

Lawrence Township Public Schools  
Lawrenceville, New Jersey

**Student Conduct**  
**and Discipline**

**Policies and Regulations**  
**of the**  
**Board of Education**



2021-2022

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## LAWRENCE TOWNSHIP PUBLIC SCHOOLS

Lawrenceville, New Jersey 08648

### **Our Philosophy**

Education is a lifetime process which neither begins nor ends with the Lawrence Township Public Schools. It is a cooperative effort involving home, school, and community. We believe our schools must provide a nurturing environment that fosters active learning and positive student-teacher interaction and respects the developing nature of the learner. Central to our mission is the pursuit of excellence. We believe this is achieved through an integrated curriculum that stimulates intellectual inquiry, promotes an understanding of self and others, and encourages physical well-being and the development of conscience.

### **Core Values**

- We believe in hard work, high expectations and standards for our students, staff, and parents.
- We believe that the most critical element in the learning environment is the interaction between teachers and students, supported by parents, other students, and other staff.
- We believe that every student has unique gifts and talents and is worthy of the highest quality experiences for intellectual, social, emotional, and physical growth.
- We believe that our curriculum should be effective, innovative, and comprehensive and should lead to knowledge, skills, and ethical values that stimulate a lifelong commitment to learning and responsible behavior and learning at the local and global level.
- We believe that the effectiveness of our district requires continuous pursuit of excellence through open and ongoing communications and collaboration among all stakeholders.
- We believe in our mutual responsibility to be competent, accountable, and trustworthy.

### **Vision Statement**

Graduates of the Lawrence Township Public Schools will demonstrate exceptional capability in communication, critical thinking, problem solving, and responsible behavior. They will acquire and respect knowledge, be life-long learners, and good citizens.

Our vision is that our graduates will:

- › Demonstrate proficiency in all aspects of critical thinking and problem solving.
- › Demonstrate their communication skills through their ability to write and speak effectively.
- › Demonstrate their mastery of a knowledge base, which reflects the wisdom of the great literature of the world.
- › Demonstrate their ability to employ their intellectual and aesthetic tools through the lens of conscience with responsibility for self and others.
- › Demonstrate their proficiency in the State Approved Curriculum Standards at all grade levels.

## **Board of Education Policy Student Conduct and Discipline**

### **PREFACE**

The Board believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of students. Thus, one of the purposes of this Code of Student Conduct is to support the establishment and maintenance of civil, safe, secure, supportive and disciplined school environments that are conducive to learning.

The Board of Education expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

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

The best discipline is self-imposed, and it is the responsibility of school district staff to use instances of violations of the Code of Student Conduct to help students learn to assume and accept responsibility for their own behavior, and for the consequences of their misbehavior. Staff members who interact with students shall apply the best practices designed to prevent student conduct problems and foster students' abilities to grow in self-discipline.

The Chief School Administrator will develop general guidelines for student conduct on school property and will direct development of detailed regulations suited to the developmental ages of students, the severity of the offenses

and students' histories of inappropriate behaviors, and the mission and physical facilities of the individual schools. Board policy requires each student of this district to adhere to the rules and guidelines and to submit to the remedial and consequential measures that are appropriately assigned for infraction of those rules and guidