization of injured pupils, contacting parents/guardians in advance if at all possible.
- E. The teacher or other staff member who is responsible for a child at the time an accident occurs shall make out a report within 24 hours on an official form providing details about the accident. This shall be required for every accident whether first aid is necessary or not.
- F. Any injuries or accidents to pupils shall be reported as soon as possible to the Superintendent of Schools and the board.

Staff shall be informed at the beginning of each school year of the accident prevention program and procedures to be followed in case of an accident/injury.

Emergency Medical Procedures for Sports/Athletics

The Board of Education recognizes its responsibility for pupil safety encompassing all aspects of sports and athletic events in both intramural and interscholastic programs. The board directs the Superintendent of Schools to develop and implement emergency medical procedures to ensure delivery of appropriate emergency medical services for all practice sessions, competitive contests, games, events, or exhibitions with individual pupils or teams of the schools of this district whether among themselves or with pupils of other districts.

The board further directs that these emergency medical procedures be disseminated to appropriate personnel within this district and address practice sessions and both home and away events.

The board directs the Superintendent of Schools to report on the effectiveness of the emergency medical procedures to the board annually for its review.

ACCIDENTS (continued)

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009

Key Words

Accidents; Injuries

Legal References: N.J.S.A. 18A:11-3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals
N.J.S.A. 18A:16-6 Indemnity of officers and employees against civil actions
N.J.S.A. 18A:16-6.1 Indemnity of officers and employees in certain criminal actions
N.J.S.A. 18A:40-25 Boards of education to provide nursing care to students in nonpublic schools
N.J.A.C. 6A:16-1.1 et seq. Programs to Support Student Development
See particularly:
N.J.A.C. 6A:16-2.1, -2.3, -2.4
N.J.A.C. 6A:26-12.2(a)2iii Policies and procedures for school facility operation
N.J.A.C. 6A:27-12.2 Accident reporting
N.J.A.C. 6A:32-9.1 et seq. Athletics Procedures
N.J.A.C. 8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection

HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools,

SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31

Possible

Cross References: *3516 Safety
 *3541.33 Transportation safety
 *4112.4/4212.4 Employee health
 *4123 Classroom aides
 *5113 Absences and excuses
 *5125 Pupil records
 *5131.6 Drugs, alcohol, tobacco (substance abuse)
 *5141 Health
 *5141.2 Illness
 *5141.4 Child abuse and neglect
 5141.6 Crisis intervention
 *5141.21 Administering medication
 *5142 Pupil safety
 *5200 Nonpublic school pupils
 *6114 Emergencies and disaster preparedness
 *6142.12 Career education
 *6145.1/6145.2 Intramural competition; interscholastic competition
 *6153 Field trips

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

STUDENT ACCIDENT REPORT PROCEDURE

In the event of an accident/injury involving a student, either on the school grounds or on a field trip sponsored by the school, the school nurse is to be notified immediately. In the absence of the school nurse, the building principal is to be notified. Student accident report forms are obtainable from the school nurse or building principal at the time the accident/injury is reported. The student accident report form is to be completed and forwarded to the school nurse and building principal. The school nurse, in turn, will review the report, complete the appropriate sections and place in the health file.

The school nurse will contact the parent/guardian by phone and by letter advising of the accident/injury .

When emergency treatment is necessary at a medical facility, the following must accompany the student:

- A. Parental emergency medical authorization form
 - 1. This is a notarized form maintained by the school nurse in the student's health file.
- B. Student accident report
- C. Student health file
- D. Insurance forms

The school nurse will keep the building principal advised of the status of the student.

Adopted:	1994
NJSBA Review/Update:	December 2008, February 2016
Readopted:	March 2009

Policy

ILLNESS

When pupils are taken suddenly ill in school, they shall be sent or escorted to the nurse's office. If the nurse is not in the medical office, the pupil shall be sent or taken to the building principal's office. In general, the same procedures that apply to accidents shall apply to sudden pupil illness. The Superintendent of Schools, in cooperation with the medical inspector, shall implement this policy.

Control of Contagious Diseases or Conditions

In order to protect the health of the pupils in our schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious or infectious diseases or conditions. Pupils who have been absent because of contagious or infectious diseases or conditions must present a certificate of recovery from a licensed physician or be examined by the medical inspector.

The school nurse shall observe pupils who show evidence of communicable disease and recommend their exclusion to the school principal. Recommendations shall be consistent with reporting requirements on communicable diseases as set forth in the New Jersey Health Code. Such pupils shall be isolated in the nurse's office until a parent/guardian picks them up, and any necessary measures have been taken to prevent spread of the infection. The school nurse, under the direction of the medical inspector, shall instruct all teachers in the symptoms of the most common diseases or conditions at least once a year.

Any student with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS shall not be excluded from general education, transportation services, extracurricular activities, athletic activities, assigned to home instruction or classified as eligible for special education because of the HIV infection. The school nurse shall recommend the exclusion of any individual with weeping skin lesions that cannot be covered.

In addition to the review of health and safety measures required by law, the school nurse shall individually instruct teachers from whose classrooms a pupil has been excluded in the symptoms of the disease for which the pupil was excluded. Student rights and confidentiality shall be protected in accordance with law. No teacher shall attempt to diagnose any illness of a pupil, but shall refer suspected cases to the nurse immediately.

Handling Blood and Body Fluids

The Superintendent of Schools and medical inspector shall develop detailed routine procedures based on New Jersey administrative code and guidelines from the Centers for Disease Control for proper handling of blood and body fluids resulting from illness/accidents in the schools. These procedures shall be disseminated to all district staff and volunteers.

The medical inspector shall report all cases of communicable disease to the local board of health as required by law.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

ILLNESS (continued)

Illness, Sickness, Body Fluids

Legal References: <u>N.J.S.A.</u> 18A:16-6	Indemnity of officers and employees against civil actions
<u>N.J.S.A.</u> 18A:16-6.1	Indemnity of officers and employees in certain criminal actions
<u>N.J.S.A.</u> 18A:40-3	Lectures to teachers
<u>N.J.S.A.</u> 18A:40-7	Exclusion of pupils who are ill
<u>N.J.S.A.</u> 18A:40-8	Exclusion of pupils whose presence is detrimental to health and cleanliness
<u>N.J.S.A.</u> 18A:40-10	Exclusion of teachers and pupils exposed to disease
<u>N.J.S.A.</u> 18A:40-11	Exclusion of pupils having communicable tuberculosis
<u>N.J.S.A.</u> 18A:40-12	Closing schools during epidemic
<u>N.J.S.A.</u> 18A:40-25	Boards of education to provide nursing care to students in nonpublic schools
<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or pupils
<u>N.J.S.A.</u> 26:4-15	Reporting of communicable diseases by physicians
<u>N.J.S.A.</u> 26:5C-1 <u>et seq.</u>	AIDS Assistance Act
<u>N.J.S.A.</u> 26:2T-1	Newly diagnosed Hepatitis C case; information, reports
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u> <u>N.J.A.C.</u> 6A:16-1.3, -1.4, -2.1 <u>et seq.</u>	
<u>N.J.A.C.</u> 8:57-1.1 <u>et seq.</u>	Reportable Communicable Diseases
<u>See particularly:</u> <u>N.J.A.C.</u> 8:57-1.3, -1.7, -2	
<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Possible

Cross References: *1410	Local units
*4112.4	Employee health
*4131/4131.1	Staff development; in-service education/visitations/conferences
*4212.4	Employee health
*5113	Absences and excuses
*5125	Pupil records
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.1	Accidents
*5141.4	Child abuse and neglect
*5200	Nonpublic school pupils
*6142.13	HIV prevention education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

HEALTH EXAMINATIONS AND IMMUNIZATIONS

Pupils who enter the district schools for the first time shall have a medical examination conducted at the medical home of the student, and a full report sent to the school. If a student does not have a medical home, the district shall provide this examination at the school physician's office or other appropriately equipped facility. "Medical home" means a health care provider and that provider's practice site chosen by the student's parent/guardian for the provision of health care. As the school physician is also a health care provider, the parent/guardian may request that the school physician provide the medical examination.

A pupil shall be exempted from mandatory immunization if the parent/guardian objects to immunization in a written statement submitted to the principal, signed by the parent/guardian, explaining how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.

Every pupil who enters the district schools for the first time shall present an immunization record as required by law. At the parent/guardian's request, these immunizations may be administered by the school physician.

In order to protect the health of the children and staff in district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases or conditions. Pupils seeking to enter school who have been identified as having a communicable/infectious disease or condition shall not be enrolled unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

The Superintendent of Schools or his/her designee shall formulate regulations that ensure immunization records are reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.16. The Superintendent of Schools shall also formulate regulations for this policy and for regular pupil health examinations at appropriate grade levels; before participation in sports programs; and for tuberculosis, scoliosis, hearing loss, visual acuity and any other physical examinations required by law. Any health defects revealed by any examination given by the school health services must be reported to the parent/guardian. The board shall review the regulations and adopt those required by law.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Immunizations, Inoculations, Examinations, Pupil Physical Examinations, Student Physical Examinations, Health

Legal References: <u>N.J.S.A.</u> 18A:35-4.6 through -4.8	<u>Parents Right to Conscience Act of 1979</u>
<u>N.J.S.A.</u> 18A:40-4	Examination for physical defects and screening of hearing of pupils; health records
<u>N.J.S.A.</u> 18A:40-4.3	Scoliosis; periodic examination; notice to parents or guardian
<u>N.J.S.A.</u> 18A:40-4.4	Exemption
<u>N.J.S.A.</u> 18A:40-4.5	Immunity from action of any kind due to provisions of act
<u>N.J.S.A.</u> 18A:40-5	Method of examination; notice to parent or guardian

HEALTH EXAMINATIONS AND IMMUNIZATIONS (continued)

<u>N.J.S.A.</u> 18A:40-6	In general
<u>N.J.S.A.</u> 18A:40-11	Exclusion of pupils having communicable tuberculosis
<u>N.J.S.A.</u> 18A:40-16	
through -19	Tuberculosis infection; determination of presence ...
<u>N.J.S.A.</u> 18A:40-20	Immunization at public expense
<u>N.J.S.A.</u> 18A:61D-8	
through -10	Findings, declarations relative to Hepatitis B vaccinations....
<u>N.J.S.A.</u> 26:1A-9.1	Exemption of pupils from mandatory immunizations
<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or pupils
<u>N.J.S.A.</u> 26:2T-5	
through -9	Findings, declarations relative to Hepatitis C
<u>N.J.A.C.</u> 6A:14-3.4	Evaluation
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:16-1.3,	
-2.1, -2.2, -2.3, -2.4,	
-4.1, -4.3	
<u>N.J.A.C.</u> 6A:32-9.1	Athletics Procedures
<u>N.J.A.C.</u> 8:57-2	Reporting of acquired immunodeficiency syndrome and infection with Human Immunodeficiency Virus
<u>N.J.A.C.</u> 8:57-4.1	Applicability
<u>N.J.A.C.</u> 8:57-4.2	Proof of immunization
<u>N.J.A.C.</u> 8:57-4.3	Medical exemptions
<u>N.J.A.C.</u> 8:57-4.4	Religious exemptions
<u>N.J.A.C.</u> 8:57-4.5	Provisional admission
<u>N.J.A.C.</u> 8:57-4.6	Documents accepted as evidence of immunization
<u>N.J.A.C.</u> 8:57-4.7	Records required
<u>N.J.A.C.</u> 8:57-4.8	Reports to be sent to the State Department of Health
<u>N.J.A.C.</u> 8:57-4.9	Records available for inspection
<u>N.J.A.C.</u> 8:57-4.10	Diphtheria and tetanus toxoids and pertussis vaccine
<u>N.J.A.C.</u> 8:57-4.11	Poliovirus vaccine
<u>N.J.A.C.</u> 8:57-4.12	Measles virus vaccine
<u>N.J.A.C.</u> 8:57-4.13	Rubella vaccine
<u>N.J.A.C.</u> 8:57-4.14	Mumps vaccine
<u>N.J.A.C.</u> 8:57-4.15	Haemophilus influenza type b (Hib) conjugate vaccine
<u>N.J.A.C.</u> 8:57-4.16	Hepatitis B virus vaccine
<u>N.J.A.C.</u> 8:57-4.17	Varicella virus vaccine
<u>N.J.A.C.</u> 8:57-4.18	Pneumococcal conjugate vaccine
<u>N.J.A.C.</u> 8:57-4.19	Influenza vaccine
<u>N.J.A.C.</u> 8:57-4.20	Meningococcal vaccine
<u>N.J.A.C.</u> 8:57-4.21	Providing immunization
<u>N.J.A.C.</u> 8:57-4.22	Emergency power of the Commissioner, Department of Health and Senior
<u>N.J.A.C.</u> 8:61-2.1	Attendance at school by students or adults infected by Human Immuno-deficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible

Cross References: *1410

Local units

HEALTH EXAMINATIONS AND IMMUNIZATIONS (continued)

*4123	Classroom aides
*5111	Admission
*5113	Absences and excuses
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.21	Administering medication
*5200	Nonpublic school pupils
*6142.4	Physical education and health
*6145.1/6145.2	Intramural competition; interscholastic competition
*6162.5	Research
*6164.4	Child study team
*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

CHILD ABUSE AND NEGLECT

The Paulsboro Board of Education believes that a child's physical and mental well-being must be maintained as a prerequisite to achievement through the formal educational process. The board therefore believes that it is important to identify and investigate suspected child abuse or neglect immediately. The school district will cooperate with the New Jersey Division of Child Protection and Permanency (DCP&P) in identifying and reporting all such cases, whether institutional or non-institutional. The Superintendent of Schools/designee shall act as liaison between DCP&P and the district. The liaison shall facilitate communication and cooperation between the district and DCP&P and act as primary contact between the schools and DCP&P.

The Board of Education directs the Superintendent of Schools/designee to gather, maintain, secure and make available to DCP&P the relevant confidential district records of any pupil alleged either by school personnel or DCP&P to be the victim of abuse or neglect as defined by law. The board also directs the Superintendent of Schools/designee to cooperate with DCP&P in scheduling interviews with any employee, volunteer or pupil who may have information relevant to an investigation of child abuse.

In order to increase school employees' and volunteers' awareness of the symptoms of child abuse and neglect and cause them to be better informed on all aspects of abuse and neglect, the board directs the Superintendent of Schools to provide information and inservice training on the subject to all school employees and volunteers.

The Superintendent of Schools is therefore directed to develop procedures for compliance with statutory requirements that child abuse and neglect be reported. All procedures as well as this policy shall be reviewed by the county superintendent. Procedures shall:

- A. Impress on all staff members and volunteers having contact with pupils of their responsibility to report directly and immediately to DCP&P all cases of suspected abuse, abandonment, cruelty or neglect resulting in physical or mental injury, and the penalties for failing to do so. Point out that institutional abuse--abuse alleged to have taken place in the school or other institutional setting by paid school staff or a volunteer--must be reported on the same basis as non-institutional abuse. Information reported shall include the name, age, and grade of the child, as well as the name and address of the child's parents/guardians. The report shall also include a description of the child's condition, nature and extent of his/her possible injuries, and any other information pertinent to the child abuse or neglect or identification of the suspected perpetrator;
- B. Require all school personnel and volunteers to report suspected instances of child abuse or neglect to the building principal after reporting to DCP&P, unless the reporting personnel believes that he/she may be endangering the welfare of the child or himself/herself or causing retaliation or discrimination against the child or himself/herself by such notice to the building principal;
- C. Provide for the annual delivery of information and in-service training to all school staff members and volunteers concerning child abuse and neglect. This shall include instruction on child abuse and neglect identification and reporting procedures;
- D. Provide for the delivery of information and in-service training to all new school district employees, both paid and voluntary, as part of their orientation;
- E. Require prompt action to facilitate treatment options for the children injured by abuse or neglect in order to protect their health and wellbeing;

CHILD ABUSE AND NEGLECT (continued)

- F. Provide for cooperation with DCP&P in scheduling interviews with any school personnel or volunteers who may have information relevant to the investigation;
- G. Provide for DCP&P investigators to interview alleged victims in the presence of the school principal, his/her designee, or any staff member with whom the child is comfortable;
- H. Permit DCP&P to remove pupils from school during the course of the school day when it is necessary to protect the child or take the child to a service provider. Removal shall take place when the principal is provided, either in advance or at the time removal is sought, with appropriate authorization as specified in N.J.S.A. 9:6-8.27 through -8.30;
- I. Require that a report of each case of unexplained absence which might be a cause of child abuse or neglect be reported to DCP&P as the law provides, and to other appropriate school staff;
- J. Require that appropriate school staff be assigned as a liaison to facilitate communication and cooperation, and act as the primary contact between the district and DCP&P in order to ensure continuance of shared information and training development;
- K. Release all pupil records of the child(ren) under investigation that are deemed relevant and maintain, secure and release all confidential information about child abuse cases, according to law;
- L. Fulfill other procedural requirements of the law pertaining to district response to child abuse, neglect and missing children.

The board assures all school personnel and volunteers that no one will be discharged from employment or discriminated against in any way as a result of making in good faith any reports of child abuse and neglect.

Due process rights will be provided to school personnel or volunteers who have been reassigned or suspended as a result of an accusation of child abuse or neglect. Temporary reassignment or suspension of school personnel or volunteers alleged to have committed an act of child abuse or neglect shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other children is in imminent danger due to continued contact between the school personnel and a child.

All references to a report of child abuse or neglect against school personnel shall be removed from employee personnel records immediately following the receipt of an official notice from DCP&P that such allegations were unfounded.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Pupil Safety, Child Abuse, Child Neglect, Student Safety

Legal References: N.J.S.A. 9:6-1 et seq. Abuse, abandonment, cruelty and neglect of child;
See particularly: what constitutes
N.J.S.A. 9:6-3.1; -8.9
through -8.14; -8.21;
-8.27 through -8.30;
-8.34 through -8.36; -8.40;
-8.46; -8.56

CHILD ABUSE AND NEGLECT (continued)

<u>N.J.S.A.</u> 18A:6-7a, -10, -11, -13, -14, -18.1, -30, -30.1	Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
<u>N.J.S.A.</u> 18A:25-1	Transfer of teaching staff members
<u>N.J.S.A.</u> 18A:25-6, -7	Suspension of assistant superintendents, principals and teachers ...
<u>N.J.S.A.</u> 18A:36-19	Pupil records; creation; maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
<u>N.J.S.A.</u> 18A:36-24 <u>et seq.</u>	Missing children; legislative findings and declarations
<u>N.J.S.A.</u> 52:17B-9.8a <u>et seq.</u>	Marking of missing child's school record
<u>N.J.A.C.</u> 6A:16-5.1	School safety plans
<u>N.J.A.C.</u> 6A:16-11.1 <u>et seq.</u>	Reporting Allegations of Child Abuse and Neglect
<u>N.J.A.C.</u> 6A:32-7.1 <u>et seq.</u>	Student records

Possible

<u>Cross References:</u>	*5113	Absences and excuses
	*5125	Pupil records
	*5141.1	Accidents
	*5142	Pupil safety

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

CHILD ABUSE

These procedures provide direction for public school personnel to report allegations of child abuse to the Division of Youth and Family Services (DYFS) and to cooperate with the investigation of such allegations.

Reporting

School personnel, compensated and uncompensated (volunteer), having reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse shall immediately report to the DYFS. The person reporting the alleged child abuse shall inform the school principal or designee of the report after the DYFS referral has been made. However, notice to the principal or designee need not be given when the person believes that such notice would be likely to endanger the referrer or child involved or when the person believes that such disclosure would be likely to result in retaliation against the child or in discrimination against the referrer with respect to his or her employment.

When referring cases to the DYFS, the school referrer shall provide, when possible, the following information:

- The name of the child;
- The age and grade of the child;
- The name and address of the child's parent or guardian or other person having custody and control (for example, foster parent);
- A description of the child's condition, including any available information concerning current or previous injuries, abuse, or maltreatment;
- The nature and possible extent of the child's injuries, abuse, or maltreatment; and
- Any other pertinent information that the referrer believes may be relevant with respect to the child and/or to the identity of the alleged perpetrator.

Non-institutional Child Abuse - abuse alleged to have taken place in the home or community by a parent, guardian, or any other person having custody or control of the child should be reported as follows:

In person or by telephone to the local DYFS office weekdays between 9 a.m. and 5 p.m. at (609) 441-3232; weekends, holidays, or after hours at 1 (800) 792-8610.

Institutional Child Abuse - abuse alleged to have taken place in a school or other institutional setting by school Personnel, compensated and uncompensated (volunteer), should be reported as follows:

In person or by telephone to the Institutional Abuse Investigation Unit (IAIU) weekdays between 9 a.m. and 5 p.m. at 1 (609) 292-0617; weekends, holidays, or after hours at 1 (800) 792-8610.

Investigations

The board of education has detailed the district responsibilities as follows:

- * Cooperate with the DYFS in investigations of child abuse that have occurred at any time outside or within the confines of the school or during a school-related function.
- * Permit the DYFS investigator to interview the child in the presence of the school principal or designee.
- * If the child is intimidated by the presence of the school representative, the child shall name a staff member whom he or she feels will be supportive, who will be allowed to accompany the

CHILD ABUSE (continued)

- child during the interview. The purpose of including a school representative is to provide comfort and support to the child, not to participate in the investigation.
- * Cooperate with the DYFS in scheduling interviews with any school personnel who have information relevant to the investigation.
- * Release, in accordance with law all pupil records of the child under investigation that are deemed to be relevant to the assessment or treatment of child abuse.
- * Maintain and secure all confidential information about child abuse cases in accordance with law.

The DYFS may release information to:

"An agency authorized to care for, treat or supervise a child who is the subject of a child abuse report, or a parent, guardian or other person who is responsible for the child's welfare, or both, when the information is needed in connection with the provision of care, treatment or supervision to such child or such parent, guardian or other person".

"Any person who willfully permits or encourages the release of the contents of any record or report in contravention of this act shall be guilty of a misdemeanor and subject to a fine of not more than \$1,000 or to imprisonment for not more than 3 years, or both.

- * Permit the DYFS to physically remove pupils from school during the course of a school day when it is necessary to protect the child or take the child to a service provider.

Such removal shall take place once the principal or designee has been provided, either in advance or at the time removal is sought, with appropriate authorization as specified in N.J.S.A. 9:6-8.27 through 8.30; and

- * Cooperate with the DYFS when it is necessary to remove the child from his or her home for proper care and protection and when such removal results in the transfer of the child to a school other than the one in which he or she is enrolled.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Policy

SUICIDE PREVENTION

Suicide or Sudden Death

The Paulsboro Board of Education recognizes that the rate of self-destructive behavior is increasing among children and adolescents in this country. Pupils who experience depression are unable to benefit fully from the educational program of the school. Moreover, a pupil who attempts suicide poses a danger both to self and possibly to others.

Therefore, the board of education directs that all school personnel should be alert to the warning signs of childhood and adolescent suicide and the procedures to follow in the event of an actual attempt or completion. Such signs and behavior shall be taken seriously and reported to the school administration and child study team who shall determine what further action is required. Other district employees may be used to intervene or assist with such situations. If emergency intervention is required, the pupil shall be taken to the appropriate medical facility.

In incidents of such potential self-destructive behavior, the pupil's parents/guardians shall be notified immediately and their cooperation shall be sought for immediate intervention. If the parent/guardian is unwilling to cooperate, the school administration and/or child study team shall contact appropriate agencies to request intervention on the pupil's behalf. In cases of child abuse or neglect, school personnel are required to contact the Division of Youth and Family Services.

The Board directs the Superintendent to develop regulations to implement this policy. The regulations may include:

- A. Behavioral and emotional signs and symptoms of students who contemplates suicide;
- B. Response procedures for intervention in threatened or attempted suicide;
- C. Procedures for preventing contagion when a pupil commits suicide.

The Superintendent shall disseminate this policy and regulations to the staff.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Crisis, Self-Mutilation, Self Destructive, Suicide, Depression, Cutting

Legal References:	<u>N.J.S.A.</u> 2A:62A-23 to 26	AED emergency medical services, 1999 statute
	<u>N.J.S.A.</u> 18A:16-6, -6.1	Indemnity of officers and employees against civil actions
	<u>N.J.S.A.</u> 18A:35-4.6 <u>et seq.</u>	<u>Parents Right to Conscience Act of 1979</u>
	<u>N.J.S.A.</u> 18A:40-1	Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
	<u>N.J.S.A.</u> 18A:40-3	Lectures to teachers
	<u>N.J.S.A.</u> 18A:40-5	Method of examination; notice to parent or guardian
	<u>N.J.S.A.</u> 18A:40-6	In general
	<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	Substance Abuse
	<u>N.J.S.A.</u> 44:6-2	Maintenance by boards of education of clinics for indigent children
	<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development

SUICIDE PREVENTION (continued)See particularly:

N.J.A.C. 6A:16-1.1, -1.3,
-1.4, -2.1, -2.3, -2.4

N.J.A.C. 6A:26-12.1 et seq. Operation and Maintenance of School
Facilities

See particularly:

N.J.A.C. 6A:26-12.3

Possible**Cross References:**

*1410	Local units
*3510	Operation and maintenance of plant
*3516	Safety
*4112.4/4212.4	Employee health
*4131/4131.1	Staff development; inservice education/visitations/conferences
*5125	Student records
*5131	Conduct/discipline
*5131.1	Harassment, intimidation and bullying
*5131.6	Substance abuse
*5131.7	Weapons and dangerous instruments
*5141.1	Accidents
*5141.2	Illness
*5141.21	Administering medication
*5142	Student safety
*5145.11	Questioning and apprehension
*5145.12	Search and seizure
*6142.4	Physical education and health

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

SPORTS RELATED CONCUSSION AND HEAD INJURY

A concussion is a traumatic brain injury (TBI) caused by a direct or indirect blow to the head or body.

Requirements

- A. A student who participates in interscholastic athletics, which for the purpose of this policy includes cheerleading, and who sustains or is suspected of sustaining a concussion or other head injury shall be immediately removed from the completion or practice. Student athlete may not return to play until they obtain medical clearance in compliance with the district return-to-play policy;
- B. All coaches, school nurses, school/team physicians and certified athletic trainers must complete an interscholastic head injury training program such as the National Federation of State High School Associations online "Concussion in Sports" training program or a comparable program that meets mandated criteria;
- C. The district shall monitor school district employees in the completion of an interscholastic head injury training program;
- D. The athletic head injury training program must include:
 - 1. The recognition of the symptoms of head and neck injuries, concussions, and injuries related to second impact syndrome; and
 - 2. Describe the appropriate time to delay the return to sports competition or practice of a student – athlete who has sustained a head injury or other head injury, but if no additional time is specified for a particular age-group or sport, the student-athlete may return when written medical clearance is given the student-athlete stating that he/she is asymptomatic, and the student-athlete has completed an appropriate graduated individualized return-to-play protocol.
- E. Distribution of New Jersey Department of Education, *Concussion and Head Injury Fact Sheet* to every student-athlete who participates in interscholastic sports. The chief school shall ensure that a signed acknowledgement of the receipt of the fact sheet is completed by the student-athlete's parent/guardian and is kept on file for future reference.

Required Concussion Protocol

A student-athlete who is suspected of sustaining a sports related concussion or other head injury during competition or practice shall be immediately removed from play and may not return to play that day.

- A. Possible signs (could be observed by coaches, athletic trainer, school/team physician, school nurse):
 - 1. Appears dazed, stunned, or disoriented;
 - 2. Forgets plays, or demonstrates short term memory difficulty;
 - 3. Exhibits difficulties with balance or coordination;
 - 4. Answers questions slowly or inaccurately;
 - 5. Loses consciousness;
- B. Possible symptoms (reported by the student athlete to coaches, athletic trainer, school/team physician, school nurse, parent/guardian):
 - 1. Headache;
 - 2. Nausea/vomiting;

SPORTS RELATED CONCUSSION AND HEAD INJURY (continued)

3. Balance problems or dizziness;
 4. Double vision or changes in vision;
 5. Sensitivity to light or sound/noise;
 6. Feeling sluggish or foggy;
 7. Difficulty with concentration and short term memory;
 8. Sleep disturbance.
- C. To return to competition and practice the student-athlete must follow the protocol:
1. Immediate removal from competition or practice;
 2. School personnel (athletic trainer, school nurse, coach, etc.) should make contact with the student-athletes parent/guardian and inform them of the suspected sports related concussion or head injury;
 3. School personnel (athletic trainer, school nurse, coach, etc.) shall provide student-athlete with the approved information/medical checklist to provide their parent/guardian and physician or other licensed healthcare professional.
 4. Student-athlete must receive written clearance from their physician that student is asymptomatic and may begin the graduated return-to-play protocol. School personnel (athletic trainer, school nurse, coach, etc. may consult with school/team physician after medical clearance is given from student-athletes physician).

Graduated Return to Competition and Practice Protocol

- A. After written medical clearance is given stating that the student athlete is asymptomatic, the student-athlete may begin a graduated individualized return-to-play protocol:
- Step 1:** No activity, complete physical and cognitive rest. The objective of this step is recovery;
- Step 2:** Light aerobic exercise, which includes walking, swimming, or stationary cycling, keeping the intensity less than 70% maximum percentage heart rate: no resistance training. The objective of this step is increased heart rate;
- Step 3:** Sport-specific exercise including skating, and/or running; no head impact activities. The objective of this step is to add movement;
- Step 4:** Non-contact training drills (e.g. passing drills). The student-athlete may initiate progressive resistance training;
- Step 5:** Following medical clearance (consultation between school personnel and students athletes physician), participation in normal training activities. The objective of this step is to restore confidence and assess functional skills by the coaching staff;
- Step 6:** Return to play involving normal exertion or game activity.
- B. Symptom checklists, baseline testing and balance testing may be utilized;
- C. If the student athlete exhibits a re-emergence of any post-concussion signs or symptoms once he or she returns-to-play, he/she will be removed from exertion activities and returned to their school/team physician or primary care physician;
- D. If concussion symptoms reoccur during the graduated return-to-play protocol, the student-athlete will return to the previous level of activity that caused no symptoms.

Temporary Accommodations for Student-Athletes with Sports Related Head Injuries

- A. Consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports related concussions and head injuries;

SPORTS RELATED CONCUSSION AND HEAD INJURY (continued)

- B. Mental exertion increases the symptoms from concussions, and affects recovery;
- C. To recover, cognitive rest is just as important as physical rest. Reading, studying, testing, texting -- even watching movies if a student is sensitive to light -- can slow down a student's recovery;
- D. In accordance with the Centers for Disease Control (CDC) toolkit on managing concussions, the superintendent may look to address the cognitive needs of students who return to school after a concussion in the following ways:
1. Take rest breaks as needed;
 2. Spend fewer hours at school;
 3. Be given more time to take tests or complete assignments;
 4. Receive help with schoolwork;
 5. Reduce time spent on the computer, reading, and writing;
 6. Be granted early dismissal from classes to avoid crowded hallways.

Annual Review

This policy shall be reviewed annually, and updated as necessary to ensure that it reflects the most current information available on the prevention, risk, and treatment of sports-related concussions and other head injuries.

NJSBA Review/Update: February 2016
 Adopted: October 12, 2011
 Readopted: June 2016
 Revised:

Key Words

Concussion, Head Injury, Sports, Athletics,

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:16-6, -6.1 <u>N.J.S.A.</u> 18A:35-4.6 <u>et seq.</u> <u>N.J.S.A.</u> 18A:40-1 <u>N.J.S.A.</u> 18A:40-3 <u>N.J.S.A.</u> 18A:40-5 <u>N.J.S.A.</u> 18A:40-6 <u>N.J.S.A.</u> 18A:40-7, -8, -10, -11 <u>N.J.S.A.</u> 18A:40-23 <u>et seq.</u> <u>N.J.S.A.</u> 18A:40-41.4 <u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.A.C.</u> 6A:16-1.1, -1.3, -2.1, -2.3, -2.4 <u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u> <u>See particularly:</u> <u>N.J.A.C.</u> 6A:26-12.3	Indemnity of officers and employees against civil actions <u>Parents Right to Conscience Act of 1979</u> Employment of medical inspectors, optometrists and nurses; salaries; terms; rules Lectures to teachers Method of examination; notice to parent or guardian In general Exclusion of students who are ill Nursing Services for Nonpublic School Students Removal of student athlete from competition, practice; return Programs to Support Student Development Operation and Maintenance of School Facilities
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Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Possible

<u>Cross References:</u>	*1410 Local units 1420 County and intermediate units *3510 Operation and maintenance of plant
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SPORTS RELATED CONCUSSION AND HEAD INJURY (continued)

*3516	Safety
*4131/4131.1	Staff development; in-service education/visitations/conferences
4151.2/4251.2	Family illness/quarantine
*5125	Student records
*5141	Health
*5141.1	Accidents
*5141.2	Illness
*5141.3	Health examinations and immunizations
*5141.21	Administering medication
*5142	Student safety
*5200	Nonpublic school students
*6142.4	Physical education and health

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

ADMINISTERING MEDICATION

The Paulsboro Board of Education shall not be responsible for the diagnosis and treatment of pupil illness. The administration of medication to a pupil during school hours will be permitted only when failure to take such medicine would jeopardize the health of the pupil, or the pupil would not be able to attend school if the medicine were not made available to him/her during school hours.

For purposes of this policy, "medication" shall include all medicines prescribed by a physician for the particular pupil, including emergency medication in the event of bee stings, etc., and all non-prescription "over the counter" medication.

Before any medication may be administered to or by any pupil during school hours, the board shall require the written request of the parent/guardian which shall give permission for such administration and relieve the board and its employees of liability for administration of medication. In addition, the board requires the written order of the prescribing physician which shall include:

- A. The purpose of the medication;
- B. The dosage;
- C. The time at which or the special circumstances under which medication shall be administered;
- D. The length of time for which medication is prescribed;
- E. The possible side effects of the medication.

Both documents shall be kept on file in the office of the school nurse.

The district medical inspector shall develop procedures for the administration of medication which provide that:

- A. All medications, whether prescribed or "over the counter", shall be administered by the medical inspector, school nurse or substitute school nurse, the parent/guardian or the pupil himself/herself where the parent/guardian so permits and with the school nurse present;
- B. Medications shall be securely stored and kept in the original labeled container;
- C. The school nurse shall maintain a record of the name of the pupil to whom medication may be administered, the prescribing physician, the dosage and timing of medication and a notation of each instance of administration;
- D. All medications shall be brought to school by the parent/guardian or adult pupil and shall be picked up at the end of the school year or the end of the period of medication, whichever is earlier;
- E. A student may self-administer medication without supervision of the school nurse for asthma or other life-threatening illnesses. "Life-threatening illness" has been defined as an illness or condition that requires an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenalin injection to treat a potential anaphylactic reaction.
- F. Any medication that is to be given three times per day should be given before school, after school and before bed, unless otherwise ordered by a physician. It should not be brought to school.

ADMINISTERING MEDICATION (continued)

Nebulizers

Each school in the district shall have and maintain at least one nebulizer in the office of the school nurse or at a similar accessible location. The Superintendent of Schools shall prepare and the board shall adopt regulations on the administration of asthma medication through the use of a nebulizer by the school nurse or his/her designee(s). Regulations shall be in accord with New Jersey statute and administrative code and shall include, but not be limited to, the following:

- A. Requirement that each school nurse shall be authorized to administer asthma medication through use of a nebulizer;
- B. Requirement that each school nurse receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards;
- C. Requirement that each student authorized to use asthma medication or a nebulizer have an asthma treatment plan prepared by the student's physician that identifies, at a minimum, asthma triggers and an individualized health care plan for meeting the medical needs of the student while attending school or a school-sponsored event.

Pupil Self-Administration of Medication

The board shall permit self-administration of medication for asthma or other potentially life-threatening illnesses by pupils who have the capability for self-administration of medication, both on school premises during regular school hours and off-site or after regular school hours when a pupil is participating in field trips or extracurricular activities. Parents/guardians of the pupil must meet the following conditions:

- A. Provide the board with written authorization for the pupil's self-administration of medication;
- B. Provide written certification from the pupil's physician that the pupil has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication;
- C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

The board shall:

- A. Inform the pupil and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirements listed above;
- B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication.
- C. Maintain the right to revoke a pupil's permission to self-medicate if he/she has failed to comply with all conditions of this policy and/or has violated in any way the tenets of the agreement to self-medicate. The Superintendent of Schools shall confer with the school physician and school nurse prior to recommending termination of a pupil's permission to self-medicate and shall also consult with the pupil, the pupil's parents/guardians and the pupil's physician.

Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom or on

ADMINISTERING MEDICATION (continued)

school grounds, if evaluated and determined to be capable of doing so consistent with the plan, and N.J.S.A. 18A:40-12.15 and board policy 5141 Health for specific rules regarding diabetes management.

Emergency Administration of Epinephrine

The board shall permit the school nurse or medical inspector to administer epinephrine via epi-pen or other pre-filled auto-injector mechanism in emergency situations. In their absence, a designee or designees who are employees of the board may do so.

The designees must be properly trained by the school nurse in the administration of the epi-pen or other pre-filled auto-injector mechanism using the standardized training protocol designated by the State Department of Education. Each designee shall receive individual training for each pupil for whom he/she is designated.

The board shall inform the pupil's parents/guardians in writing that if the specified procedures are followed, the district, its employees and agents shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism to the pupil.

Parents/guardians shall provide the board with the following:

- A. Written orders from the physician that the pupil requires the administration of epinephrine for anaphylaxis and does not have the capability for self-administration of the medication;
- B. Written permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s);
- C. A signed statement acknowledging their understanding that if the specified procedures are followed, the district shall have no liability as a result of any injury arising from the administration of the epi-pen or other pre-filled auto-injector mechanism by the school nurse or designee(s) to the pupil and that the district, its employees, and agents shall be indemnified and held harmless against any claims arising out of the administration of the epi-pen or other pre-filled auto-injector mechanism to the pupil.

Permission for the administration of epinephrine via epi-pen or other pre-filled auto-injector mechanism shall be granted annually and must be renewed each school year upon the fulfillment of the above requirements.

Placement and Availability of Epinephrine, and Transportation to Hospital Emergency Room

Pursuant to N.J.S.A. 18A:40-12.6, school policy requires:

- A. The placement of a pupil's prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored function. The location of the epinephrine shall be indicated on the pupil's emergency care plan. Back-up epinephrine shall also be available at the school if needed;
- B. The school nurse or designee to be promptly available on site at the school and school-sponsored functions in the event of an allergic reaction; and
- C. The transportation of the pupil to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have resolved.

Emergency Administration of Epinephrine for First Time Allergic Reactions at School

The school nurse or trained designee shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis. This includes students whose parents/guardians have not submitted prior written permission or obtained prescribed medication as indicated in the rules above. Epinephrine may be administered to any student without a known history of anaphylaxis when the nurse or trained designee in good faith believes that the student is having an anaphylactic reaction

ADMINISTERING MEDICATION (continued)

The district shall maintain a supply of epinephrine auto-injectors that is prescribed under a standing protocol from a licensed physician or an advanced practice nurse in a secure but unlocked and easily accessible location. The supply of epinephrine auto-injectors shall be accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.

Liability

No school employee, including a school nurse, or any other officer or agent of a board, or a physician or an advanced practice nurse providing a prescription under a standing protocol for school epinephrine shall be held liable for any good faith act or omission consistent with the provisions of law for the administration of epinephrine (N.J.S.A. 18A:40-12.5 et seq.). No action shall be taken before the New Jersey State Board of Nursing against a school nurse for any such action taken by a person designated in good faith by the school nurse to administer epinephrine according to law (N.J.S.A. 18A:40-12.6). Good faith shall not include willful misconduct, gross negligence or recklessness.

Implementation

The board may adopt additional regulations on all aspects of the administration of medication.

Adopted: March 17, 2004
 NJSBA Review/Update: December 2008, December 2016
 Readopted: March 2009, June 2016
 Revised:

Key Words

Administering Medication, Medication in School, Nebulizer

<u>Legal References:</u>	<u>N.J.S.A. 18A:11-1</u> <u>N.J.S.A. 18A:40-1</u> <u>N.J.S.A. 18A:40-3.2 et seq.</u> <u>N.J.S.A. 18A:40-4</u> <u>N.J.S.A. 18A:40-7</u> <u>N.J.S.A. 18A:40-12.3</u> through -12.4 <u>N.J.S.A. 18A:40-12.5</u> <u>N.J.S.A. 18A:40-12.6</u> through -12.6d <u>N.J.S.A. 18A:40-12.7</u> <u>N.J.S.A. 18A:40-12.8</u> <u>N.J.S.A. 18A:54-20</u> <u>N.J.S.A. 45:11-23</u> <u>N.J.A.C. 6A:16-1.1 et seq.</u> <u>See particularly:</u> <u>N.J.A.C. 6A:16-1.3,</u> -2.1, -2.2, -2.3, -2.4	General mandatory powers and duties Employment of medical inspectors, optometrists and nurses; salaries; terms; rules Medical and Nursing Personnel Examination for physical defects and screening of hearing of students Exclusion of students who are ill Self-administration of medication by student; conditions Policy for emergency administration of epinephrine to public school students Administration of epinephrine; primary responsibility; parental consent Nebulizer Administration of asthma medication by school nurse through nebulizer; training; student asthma treatment plan Powers of board (county vocational schools) Definitions Programs to Support Student Development
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Bernards Township Education Association v. Bernards Township Board of

ADMINISTERING MEDICATION (continued)

Education, 1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A-4211-81T3, 5/18/83)

Communications Workers of America, Local 1033, On behalf of Karen Norton, Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf, State Board Docket #52-91

Policy Advisory #1 on N.J.S.A. 18A:40-12.3 et seq. Self-Administration of Medication By a Student, New Jersey State Department of Education, June 5, 1995

Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

Possible

Cross References:

*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.1	Accidents
*5141.2	Illness
*5141.3	Health examinations and immunizations
*6153	Field trips

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

ADMINISTERING MEDICATION

Every effort will be made to clarify the absolute need for the administration of any medication during school hours. Whenever medically feasible, the administration of medication should be at times other than school hours.

In the view of the expanding enrollment at the Paulsboro School District as well as the variety and severity of disability condition presented by the students, especially those requiring continued medication programs, the following guidelines defining the role and responsibility of the Paulsboro School District and the school staff and procedures for applying them have been developed:

Permission

- A. The parent must complete and sign a standard permission slip for the administration of medication during school hours. (see addendum #1 & #2) This permission slip will specify that the nurse or other responsible and authorized individual will administer the medication. The following information must be supplied: name of drug, dosage, time to be given, purpose of the medication and the signature of the prescribing physician.
- B. The administrator of the Paulsboro School District is to authorize in writing which individuals will administer medications other than the nurse and/or the school physician.
- C. The above forms will be approved by the school physician, at which time the absolute necessity of the administration of medication during school hours will be considered. If necessary, contact with the prescribing physician will be made by the school physician.

Handling of Medication

- A. Medication must be in the original container and bear the current prescription label detailing time and dosage. No prescription older than one year will be administered.
- B. The prescribed medication is to be kept safely out of reach of children, locked in the dispensary.
- C. The school nurse will keep available information on the prescribed drugs. This information should be available also in the dispensary closets where the medication is stored. Prior to assuming the responsibility for administering any medication, the nurse and authorized individuals should read and sign this material.

Administration of Medication

- A. Whenever possible, medication is to be given by the school nurse.
- B. The school nurse will always administer a medication which is newly prescribed or if the dosage of a previously prescribed drug is significantly changed for the first two weeks. The nurse will continue to administer these medications at least once a week for an additional four weeks.
- C. When it is not possible for the nurse to personally administer medications daily, the authorized individual may give the medications. A control slip to be kept with the medication must be filled in by the individual administering the medications. This slip will contain the following information: child's name, day, date, time of administering, statement of adverse reactions, and signature of individual administering medication.
- D. The administration of medication by a staff member other than the school nurse shall be witnessed by another staff member, preferably the Principal or designee.
- E. The classroom teacher designated will insert notification in the daily plan book so that in case of absence, the substitute will be aware of the student's medication schedule.

ADMINISTERING MEDICATION (continued)

- F. In each school, two back up persons to assume responsibility for medication in the absence of the school nurse or authorized individual should be designated.
- G. Staff members shall not be required to administer medication.
- H. A school nurse, substitute school nurse, or parent will administer all medication on field trips in grades Pre K through six.
- I. A student may self-administer medication without supervision of the school nurse for asthma or other life-threatening illnesses. "Life-threatening illness" has been defined as an illness or condition that requires an immediate response to specific symptoms or sequela that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenaline injection to treat a potential anaphylactic reaction. (see addendum #2)

Control of Medication Administration

- A. The school nurse will check each week to see if medication is being given.
- B. The school nurse will instruct appropriate staff members to report any dramatic or sudden changes in behavior or appearance.
- C. The school nurse is to be notified immediately of any suspected adverse or unusual reactions to medications.
- D. The school nurse will collect the signed control slips and store this information in the nurse's office. Slips will then be filed for no less than six months. (addendum #1 & 2)
- E. The Superintendent and the school nurse ultimately have the responsibility for supervision and maintenance of all procedures and records of medications given during school hours.

Adopted: March 17, 2004
NJSBA Review/Update: December 2008, December 2016
Readopted: March 2009

Form

Addendum #2

Paulsboro Public Schools
Paulsboro, NJ
SELF-MEDICATION PERMISSION FORM

Student Name _____ Date of birth _____

Name of School _____

Effective for school year _____

PHYSICIAN CERTIFICATION

I certify that the above named student has asthma, diabetes, or anaphylactic reaction to insect bites.

DIAGNOSIS _____

MEDICATION TO BE SELF-ADMINISTERED _____

DOSAGE _____ FREQUENCY _____

LENGTH OF TIME _____ (not to exceed end of current school year)

I certify that the above-named student is capable of and has been instructed in the proper method of self-administration of the medication prescribed above.

PHYSICIAN NAME (Print) _____ PHONE # _____

PHYSICIAN NAME SIGNATURE _____ DATE _____

PARENT/GUARDIAN PERMISSION

As the parent/guardian of the above-named student, I hereby give permission for my child to self-administer his/her medication as prescribed by the above - signed physician.

PARENT/GUARDIAN NAME (Print) _____

PARENTIGUARDIAN SIGNATURE _____ DATE _____

RELEASE

I, the parent/guardian of _____, have previously advised the Paulsboro Board of Education that my child has _____. This illness/condition does require that he/she take medication. My son/daughter is capable of administering the above- prescribed medication and has been instructed in the proper method of taking the medication by himself/herself.

I hereby authorize the Paulsboro Board of Education to allow my child to self-administer this medication. Representatives of the Board of Education have advised me that the Board shall not be responsible for any liability or resulting injury to my son/daughter arising from the self-administration of medication. I hereby agree to indemnify and hold harmless the Paulsboro Board of Education, its agents, servants and/or employees from any liability relating to or resulting from the self-administration of medication by my child.

Parent Signature _____ Date _____

Policy

MEDICAL MARIJUANA

The Paulsboro Board of Education recognizes that physical discomfort associated with certain debilitating medical conditions can negatively impact a student's ability to benefit from educational services provided by the school district. The board of education also recognizes that a student diagnosed with a debilitating medical condition may, through the legally prescribed use of medical marijuana, alleviate physical symptoms associated with the debilitating condition that occur during school hours, potentially increasing the student's availability to receive instruction. Therefore in accordance with law (P.L. 2015, c.158), a student who is legally prescribed medical marijuana and who possesses a current registry identification card from the New Jersey Department of Health (NJDOH), may be administered prescribed marijuana by a NJDOH registered primary caregiver.

The New Jersey Compassionate Use Medical Marijuana Act (N.J.S.A. 24:6I-3) provides that medical marijuana may be prescribed for the following debilitating medical conditions:

- A. Seizure disorder, including epilepsy; intractable skeletal muscular spasticity; or glaucoma if any of these conditions are resistant to conventional medical therapy;
- B. Positive status for human immunodeficiency virus; acquired immune deficiency syndrome; or cancer; if any treatment of these conditions cause severe or chronic pain, severe nausea or vomiting, cachexia, or wasting syndrome;
- C. Amyotrophic lateral sclerosis, multiple sclerosis, terminal cancer, muscular dystrophy, or inflammatory bowel disease, including Crohn's disease;
- D. Terminal illness, if the student's physician has determined a prognosis of less than 12 months of life; or
- E. Any other medical condition or its treatment that is approved by the NJDOH by regulation.

New Jersey Department of Health Medical Marijuana Program Authorization

Students authorized to use medical marijuana, including adult students, are not authorized by law to self-administer the medication on school grounds, on the school bus or at school sponsored activities. In all cases, a primary caregiver shall be required to assist with the administration of the prescribed medical marijuana on school grounds, on the school bus, or at school sponsored activities subject to law and this board policy.

In order for the prescribed medical marijuana to be legally administered, the student and primary caregiver shall possess a current registry identification card. The NJDOH shall issue a registry identification card only upon certification from a licensed physician in the State with whom a qualifying patient has a bona fide physician-patient relationship. The physician must be registered with the New Jersey Medical Marijuana Program to legally prescribe medical marijuana.

According to the Medical Marijuana Program the primary caregiver:

- A. Shall be a resident of New Jersey who is at least 18 years old;
- B. Has agreed to assist with a registered qualifying patient's medical use of marijuana, is not currently serving as primary caregiver for another qualifying patient, and is not the qualifying patient's physician;
- C. Has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after July 19, 2010 and was for a violation of federal law related to possession or sale of marijuana that is authorized under the Compassionate Use Medical Marijuana Act;

MEDICAL MARIJUANA (continued)

- D. Has registered with the NJDOH, and has satisfied the criminal history record background check requirement; and
- E. Has been designated as primary caregiver on the qualifying patient's application or renewal for a registry identification card or in other written notification to the NJDOH.

Verification of Registration Status

The chief school administrator shall submit a written request to the NJDOH Medical Marijuana Program seeking verification of the registration status of the student and the caregiver.

Verification of the registration status of the student and the caregiver shall be requested not less than annually. Documentation of the request made to the NJDOH and any response the district receives from the NJDOH shall be kept in the student's confidential medical records and maintained in the office of the school nurse.

Administration of the Prescribed Medical Marijuana

While on school grounds, the primary caregiver shall be permitted to administer the prescribed medical marijuana in the office of the school nurse. The school nurse may designate other locations on school grounds. When an alternate location on school grounds other than the nurse's office is requested or required for the administration of the prescribed medical marijuana, the school nurse shall document the designated location in the appropriate student record (i.e. confidential medical record, individualized health care plan).

No student shall be permitted to carry the prescribed marijuana medication on school grounds, on school buses or at school sponsored activities. The prescribed medical marijuana shall not be stored on school grounds. It shall be the sole responsibility of the primary caregiver to maintain and administer the medication.

A primary caregiver shall bring the medication to school to administer the medication in the school nurse's office and shall leave school grounds with any remaining medication. Any packaging, containers or other materials associated with the caregiver's administration of the prescribed medical marijuana to the student shall be disposed of in the appropriate receptacle for hazardous materials in the nurse's office and at no other location on school property.

Any form of medical marijuana that is smoked is prohibited on school grounds, on school buses or at school sponsored events.

Liability

Any person in possession of prescribed medical marijuana or using prescribed medical marijuana and acting within the provisions of N.J.S.A. 2C:35-18 Exemption, Burden of Proof and in accordance with the Compassionate Use of Medical Marijuana Act (N.J.S.A. 24:61-1) shall be immune from criminal liability and professional disciplinary action.

Possession of, or application for, a registry identification card shall not alone constitute probable cause to search the person or property of the person possessing or applying for the registry identification card, or otherwise subject the person or his/her property to inspection.

Adopted: July 2016
NJSBA Review/Update:
Readopted:

Key Words

Marijuana, Medical Marijuana, Primary Caregiver

MEDICAL MARIJUANA (continued)

Legal References: N.J.S.A. 2C:35-18 Exemption, burden of proof
N.J.S.A. 24:6I-1 et seq. New Jersey Compassionate Use of Medical Marijuana Act
See particularly
N.J.S.A. 24:6I-4, -5
N.J.S.A. 26:3D-55 et seq. New Jersey Smoke-Free Air Act
N.J.A.C. 8:64-1.1 et seq. Medical Marijuana Program rules
See particularly
N.J.S.A. 8:64-1.1 Confidentiality

P.L. 2015, c.158 concerning medical marijuana

Possible

Cross References: *5131.6 Drugs, alcohol, tobacco (substance abuse)
*5141 Health
*5141.1 Accidents
*5141.2 Illness
*5141.3 Health examinations and immunizations
*5141.21 Administration of medication
*6153 Field trips

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

PUPIL SAFETY

The Board of Education recognizes the safety of its pupils as a consideration of utmost importance. The Superintendent of Schools shall consult law enforcement agencies, health and social service providers, emergency management planners and other school and community resources in the development of the plans, procedures and mechanisms for school safety. The Superintendent of Schools shall oversee development of a districtwide safety program with emphasis on accident prevention.

Facilities

The Superintendent of Schools shall maintain all facilities and equipment in proper condition to provide a safe learning environment, ensuring compliance with state law on the handling, labeling and storing of hazardous substances. Safety regarding all aspects of playground equipment and activity will be maintained and supervised in compliance to law and code.

Staff Education and Training

All teachers shall be familiar with the provisions of this program that particularly concern them.

The Superintendent of Schools shall inform all newly employed staff of school safety rules and regulations within 60 days of the effective date of their employment. All district employees will receive the appropriate in-service training to recognize and respond appropriately to safety concerns including emergencies and crises, in accordance with the district safety plans, procedures and mechanisms. The district safety plan will be updated annually and all employees will be notified of updates and changes to the safety plan in writing. Regulations concerning use and maintenance of eye protective devices shall be scrupulously enforced by all staff.

Student Supervision

The staff must maintain complete classroom and playground supervision during regular school hours. The Superintendent of Schools shall seek the cooperation of parents/guardians to prevent any children being unsupervised on school property during lunch hour and during morning arrival and afternoon dismissal times. Further, the Superintendent of Schools shall seek the cooperation of the police and other appropriate agencies in providing for the safety of pupils on or around school property. The board shall adopt the necessary regulations governing supervision of pupil safety.

No pupil shall leave the school before the end of the school day without permission of the principal.
No pupil shall run errands on school business off the school property.

The curriculum shall include courses in safety as required by state law. The Superintendent of Schools shall oversee development and implementation of a vocational education safety program correlated with coursework. In development of courses, the safety of participating pupils shall be a primary consideration.

Employers of work/study pupils are required to report to their work study coordinator if a pupil has not reported for work within one hour of the expected arrival time. Other pupils leaving before regular dismissal must be met in the school office and signed out by a parent/guardian or a person authorized to act in his/her behalf.

PUPIL SAFETY (continued)

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the Superintendent of Schools of any change in the pupil's custody. If one parent/guardian has been awarded custody of the pupil in a divorce, the other parent/guardian shall present to the principal a letter authorizing him/her to accompany the child from school before the child may be released. The principal may take reasonable steps to verify the letter. It is the responsibility of the person or agency having custody to inform the school that such authorization will be required.

Supervision of Students During Dismissal

Dismissal will be supervised. District staff will be assigned to specific locations and given defined responsibilities to supervise student dismissal in each district school facility. Regular and early dismissal will be supervised according to the same protocol unless otherwise specified. The Superintendent of Schools is responsible for overseeing the development of protocols that are tailored to the age and needs of the students at each school facility. At a minimum these protocols shall include:

- A. Staff assigned to supervise dismissal, and their locations and responsibilities;
- B. Where children will be retained awaiting appropriate escort and/or designated transportation;
- C. Provisions for supervision when a parent/escort is unable to pick up their child at the appropriate dismissal time;
- D. Location and presence of municipal crossing guards

The board will review the dismissal procedures annually.

Supervision of Non-bused Students at Dismissal

The board shall require that the parent/guardian notify the school in advance of any arrangements for students requiring appropriate escort or designated transportation. The board requires signed permission for a student to be dismissed to walk home unescorted.

All documented arrangements will be considered permanent for the entire school year. Parents/Guardians may alter arrangements upon prior written notification to the Superintendent of Schools or designee.

Parents/guardians leaving students at school that are to be escorted home will be reported to the proper authorities.

The Superintendent of Schools or designee is responsible for the collection of all dismissal arrangements requested by the parents/guardians. The Superintendent of Schools or designee is responsible for keeping a record of the dismissal arrangements and implementing the appropriate dismissal supervision in accommodation of these arrangements.

Notification of Dismissal Protocols

The Superintendent of Schools or his designee shall ensure that parents are notified of the following:

- A. School calendar including school closure and early dismissal dates and times; and any adjustments to the calendar;
- B. The school dismissal policy;
- C. Dismissal protocol for all bused students, non-bused students and students in after-school programs or

PUPIL SAFETY (continued)

activities;

- D. Supervision arrangements for students at dismissal;
- E. Emergency plan for supervision of students left at school;
- F. After school program opportunities;
- G. Procedures for enrolling students in after school programs.

The parent/guardian is responsible for reviewing the school calendar and complying with all school dismissal times and procedures. It is the parents/guardians responsibility to resume the custody of their child at the end of each school day.

The Superintendent of Schools will develop procedures:

- A. For parents/guardians to provide signed acknowledgement of receipt of the school calendar, including all school closure and early dismissal dates, and the school dismissal policy and procedures;
- B. For parents/guardians to indicate and define the circumstances that the student is to be released from the school's care at dismissal;
- C. For the collection and retention of all documents pertaining to receipt of calendar and escort/transportation arrangements.

Voluntary Fingerprinting Program

The board of education shall provide a voluntary fingerprinting program for the protection of its pupils. This program shall be carried out in cooperation with the county sheriff's office and local law enforcement officials in accordance with the requirements of law.

All pupils in grades kindergarten through nine shall be eligible to participate with written authorization of their parent/guardian. Completed fingerprint cards shall be given to the parent/guardian and shall not be retained by the school district or the law enforcement agency.

The Superintendent of Schools is directed to provide an orientation program for those pupils for whom fingerprinting has been authorized, and to develop appropriate administrative regulations for the implementation of the voluntary fingerprinting program in the district.

Potentially Missing Children

Attendance practices, the dismissal precautions addressed in this policy and voluntary fingerprinting are part of the district's effort toward early identification of potentially missing children.

The Superintendent of Schools will develop procedures that ensure cooperation with law enforcement for substances, weapons and safety. This may include cooperation with law enforcement in the activation of an "Amber Alert" which provides for the rapid dissemination of information, including a description of the missing child through broadcast media.

Release to an Individual Impaired by Drugs/Alcohol Prohibited

The board believes that allowing a child to be released into the custody of a parent/guardian or other authorized individual who appears to be impaired by drugs or alcohol can have tragic consequences.

PUPIL SAFETY (continued)

Therefore, the board prohibits release of a pupil into the custody of any person who appears to be physically and/or emotionally impaired to the extent that harm could come to the pupil if released to such a person. The Superintendent of Schools/designee shall make the final determination as to whether an individual is impaired.

Possessions

Parents/guardians are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The board is not responsible for items destroyed or stolen from lockers.

Megan's Law

Only law enforcement agencies in the community receive notification of the presence of Tier One offenders. The Superintendent of Schools and principals in affected schools shall receive notification from the county prosecutor's office or local law enforcement officials when Tier Two or Tier Three sex offenders move into the district. Principals shall inform those employees/ volunteers whose duties regularly put them in a position to observe unauthorized persons on or near the property of the school. Principals shall determine who to notify on the basis of this definition, as well as on specific job duties carried out in their schools. If private vendors perform any of these functions, the Superintendent of Schools or designee shall inform the vendor. Notification may include, but is not limited to:

- A. Aides
- B. Bus drivers
- C. Coaches
- D. Maintenance staff
- E. Professional support staff
- F. School level administrative staff
- G. Security personnel
- H. Teachers' aides
- I. Teachers

School personnel are notified only in their capacity as such and shall not disseminate information about an offender to anyone not specifically identified by the county prosecutor or Attorney General. Any school employee who does so may be disciplined. If a school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, he/she shall immediately contact the local law enforcement agency or the county prosecutor.

District personnel shall not notify the following of the presence of Tier Two or Tier Three offenders:

- A. Members of PTO, PTA, HSA, etc.
- B. Organizations using school facilities
- C. Other schools

PUPIL SAFETY (continued)

D. Press

The principal shall provide registration forms to any organization that uses the school facilities, including parent-teacher organizations that wishes to be notified by the county prosecutor's office of the presence of a Tier Two or Tier Three offender in the community.

In addition to the school personnel identified by the principal, students and parents/guardians shall be notified of the presence of Tier Three offenders. The prosecutor's office and local law enforcement shall supply the school with notices for them when a school is located in the area where a vulnerable population is likely to encounter a Tier Three offender. Dissemination of these notices shall be in accord with law and accomplished in cooperation with the county prosecutor's office. Confidentiality shall be a prime consideration in all communications with students and parents/guardians, and all directives of the county prosecutor and Attorney General's offices shall be observed.

When a student has been identified as a sex offender, all procedures of notification shall apply. When a parent/guardian has been identified as an offender, he/she may continue to participate in all appropriate parent/guardian activities, unless prohibited by legal constraint.

Newly hired staff and newly enrolled students and their parents/guardians shall be trained and informed of the presence of Tier Two and Tier Three offenders, unless the county prosecutor has notified the principal that notice cannot be given.

Students and district employees shall not be liable in any civil or criminal action for providing or failing to provide information relevant to notification. The Superintendent of Schools shall prepare regulations to implement this policy and all directives of the county prosecutor's office to ensure careful adherence to Megan's Law.

School Violence Awareness Week and Annual Public Hearing

The school shall observe "School Violence Awareness Week". This week will include discussions, presentations, and training for both students and staff, focused on the topic of preventing violence in school. Law enforcement personnel will be invited to join school teaching staff presenting age appropriate opportunities for students to discuss issues including but not limited to conflict resolution, student diversity and tolerance.

The board of education shall hold a public hearing on violence and vandalism pursuant to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The requirements of the public hearing are covered in greater detail in file code 5131.5 of this manual.

Adopted:	1994
NJSBA Review/Update:	December 2008, February 2016
Readopted:	March 2009

Key Words

Pupil Safety, Safety, Student Safety

<u>Legal References:</u>	<u>N.J.S.A.</u> 2C:7-2 <u>et seq.</u>	Registration and Notification of Release of Certain Offenders
	<u>N.J.S.A.</u> 2C:39-5	Unlawful possession of weapons
	<u>N.J.S.A.</u> 18A:6-2	Instruction in accident and fire prevention
	<u>N.J.S.A.</u> 18A:16-2	Physical examinations; requirement

PUPIL SAFETY (continued)

<u>N.J.S.A.</u> 18A:17-42, -43 and -45 through -48	Public School Safety Law
<u>N.J.S.A.</u> 18A:20-21	Supervisors and other employees
<u>N.J.S.A.</u> 18A:35-5	Maintenance of physical training courses; features
<u>N.J.S.A.</u> 18A:35-5.1 through -5.3	Lyme disease prevention; public school health curriculum
<u>N.J.S.A.</u> 18A:36-24 through -25	Missing children; legislative findings and declarations...
<u>N.J.S.A.</u> 18A:36-29 <u>et seq.</u>	Voluntary fingerprinting ...
<u>N.J.S.A.</u> 18A:40-12.1, -12.2	Protective eye devices required for teachers, pupils and visitors in certain cases ...
<u>N.J.S.A.</u> 18A:41-1 <u>et seq.</u>	Fire drills and fire protection
<u>N.J.S.A.</u> 30:5B-26 through -29	Child care before and after school hours ...
<u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u>	<u>Worker and Community Right to Know Act</u>
<u>N.J.S.A.</u> 39:4-183.1a	Traffic control devices
<u>N.J.S.A.</u> 52:27D-123.9 <u>et seq.</u>	Definitions relative to playground safety
<u>N.J.A.C.</u> 5:23-11 to 11.4	Playground Safety Subcode
<u>N.J.A.C.</u> 6A:8-5.1	Graduation requirements
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u> <u>N.J.A.C.</u> 6A:16-2.1, -5.1, -5.2, -5.5, -5.6, -5.7, -6.1, -6.2, -6.3, -6.4, -6.5	
<u>N.J.A.C.</u> 6A:19-6.1 <u>et seq.</u>	Safety and Health Standards
<u>See particularly:</u> <u>N.J.A.C.</u> 6A:19-6.5	
<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>	Operation and Maintenance of Facilities
<u>See particularly:</u> <u>N.J.A.C.</u> 6A:26-12.2, -12.5	
<u>N.J.A.C.</u> 6A:27-11.1 <u>et seq.</u>	Safety

Jerkins v. Anderson, 191 N.J. 285 (June 14, 2007)

Possible

<u>Cross References:</u> *1250	Visitors
*1410	Local units
*3000/3010	Concepts and roles in business and non-instructional operations; goals and objectives
*3516	Safety
3530	Insurance management
*3541.33	Transportation safety
*4112.4	Employee health
*4131/4131.1	Staff development; in-service education/visitations/conferences
*4212.4	Employee health
*4231/4231.1	Staff development; in-service education/visitations/conferences
*5020	Role of parents/guardians
*5113	Absences and excuses
*5124	Reporting to parents/guardians
*5125	Pupil records
*5131	Conduct/discipline
*5131.5	Vandalism/violence

PUPIL SAFETY (continued)

*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5131.7	Weapons and dangerous instruments
*5141.1	Accidents
*5141.2	Illness
*5141.4	Child abuse and neglect
*5141.21	Administering medication
*5145.12	Search and seizure
*6114	Emergencies and disaster preparedness
*6142.12	Career education

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

PUPIL SAFETY

Supervision of Pupils

With an increased number of pupils, combined recreation periods, children with convulsive disorders and other disabilities requiring constant surveillance, supervision becomes a critical matter. Pupils, when in a group, should be under constant supervision. When an individual student is engaged in an activity apart from the rest of the class, the teacher will insure that proper precautions are taken commensurate with the activity, the child's limitations and the area where the activity is to be carried out. Visual contact is not sufficient. For example, a child cannot be assigned to the playground area with supervision provided from the classroom; a staff member (teacher, aide, volunteer) must be in the immediate area. There must always be a certified person supervising pupil group activities such as lunch, recess, walks, etc.

No pupil with a history of seizure problems may go unaccompanied by a teacher or certified aide to any destination in the school, on the school grounds, or off grounds when school is in session.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Regulation

EARLY DETECTION OF MISSING CHILDREN

The Paulsboro Board of Education is deeply concerned with early detection of any missing or abused children. Attendance at school can be a means of identifying such children. Accordingly, the chief school administrator shall implement procedures designed to provide for reporting to appropriate law enforcement and child welfare authorities when a potential missing or abused child is detected.

Furthermore, though limits are set on certain numbers of days for certain kinds of action, these limits are maximums, not minimums, and the principals are encouraged to take bolder steps and to act sooner than the limits established in every category. Additionally, it is recognized that a principal's daily procedures may demand more stringent accounting from parents and guardians than provided for herein; it is most appropriate that these practices should be continued and form a sound base for the implementation of this policy.

Attendance:

- A. Any child absent from our schools for five consecutive days without the administration being aware that the absence is for a known cause shall be considered "at risk" as a potentially abused or missing child.
- B. Any absent child for whom there are grounds for the reasonable suspicion of the potential for abuse or abduction shall be considered an "at risk" child.
- C. A student who never appears on the school's register because he/she has the status of a "did not enter" student shall be considered an "at risk" child and every effort shall be made to account for his/her welfare and safety, as indicated below.
- D. The schools shall attempt to contact home of each "at risk" child by phone on a daily basis or by mail. An attempt should also be made to locate the child through the emergency notification information which the parents/guardians have provided the school and any other information which is available to the school.
- E. If, after three days, there is no response affirming the safety of the child, the attendance officer shall make an on-site investigation at the child's home.
- F. If the attendance officer is unable to confirm the safety of the child the school shall consider the child to be missing and shall notify the DiviDCP&P, the proper police authorities, and other appropriate agencies and organizations. The school shall provide these agencies all information from the school records which could help in search for the child.

Release from School:

During the school session, a child may be excused only into the custody of his/her proper guardians. The school may release a child into the care of another person with permission from the guardian. The persons who are listed on a properly completed emergency notification form may be treated by the school as in loco parentis.

Students Transferring to Another School:

When issuing a transfer card, the school shall attempt to ascertain all possible information about the destination of the child's family, including the future address, job site, names of relatives or friends in the area, and the anticipated date of the student's arrival at the new school.

If the school has not received and confirmation of the student's arrival at the new district within one week of the anticipated date of arrival, the new school district should be called and attempts made to locate the child through school districts and the other information that the school has available. If these attempts prove to be

EARLY DETECTION OF MISSING CHILDREN (regulation continued)

fruitless, reports shall be made to DCP&P and the appropriate police authorities indicating that the school is unable to confirm that the child has reached his/her destination. The proper police authorities, DCP&P, and other appropriate agencies and organizations shall be provided any information from the school records which could help in a search for the child.

Students Transferring from Another School:

- A. When a student transfers in from another school, the guardianship of the child will be verified from the transfer card, through contact with the previous district, by court records, the child's school records, or other appropriate means. If the child is residing with someone other than the apparent legal guardian, the school must report this discrepancy to DCP&P, the proper police authorities, and other appropriate agencies and organizations. In the meantime, the school must verify the student's entitlement to a free public education in this school district in a reasonable amount of time, a week free public education in this school district in a reasonable amount of time, a week except in unusual circumstances, through all of the following means, as prescribed by law:
- a. A sworn statement by the person with whom the child resides that he/she;
 1. is domiciled in the district,
 2. is supporting the child gratis,
 3. will assume all personal obligations of the child relative to school requirements
 4. intends to keep and support the child gratuitously for a longer time than merely through the school term.
 - b. A copy of the lease or the person with whom the child resides, if the person, if the person is tenant, or sworn statement of the landlord acknowledging that such person is residing as a tenant without a written lease.
 - c. A sworn statement by the child's legal parent/guardian that he/she is not supporting the child.
 - d. A satisfactory documentation as to the validity of the sworn statements.
- B. Student Registration
- a. A child may be registered into school while documentation of guardianship is being resolved, provided, however, that proper health records have been verified and there is adequate information on which to make an educational placement.
 - b. If the school is not able to verify the student's entitlement to a free public education in this district through the means listed above (section: Students Transferring to Another School) in a reasonable amount of time, the student shall be excluded from school.
 - c. If the non-guardian with whom the child resides chooses to contest the school's decision before the Commissioner of Education, the school shall admit and register the child during the pendency of such proceedings.
- C. Registered Students Not in the Custody of a Legal Guardian:

If a registered student should reside out of the custody of a legal guardian, all of the procedures of document custody and residence which are listed above (section: Students Transferring to Another School) shall be instituted, as if the child were transferring in from another school.

Adopted:	1994
NJSBA Review/Update:	December 2008, February 2016
Readopted:	March 2009

Policy

SEARCH AND SEIZURE

School lockers remain the property of the district even when used by pupils. Lockers are subject to administrative search in the interests of school safety, sanitation, discipline, enforcement of school regulations and to search by law enforcement officials on presentation of a proper warrant. Pupils and their parents/guardians shall be informed of this policy when lockers are assigned.

A pupil's person and possessions may be searched by a school official provided that the official has reasonable grounds to suspect that the search will turn up evidence that the pupil has violated or is violating either the law or the rules of the school. Under no circumstances shall a search be conducted based solely upon an anonymous tip and/or a rumor that contraband is present. The extent or scope of the search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. A physical search may only be conducted by a staff member of the same sex as the pupil. Before instituting such a search, except in cases of emergency, the principal shall try to inform the parents/guardians and request their presence.

School personnel shall not conduct strip searches or body cavity searches of any pupils under any circumstances.

Searches for Controlled Dangerous Substances/Drug Paraphernalia/Alcohol/Firearms/Other Deadly Weapons

Searches conducted by staff when there is suspicion that laws and policies on safe and drug free schools are being violated shall be based on the reasonable grounds required by this policy. The privacy interests of students are outweighed by the substantial interest of teachers and administrators in maintaining a drug-free environment in the classroom and on school grounds, and consequently, locker searches and vehicle searches on school grounds need satisfy only the "reasonable suspicion" standard adopted by the courts in T.L.Q and State v. Best. When law enforcement officials conduct the search, the more stringent grounds required by law must be applied. See policies 5131.6 and 5131.7.

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Readopted: March 2009
Readopted: November 18, 2009

Key Words

Search and Seizure, Locker Searches, Substance Abuse, Seizure

Legal References: N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:36-19.2 Student lockers or other storage facility; inspection; notice to students
N.J.S.A. 18A:37-6.1 Strip and body cavity searches prohibited
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons and Safety

SEARCH AND SEIZURE (continued)

State in interest of T.L.O., 94 NJ 33 (1983); New Jersey v. T.L.O., 469 U.S. 325, 53 (1985)

Vernonia School District 47J v. Acton et ux., Guardians ad litem for Acton, ___ U.S. ___, 115 S.Ct. 2386 (1995)

Joye v. Hunterdon Central Regional High School Board of Education, Superior Court of New Jersey, Law Division Dkt. No. HNT-C-14031-00 (Jan. 4, 2001)

Board of Education of Independent School District No. 92 of Pottawatomie County et al. v. Earls et al., 536 U.S. _____ (2002)

The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)

State v. Best 403 N.J. Super 428 (App. Div. 2008) cert. granted 996 A.2d 1078 (2009)
The privacy interests of students are outweighed by the substantial interest of teachers and administrators in maintaining a drug-free environment in the classroom and on school grounds. Vehicle searches on school grounds need satisfy only the "reasonable suspicion" standard adopted in T.L.O.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)

Possible

<u>Cross References:</u>	*1410	Local units
	*5114	Suspension and expulsion
	*5131	Conduct/discipline
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	*5145.11	Questioning and apprehension

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

EQUAL EDUCATIONAL OPPORTUNITY

The district shall provide equal and bias-free access for all pupils to all school facilities, courses, programs, activities and services and give them maximum opportunity to achieve their potential regardless of race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, marital status, liability for service in the Armed Forces of the United States, nationality, place of residence within the district, socioeconomic status, or disability. Enforcement of other district affirmative action/equity policies (2224, 4111.1, 4211.1 and 6121) contribute to this legally required equality of educational opportunity.

Staff members shall maintain professional relationships with pupils at all times and develop wholesome and constructive relationships with them. Staff members shall be expected to regard each pupil as an individual and to accord each pupil the rights and respect that are his/her due.

Staff members shall promote a learning environment that encourages fulfillment of each pupil's potential in regard to his/her program, consistent with district goals and with optimal opportunities for pupils. This goal may be reached by adapting instruction to individual needs, by:

- A. Insisting on reasonable standards of scholastic accomplishment for all pupils;
- B. Creating a positive atmosphere in and out of the classroom;
- C. Extending the same courtesy and respect that is expected of pupils;
- D. Treating all pupils with consistent fairness.

The board of education guarantees all pupils equal access to all academic programs within the learning environment.

Pupils shall respect the rights of other pupils to receive an education in an environment that is conducive to learning and personal growth. No pupil shall have the right to abridge another pupil's right to privacy or right to hold personal beliefs which are different from those of the mainstream.

Harassment

The district's affirmative action program is part of each academic program regarding all pupils. No one--including pupils, staff members, vendors, volunteers, or visitors--shall commit an act of harassment/discrimination of any kind against any member of the school community on any of the grounds prohibited by law.

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

- A. A reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear

EQUAL EDUCATIONAL OPPORTUNITY (continued)

of physical or emotional harm to his/her person or damage to his/her property; or

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

All reported incidents of harassment, intimidation or bullying shall be handled according to law and board policy 5131.1 Harassment, Intimidation and Bullying. Harassment may be claimed by a third party. That is, individuals who are not directly involved in the behavior may experience a hostile environment. They shall have the same legal rights to act under this policy as those directly victimized.

Any member of the student body may file a formal grievance related to harassment. The Affirmative Action Officer will receive all complaints and initiate a thorough investigation and will protect the rights of both the pupil making the complaint and the alleged harasser. Filing of a grievance or otherwise reporting harassment of any kind will not reflect upon the pupil's status nor affect future grades or class assignments.

The administration will inform all pupils that sexual harassment is prohibited in the educational setting. Specifically, no person employed by the district or by a vendor, or acting in a voluntary capacity, shall threaten or insinuate, either directly or indirectly, that a pupil's refusal to submit to sexual advances will adversely affect the pupils standing in the school setting. Pupils are forbidden to harass other pupils or staff members or vendors or volunteers through conduct or communications of a sexual nature within the school setting.

Findings of discrimination in the form of harassment will result in appropriate disciplinary action.

Equity in School

The board of education shall maintain an academic environment that is free from harassment and provide equal and bias free access for all students to all school facilities, courses, programs activities and services, regardless of race, creed, color, national origin, ancestry, age marital status, affectional or sexual orientation, gender, religion, disability or socioeconomic status. The board shall ensure that:

- A. School classrooms and facilities will be barrier free;
- B. Attention will be directed at attaining minority representation within each school that approximates the district's overall minority representation;
- C. The district curriculum will be aligned with the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap;
- D. All students have access to counseling services;
- E. Physical education program is equitable and co-educational.

Procedures shall be made available for pupils and/or parents/guardians who wish to file a grievance protesting alleged discriminatory or sexually (or other) harassing action. An immediate report of the allegation should be made to the affirmative action officer or Superintendent of Schools.

Violations of this policy or its related procedures shall be cause for appropriate disciplinary action.

Hate Crimes/Bias Incidents

An employee of the board who becomes aware in the course of his/her employment that a student or other staff person has committed a hate crime or is about to commit one shall immediately inform the building

EQUAL EDUCATIONAL OPPORTUNITY (continued)

principal and Superintendent of Schools. All incidents of hate/bias shall be reported whether they occur during school hours on school grounds or otherwise.

Service Animals

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the school facilities where members of the community, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

Implementation

The Superintendent of Schools shall direct development of procedures regarding the implementation of this policy to include sanctions, protection of individual rights to confidentiality and due process, and notification procedures. The Superintendent of Schools shall ensure that, annually, all staff and all pupils (in means and terms that are age-appropriate) be thoroughly informed of this policy, their right to file grievances under this policy and the law and the procedures relative to filing. Further, all staff and pupils shall be informed annually of the identity of the district's affirmative action officer and how he/she may be contacted.

The Superintendent of Schools shall also ensure that staff and pupils participate in educational programs relating to this policy and the maintenance of a safe and nurturing educational environment.

The Superintendent of Schools shall use all customary methods of information dissemination to ensure that the community is informed of its policies on educational equity.

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009, June 2016
 Revised:

Key Words

Nondiscrimination, Affirmative Action, Equal Educational Opportunity, Harassment, Sexual Harassment

Legal References: N.J.S.A. 2C:16-1 Bias Intimidation
N.J.S.A. 10:5-1 et seq. Law Against Discrimination
N.J.S.A. 18A:36-20 Discrimination; prohibition
N.J.S.A. 18A:37-14 Electronic communication, harassment, intimidation or bullying defined
N.J.S.A. 18A:38-5.1 No child to be excluded from school because of race, etc.
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education
See particularly:
N.J.A.C. 6A:7-1.4,-1.7
N.J.A.C. 6A:16-6.3(e) Reporting students or staff members to law enforcement Authorities
N.J.A.C. 6A:17-1.1 et seq. Education of homeless children and students in state facilities
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
State v. Mortimer, 135 N.J. 517 (1994)
 20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

EQUAL EDUCATIONAL OPPORTUNITY (continued)

20 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (formerly Education for All Handicapped Children Act) --Part B

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)

Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student because of his/her perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division on Civil Rights.

Comprehensive Equity Plan, New Jersey State Department of Education

Possible

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	*4111.1	Nondiscrimination/affirmative action
	*4211.1	Nondiscrimination/affirmative action
	*5134	Married/pregnant pupils
	*6121	Nondiscrimination/affirmative action
	*6141	Curriculum design/development
	*6145	Extracurricular activities
	*6161.1	Guidelines for evaluation and selection of instructional materials
	*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

PHOTOGRAPHS OF PUPILS

Taking pictures of district pupils and buildings for commercial purposes is prohibited without written approval of the Superintendent of Schools.

"Commercial purposes" in this context is defined to mean for sale or for use in connection with the advertisement or promotion of goods or services.

"School pupils" in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.

Pictures of children with educational disabilities shall not be disseminated in any way unless permission is granted by parents/guardians. Photographs of children placed in the district by the Division of Child Protection and Permanency (DCP&P) shall not be published without permission of the division case worker.

Photographs on the District Web Site

Pictures of district pupils shall not be posted on the web site, except under the following conditions:

- A. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil;
- B. Group photographs may identify the group, but not the individuals in the group;
- C. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil, if the pupil is receiving an award or special recognition.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Exploitation, Safety, Photographs of Pupils, Pupil Photographs, Student Photographs, Web Site

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:36-35 Disclosure of certain student information on internet prohibited without parental consent
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Possible

Cross References: *1100 Communicating with the public
*1110 Media
*1120 Board of education meetings
*1140 Distribution of materials by pupils and staff
*1250 Visitors
1320 Participation in out-of-school community activities
*5125 Pupil records
*5141.4 Child abuse and neglect

PHOTOGRAPHS OF PUPILS (continued)

- *5145.12 Search and seizure
- 6142.10 Technology
- 6145.3 Publications
- 6145.4 Public performances and exhibitions
- *6171.4 Special education

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

PUPIL GRIEVANCE PROCEDURE

The district shall establish procedures for the consideration of pupil problems and for the processing of their complaints and appeals. These procedures should be developed through the cooperative efforts of pupils, faculty and administrators. The Superintendent of Schools or designee shall establish and maintain procedures for appeals beyond the decision of the principal. Details of those procedures should be made known to pupils and staff, and pupils who wish to use them should be assured of access to the appropriate personnel within a reasonable period of time.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Grievances, Pupil Grievances, Student Grievances

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:16-7.1 Code of student conduct

Possible

Cross References: 1251 Loitering or causing disturbance
*1312 Community complaints and inquiries
*5113 Absences and excuses
*5114 Suspension and expulsion
*5131 Conduct/discipline
5131.4 Campus disturbances
*5145.4 Equal educational opportunity

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

AFFIRMATIVE ACTION GRIEVANCE PROCEDURE (STUDENTS)

Definitions

A. Grievance:

Is a claim based on the interpretation, applications violation of policies, agreements, or administrative decisions, that appear to be based on race, sex, age, creed, color, religion, ancestry, national origin, disability, social, or economic status discrimination.

It does not include:

1. The failure or refusal of the Board to renew a contract of a non-tenured employee.
2. Any claim where a method of review has heretofore been or hereafter is established by law, rule or regulations, by way of appeal to any Commissioner, commission, board, agency, or court, whether said rights having been created for general application (e.g. civil service) or specific application (e.g. to the Commissioner of Education.)
3. Matters where the Board is prohibited by law, regulation, or decision from acting.
4. Matters beyond the contract involving the sole discretion of the Board.

B. Aggrieved Person:

Any student, employee, or parent/guardian aggrieved by a decision or condition falling under the guidelines of federal and/or state anti-discrimination laws.

C. Representation:

Any individual who files a grievance may be represented at all formal stages of the grievance procedure by himself. If an individual selects a person to counsel, advise, and represent him, the aggrieved person must be present at all times.

D. District Affirmative Action Officer:

Has the primary responsibility for coordinating activities related to the investigation of discrimination complaints. Those activities should include the implementation, publication, record keeping, and processing of the grievance. The district Affirmative Action Officer should receive copies of all discrimination grievances filed and be kept informed of their outcomes.

Purpose

- A. To provide students, employees, and parents/guardians a procedure by which they can seek a remedy for alleged violations related to discrimination on the basis of race, color, age, creed, religion, sex, disability, ancestry, national origin, or social or economic status.
- B. The purpose of this procedure is to resolve differences at the lowest possible level. Both parties agree that these proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure.
- C. Nothing herein contained shall be construed as limiting the right of an aggrieved person to discuss the matter informally with the appropriate member of the administration.

AFFIRMATIVE ACTION GRIEVANCE PROCEDURE (continued)

Procedure

A. Time Limits

A grievance must be filed in writing within twenty (20) calendar days of the event, or the date on which the aggrieved person knew or could have reasonably known of the event. The number of days indicated at each level should be considered as a maximum and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual agreement.

B. Year End Grievances

In the event a grievance is filed at such a time that it cannot be processed through all the steps in this grievance procedure by the end of the school year, the time limits set forth herein may be reduced so that the grievance procedure may be exhausted prior to the end of the school year or as soon as thereafter as is practicable.

C. Level One

Informal - An aggrieved person may first discuss it with the principal, supervisor, and/or Affirmative Action Officer with the objective of resolving the matter informally prior to formally filing the grievance.

Formal - A grievance to be considered under the procedure shall be initiated by the aggrieved person, in writing, within twenty (20) calendar days of its occurrence or when the person could have reasonably known of the occurrence, to the Affirmative Action/Grievance Officer using the Affirmative Action Grievance Form. A decision shall be made within (7) school days after presentation of the grievance at this level. Grievance Officer is to use the space provided on the grievance form. A copy of the report is to be filed with the Superintendent.

D. Level Two - Director of Curriculum, Instruction and Staff Development

If the aggrieved person is not satisfied with the disposition of the grievance at Level One, or if no decision has been rendered within seven (7) school days after the presentation of the grievance at Level One, the grievance may be filed in writing with the Director of Curriculum, Instruction and Staff Development within seven (7) school days of receipt or the latest date when response was due using the Affirmative Action Grievance Appeal Form A. The Director shall render his decision in writing within seven (7) school days after receiving the written grievances, using space provided on Grievance Appeal Form. A copy of the report is to be filed with the Affirmative Action/Grievance Officer and the Superintendent.

E. Level Three - Superintendent

If the aggrieved person is not satisfied with the disposition of the grievance at Level Two, or if no decision has been rendered within seven (7) school days after the presentation of the grievance at Level Two, the grievance may be filed in writing with the Superintendent within seven (7) school days of receipt or the earliest date when response was due using the Grievance Appeal Form B. The Superintendent shall render his decision in writing within seven (7) school days after receiving the written grievance, using the space provided on Grievance Appeal Form B. A copy of the report is to be filed with Affirmative Action/ Grievance Officer.

AFFIRMATIVE ACTION GRIEVANCE PROCEDURE (continued)

F. Level Four - Board of Education

If the aggrieved person is not satisfied with the disposition of his grievance at Level Three, or if no decision has been rendered within seven (7) school days after the grievance was delivered to the Superintendent, he may within seven (7) school days after a decision by the Superintendent or ten (10) school days after the grievance was delivered to the Superintendent, whichever is sooner, submit the grievance to the Board using Grievance Appeal Form C. The appeal shall be submitted in writing through the Superintendent who shall attach all related papers and forward the appeal. The Board shall review the grievance and shall, at the option of the Board, hold a hearing with the aggrieved person and render a decision in writing within thirty-five (35) calendar days of receipt of the grievance by the Board. The decision shall be communicated through the Superintendent to the aggrieved person with a copy to District Affirmative Action/Grievance Officer.

G. Level Five:

If the grievant is not satisfied with Board's decision, the grievant may file the complaint to the Director of the Office for Civil Rights, Washington, D.C. The grievant maintains the right to by-pass the grievance procedure and submit the complaint directly to the Office of Civil Rights.

Affirmative Action Grievance Form(s) and Appeal Form(s) are available in each Administrative/School Building Office or obtainable from the Affirmative Action/Grievance Officer.

Adopted:	1994
NJSBA Review/Update:	December 2008, February 2016
Readopted:	March 2009

Policy

GENDER IDENTITY AND EXPRESSION

The Paulsboro Board of Education believes that a school culture that supports student achievement, respects the values of all students and fosters understanding of gender identity and expression within the school community is a safe learning environment. New Jersey law and district policy require that all programs, activities, and employment practices be free from discrimination based on sex, sexual orientation, gender identity or gender expression. Therefore in keeping with these mandates the board is committed to creating a safe learning environment for all students and to ensure that every student has equal access to all school programs and activities.

The board believes that fostering this understanding successfully requires cooperation and good communication between the parents/guardians, school administration, school staff and the school community. The chief school administrator shall ensure that students with gender identity or expression concerns and their parents/guardians shall be given the opportunity to discuss these issues and participate in the educational planning and programming for their student. The chief school administrator may consult the experiences and expertise of qualified school staff as well as external resources where appropriate.

To proactively plan for a safe learning environment free of discrimination and harassment students and parents/guardians of students with gender identity and expression concerns are encouraged to alert the school district and schedule a meeting with the chief school administrator. Upon request, the chief school administrator shall schedule a meeting with the parent/guardian and the student for the purpose of evaluating the needs of the student and planning any accommodations that may be considered to facilitate a respectful and comfortable school program that supports the student's achievement.

Definitions:

- A. "Gender Identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth. Everyone has a gender identity.
- B. "Transgender" is a term which describes people whose gender identity or gender expression is different from their assigned gender at birth.
- C. "Gender expression" refers to the way a person expresses gender to others in ways that are socially defined as either masculine or feminine, such as through behavior, clothing, hairstyles, activities, voice or mannerisms.
- D. "Gender non-conforming" refers to gender-related identity and/or gender expression which does not conform to the social expectations or norms for a person of that gender assigned at birth.
- E. "Transition" refers to the process in which a person goes from living and identifying as one gender to living and identifying as another.

Harassment, Intimidation and Bullying

The board shall make every effort to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying and free from discrimination on account of actual or perceived race, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, nationality, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, disabilities, social or economic status, pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, family status or other distinguishing characteristic.

GENDER IDENTITY OR EXPRESSION (continued)

Complaints alleging discrimination shall be reported to the school affirmative action officer according to board policies (2224, 4111.1/4211.1 and 6121 Nondiscrimination/Affirmative Action).

Any student experiencing or observing harassment, intimidation and bullying is encouraged to report the incident to a member of school staff. Any staff member observing or receiving a report of harassment, intimidation or bullying shall report the incident to the principal the same day the incident is observed or the report received according to board policy 5131.1 Harassment, Intimidation and Bullying. All reported incidents of discrimination, harassment, intimidation, and bullying shall be promptly investigated and resolved according to law and board policy.

Confidentiality and Privacy

School personnel may not disclose information that may reveal a student's transgender or gender non-conforming status, except as allowed by law. Under the Family Education Rights Privacy Act (FERPA), only those school employees with a legitimate educational need may have access to a student's records or the information contained within those records. Disclosing confidential student information to other employees, students, parents, or other third parties may violate privacy laws, including but not limited to FERPA. Transgender students have the ability, as do all students, to discuss and express their gender identity and expression openly and decide when, with whom, and how much of their private information to share with others.

Students who do not want their parents/guardians to know about their transgender status shall be addressed on a case-by-case basis. In some cases, notifying parents/guardians carries risks for the student, such as being kicked out of the home. Prior to notification of any parent or guardian regarding the transition process, school staff should work closely with the student to assess the degree to which, if any, the parents/guardians will be involved in the process and must consider the health, well-being, and safety of the transitioning student. The school counselor shall balance the rights of the student needing support and the requirement that parents/guardians be kept informed about their child. In accordance with law, parents/guardians and/or the appropriate local officials shall be informed when there is any suspicion of injury or harm to the student or other students.

Coordination of School Accommodations

In planning appropriate accommodations for a student who is transitioning, the chief school administrator, parents/guardians and the student and other qualified staff or consultants as necessary shall meet to discuss actions that the district and school personnel may take to create safe learning environment, including:

A. Names/Pronouns

School staff shall be directed to address the student by the name and pronoun corresponding to their gender identity that is consistently asserted at school. Students are not required to obtain a court ordered name and/or gender change or to change their pupil personnel records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity. To the extent possible and consistent with these guidelines, school personnel shall make efforts to maintain the confidentiality of the student's transgender status.

School documentation such as student IDs shall be issued in the name that reflects a student's gender identity that is consistently asserted at school.

B. Sports and Physical Education

Transgender students shall be provided the same opportunities to participate in physical education as are all other students. Generally, students may be permitted to participate in physical education and sports in accordance with the student's gender identity that is consistently asserted at school. Participation in competitive interscholastic athletic activities will be resolved on a case-by-case basis and according to the standards established by the New Jersey State Interscholastic Athletic Association (NJSIAA).

GENDER IDENTITY OR EXPRESSION (continued)

C. Restroom and Locker Room Accessibility

The district aims to support transgender students while also ensuring the safety and comfort of all students. The chief school administrator together with the parents/guardians, student and other qualified staff or consultants shall evaluate options for the use of restrooms and locker rooms by the transgender students and consider the following factors, including, but not limited to:

1. The transgender student's preference;
2. Protecting student privacy;
3. Maximizing social integration of the transgender student;
4. Minimizing stigmatization of the student;
5. Ensuring equal opportunity to participate;
6. The student's age; and
7. Protecting the safety of the students involved.

Generally students may have access to the restroom or locker room that corresponds to the gender identity or expression that they consistently assert at school and no student shall be forced to accept an accommodation with which he/she disagrees. A transgender or transitioning student who expresses a need or desire for increased privacy may be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, or a separate changing schedule, or use of a single stall, gender neutral restroom. Any alternative arrangement shall be provided to the extent possible in a way that protects the student's ability to keep his or her transgender status confidential.

A transgender student should not be required to use a locker room or restroom that conflicts with the student's gender identity or expression consistently asserted at school.

D. Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (i.e. overnight field trips), students may be permitted to participate in accordance with the gender identity or expression consistently asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis considering the factors set forth above.

E. Dress Code

Students have the right to dress in accordance with their gender identity or expression that is consistently asserted at school, within the constraints of the school policy for student dress (5132 Student Dress). School staff shall not enforce a school's dress code more strictly against transgender and gender nonconforming students than other students.

F. Privacy

The chief school administrator and/or his or her designees are expected to work closely with the student and his or her parents/guardians in formulating an appropriate plan regarding the confidentiality of the student's transgender or transitioning status that works for both the student and the school. Privacy considerations may also vary with the age of the student.

Where the transgender or transitioning student feels more supported and safe when other students are aware that they are transgender or transitioning, school staff shall be given guidance and training appropriate for facilitating a respectful school climate. School personnel may be directed to work closely with the student, parents/guardians, other family members and other staff members on a plan to inform and educate the student's peers. It may also be appropriate to engage external resources to assist with educational efforts.

Resources for Transgender or Transitioning Students

GENDER IDENTITY OR EXPRESSION (continued)

If a school staff member observes that a gender identity issue is creating challenges for a student at school or if a student indicates an intention to transition, the staff member shall alert the school counselor and encourage the student to meet with the school counselor if appropriate. School staff shall make every effort to support the student and encourage the support and respect of student peers and staff during school.

When a student indicates an intention to transition, the school counselor, as appropriate, shall offer assistance and provide the student, and/or their parents/guardians as appropriate, with information, resources and referral services regarding the issues associated with gender identity and expression and/or formal gender transition. The school counselor shall also provide information regarding gender transition planning at school. The counselor shall coordinate the measures planned and taken at school for supporting the student and creating a sensitive supportive environment at school. These measures may include:

- A. Making resources available to parents/guardians who have additional questions or concerns;
- B. Developing age-appropriate lessons for students about gender diversity and acceptance; and
- C. Staff training surrounding vigilance to prevent possible harassment, intimidation and bullying issues that may arise for transgender or transitioning students.

Reports of harassment, intimidation and bullying shall be promptly investigated and resolved according to board policy 5131.1 Harassment, Intimidation and Bullying.

Official Records

To the extent that the school is not legally required to use a student's legal name or gender on school records and other documents, the school shall use the name and gender preferred by the student.

Each school is required to maintain a permanent student record of each student, which includes the legal name of the student as well as the student's biological gender. In addition, schools are required to use a student's legal name and gender on standardized tests and reports to the State Education Department.

A student's permanent student record may be changed to reflect a change in legal name or gender only upon receipt of documentation that such legal name and/or gender have been changed pursuant to applicable law. The following documentation may be provided:

- A. A court order or birth certificate demonstrating the student's new name.
- B. For a legal change of gender, the student must provide a birth certificate indicating the student's legal gender, or a valid passport indicating the student's legal gender.

Adopted: July 2016

Key Words

Gender Identity, Transgender, Gender Expression, Gender Non-conforming

Legal References:	<u>N.J.S.A.</u> 2C:16-1	Bias intimidation
	<u>N.J.S.A.</u> 2C:33-4	Harassment
	<u>N.J.S.A.</u> 10:5-1 <i>et seq.</i>	Law Against Discrimination
	<u>N.J.S.A.</u> 18A:6-5	Inquiry as to religion and religious tests prohibited
	<u>N.J.S.A.</u> 18A:6-6	No sex discrimination
	<u>N.J.S.A.</u> 18A:26-1	Citizenship of teachers, etc.
	<u>N.J.S.A.</u> 18A:26-1.1	Residence requirements prohibited
	<u>N.J.S.A.</u> 18A:29-2	Equality of compensation for male and female teachers
	<u>N.J.S.A.</u> 18A:37-14 through -19	Harassment, intimidation, and bullying defined; definitions

GENDER IDENTITY OR EXPRESSION (continued)

<u>N.J.S.A.</u> 18A:36-20	Discrimination; prohibition
<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for Equality and Equity in Education
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-12.1	Reporting requirements
<u>N.J.A.C.</u> 6A:32-14.1	Review of mandated programs and services

Executive Order 11246 as amended

29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

Comprehensive Equity Plan, New Jersey Department of Education

Doe v. Regional School Unit 26, No. 12-582 (Me. Jan. 30, 2014)

NJSIAA, Constitution, Bylaws, Rules and Regulations, Transgender Policy (pg. 75), <http://www.njsiaa.org/resources/njsiaa-handbook>

Possible**Cross References:**

*2224	Nondiscrimination/affirmative action
*4111	Recruitment, selection and hiring
*4111.1	Nondiscrimination/affirmative action
*4131/4131.1	Staff development; inservice education/visitations/conferences
*4211	Recruitment, selection and hiring
*4211.1	Nondiscrimination/affirmative action
*4231/4231.1	Staff development; inservice education/visitations/conferences
*5131	Conduct/discipline
*5131.1	Harassment, intimidation and bullying
*5145.4	Equal educational opportunity
*6121	Nondiscrimination/affirmative action
*6145	Extracurricular activities

*Indicates policy is included in the Critical Policy Reference Manual.

The following organizations provide support to transgender individuals:

- [GLSEN](#) (The Gay, Lesbian, Straight Education Network) model policy. GLSEN is a prominent organization supporting GLBT youth. They have resources about creating safe and supportive environments for students.
- [The Trevor Project](#) is the leading national organization focused on crisis and suicide prevention efforts among lesbian, gay, bisexual, transgender and questioning youth.

Resources For Parents, Educators, And Service Providers:

Founded in 1972 with the simple act of a mother publicly supporting her gay son, PFLAG is the nation's largest family and ally organization.

PFLAG Resources

- [Welcoming our Trans Families and Friends](#)

Download this free guide (PDF) to get the basics on what being transgender means, how to talk about it, and how to find the resources that can support you.

GENDER IDENTITY OR EXPRESSION (continued)

- [Find a PFLAG Chapter](#),

There are more than 350 chapters of Parents, Families and Friends of Lesbians and Gays (PFLAG) across the U.S. Find one near you right now.

Partner Organizations Resources

- [National Center for Transgender Equality](#)

Knowing and using correct language can be very important to transgender and gender non-conforming people, just like everyone else. Here is a handy terminology guide regarding gender identity.

- [American Psychological Association](#)

This downloadable pamphlet from the APA answers questions about transgender people, gender identity and gender expression.

Parent and Educator Resources

- [Gender Spectrum](#)

Raising children who don't fit neatly into male or female boxes brings a wealth of questions and uncertainties. Here you will find information and support to assist you in your search for answers.

- [Trans Youth Equality Foundation](#)

The Trans Youth Equality Foundation is based in Maine, but offers education, advocacy and support for transgender and gender non-conforming children and youth and their families everywhere by sharing information about the unique needs of this community and partnering with families, educators and service providers to help foster a healthy, caring, and safe environment for all transgender children.

- [Families in TRANSition: A Resource Guide for Parents of Trans Youth](#)

Families in TRANSition: A Resource Guide for Parents of Trans Youth is the first comprehensive Canadian publication (created by Central Toronto Youth Services) to address the needs of parents and families supporting their trans children. It summarizes the experiences, strategies, and successes of a working group of community consultants – researchers, counselors, parents, advocates as well as trans youth themselves.

- [Matt Kailey, author of My Child is Transgender: 10 Tips for Parents of Adult Trans Children](#)

This gentle and easy-to-use FAQ gives people an accessible set of guidelines that can be used in everyday life.

- [Working with Transgender Youth \(Lambda Legal & Child Welfare League of America\)](#)

Like all young people in care, transgender youth are entitled to bias-free attention to their unique needs and to be safe in their placements and services. This guide, created by Lambda Legal and the Child Welfare League of America, provides child welfare professionals who work with transgender young people with education about transgender issues and tools to help prepare them to work sensitively with these clients.

- [Trans Youth Family Allies \(TYFA\)](#)

TYFA works to empower children and families by partnering with educators, service providers and communities, to develop supportive environments in which gender may be expressed and respected. They envision a society free of suicide and violence in which all children are respected and celebrated.

Policy

QUESTIONING AND APPREHENSION

In order to protect pupils' rights during the time they are under school control, the principal shall interview every person who wishes to question a pupil on school property during the school day. The Superintendent of Schools shall be informed of such incidents.

Law Enforcement Officers

- A. If a law enforcement officer has an arrest warrant, the principal shall ensure that all procedural safeguards as prescribed by law are observed. No pupil shall be taken from the school without the knowledge of the principal or other person in charge of the school. The principal shall make every reasonable effort to notify parents/guardians. The Superintendent of Schools shall be informed whenever such apprehensions take place.
- B. If a law enforcement officer has a juvenile complaint or wants to question a student on school property, the principal shall request that the questioning be delayed if possible until the parents/guardians can be present. If the officer refuses and the principal is convinced that the situation justifies questioning, he/she must attempt to have the parents/guardians informed immediately and shall remain with the student during the questioning.
- C. No law enforcement officer shall be permitted to remove a pupil from school grounds, except that a legal warrant for such removal has been presented to the building principal in compliance with the Memorandum of Agreement.
- D. If the law enforcement officer is an agent of the Division of Child Protection and Permanency (DCP&P), the agent shall determine whether the presence of a parent/guardian or school employee is appropriate.

Private Persons

If a private person wishes to question a pupil on school property during the school day, generally parents/guardians shall be notified of the request and give their permission before the principal will permit the private person to question the pupil. In cases involving possible harm to another pupil which might be prevented by early information, the principal may permit such questioning if the parent/guardian cannot be reached. The principal shall be present during the questioning.

Weapons and Substance Abuse Questioning by Staff

When questioning any pupil about possible possession, use, or distribution of proscribed substances, drug paraphernalia, alcohol, firearms or other deadly weapons, staff shall follow the procedures adopted by the board in compliance with administrative code.

Generally

The Superintendent of Schools shall notify the board president when the police have sought to question a pupil in school, and the outcome of the incident. The district shall make every effort to establish close and cordial relationships with local law enforcement and other agencies, while ensuring that the parents/guardians are informed and pupil rights protected.

QUESTIONING AND APPREHENSION (continued)

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009

Key Words

Questioning, Apprehension, Pupil Arrest, Student Arrest, Arrest

Legal References: N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for Disclosure
N.J.S.A. 2C:35-5 Comprehensive Drug Reform Act of 1986
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:16-4.1 Adoption of policies and procedures for the intervention of student alcohol and other drug abuse
N.J.A.C. 6A:16-5.1 et seq. School Safety
See particularly:
N.J.A.C. 6A:16-5.7
 through -5.8
N.J.A.C. 6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons, and Safety
See particularly:
N.J.A.C. 6A:16-6.1, -6.2, -6.3
N.J.A.C. 6A:32-7 et seq. Student records
 New Jersey Constitution, Article I, para. 7
 U.S. Constitution, Amendment IV, V, XIV
The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)
In re Gault, 387 U.S. 1 (1967)
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

Cross References: *1410 Local units
 *5114 Suspension and expulsion
 *5131 Conduct/discipline
 *5131.6 Drugs, alcohol, tobacco (substance abuse)
 *5131.7 Weapons and dangerous instruments
 *5145.12 Search and seizure

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

SEARCH AND SEIZURE

School lockers remain the property of the district even when used by pupils. Lockers are subject to administrative search in the interests of school safety, sanitation, discipline, enforcement of school regulations, and to search by law enforcement officials on presentation of a proper warrant. Pupils and their parents/guardians shall be informed of this policy when lockers are assigned.

A pupil's person and possessions may be searched by a school official provided that the official has reasonable grounds to suspect that the search will turn up evidence that the pupil has violated or is violating either the law or the rules of the school. Under no circumstances shall a search be conducted based solely upon an anonymous tip and/or a rumor that contraband is present. The extent or scope of the search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. A physical search may only be conducted by a staff member of the same sex as the pupil. Before instituting such a search, except in cases of emergency, the principal shall try to inform the parents/guardians and request their presence.

School personnel shall not conduct strip searches or body cavity searches of any pupils under any circumstances.

Searches for Controlled Dangerous Substances/Drug Paraphernalia/Alcohol/Firearms/Other Deadly Weapons

Searches conducted by staff when there is suspicion that laws and policies on safe and drug free schools are being violated shall be based on the reasonable grounds required by this policy. The privacy interests of students are outweighed by the substantial interest of teachers and administrators in maintaining a drug-free environment in the classroom and on school grounds, and consequently, locker searches and vehicle searches on school grounds need satisfy only the "reasonable suspicion" standard adopted by the courts in T.L.O. and State v. Best. When law enforcement officials conduct the search, the more stringent grounds required by law must be applied (see policies 5131.6 Substance Abuse and 5131.7 Weapons and Other Dangerous Instruments).

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009, June 2016
Revised:

Key Words

Search and Seizure, Locker Searches, Substance Abuse, Seizure

Legal References: N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:36-19.2 Student lockers or other storage facility; inspection; notice to students
N.J.S.A. 18A:37-6.1 Strip and body cavity searches prohibited
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons and Safety

SEARCH AND SEIZURE (continued)

State in re T.L.O., 94 N.J. 331 (1983), reversed on other grounds, New Jersey v. T.L.O., 569 U.S. 325 (1985).

Vernonia School District 47J v. Acton et ux., Guardians ad litem for Acton, 515 U.S. 646, 115 S.Ct. 2386 (1995)

Joye v. Hunterdon Central Regional High School Board of Education, Superior Court of New Jersey, Law Division Dkt. No. HNT-C-14031-00 (Jan. 4, 2001)

Board of Education of Independent School District No. 92 of Pottawatomie County et al. v. Earls et al., 536 U.S. 822 (2002)

The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)

State v. Best 403 N.J. Super 428 (App. Div. 2008) cert. granted 996 A.2d 1078 (2009)
The privacy interests of students are outweighed by the substantial interest of teachers and administrators in maintaining a drug-free environment in the classroom and on school grounds. Vehicle searches on school grounds need satisfy only the "reasonable suspicion" standard adopted in T.L.O.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible

<u>Cross References:</u>	*1410	Local units
	*5114	Suspension and expulsion
	*5131	Conduct/discipline
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	*5145.11	Questioning and apprehension

*Indicates policy is included in the Critical Policy Reference Manual.

Policy

NONPUBLIC SCHOOL PUPILS

New Jersey statute and regulations of the state board of education require the board of education to provide certain services and supplies to those New Jersey children whose parents/guardians enroll them in nonpublic schools within the confines of the district. Out-of-state pupils enrolled in nonpublic schools within the district are not included.

Nursing Services

The board of education shall, within the funding limitations as determined by the state's appropriations and nonpublic school enrollment, provide the mandated nursing services for pupils enrolled full-time in nonpublic schools located within the district. Specified nursing services include:

- A. Assistance with medical examinations including dental screening;
- B. Hearing screenings;
- C. Maintenance of student health records and notification of local or county health officials of improperly immunized pupils;
- D. Conducting of scoliosis examinations for pupils between the ages of 10 and 18.

The district shall extend to pupils enrolled full-time in nonpublic schools in the district who are injured or become ill at school or during participation on a school team or squad the emergency care provided to public school pupils up to the limit of state aid provided.

No district shall be required to make expenditures for purposes of this act in excess of the amount of state aid received for these purposes.

Federal Requirements

All requirements of federal law shall be obeyed; particularly those addressed in provision of Title 1 program services, and IDEA. (See policies 6171.3 At-risk and Title 1 and 6171.4 Special education.)

Implementation

The Superintendent of Schools shall develop rules, regulations and procedures for the efficient and economical delivery of such services and supplies as are mandated by law. Wherever possible, already existing means and procedures for delivering those same supplies and services to the pupils attending the district's public schools shall be utilized.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Nonpublic School Pupils, Health

Legal References: N.J.S.A. 18A:39-1 et seq. Transportation of pupils

NONPUBLIC SCHOOL PUPILS (continued)

<u>N.J.S.A. 18A:40-3.2 et seq.</u>	Medical and Nursing Personnel
<u>N.J.S.A. 18A:40-23 et seq.</u>	Nursing Services for Nonpublic School Pupils
<u>N.J.S.A. 18A:40A-1 et seq.</u>	Substance Abuse
See particularly:	
<u>N.J.S.A. 18A:40A-5, -17(c)</u>	
<u>N.J.S.A. 18A:46-19.1 et seq.</u>	Remedial services for handicapped children in nonpublic schools ...
<u>N.J.S.A. 18A:46A-1 et seq.</u>	Auxiliary services (nonpublic school pupils)
<u>N.J.S.A. 18A:58-37.3</u>	Purchase and loan of textbooks
<u>N.J.A.C. 6A:14-1.1 et seq.</u>	Special Education
See particularly:	
<u>N.J.A.C. 6A:14-6.1 et seq.</u>	
<u>N.J.A.C. 6A:16-2.5</u>	Nursing services to nonpublic school students
<u>N.J.A.C. 6A:23A-20.1</u>	Eligibility
<u>N.J.A.C. 6A:23A-20.2</u>	Responsibility of the district board of education
<u>N.J.A.C. 6A:27-2.1 et seq.</u>	Nonpublic School Transportation
<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts

20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (formerly Education for All Handicapped Children Act) -Part B

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)

Mitchell v. Helms, No. 98-1648, 2000 U.S. Lexis 4485 (June 28, 2000) 530 U.S. 793 (2000)

Parents for Student Safety, Inc. v. Board of Education of the Morris School District, 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24)

Possible

<u>Cross References:</u>	*1330	Use of school facilities
	*1600	Relations between other entities and the district
	*3541.1	Transportation routes and services
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5141.1	Accidents
	*5141.2	Illness
	*5141.3	Health examinations and immunizations
	*6145.1/6145.2	Intramural competition; interscholastic competition
	*6171.3	At-risk and Title 1
	*6171.4	Special education
	6174	Summer school

*Indicates policy is included in the Critical Policy Reference Manual.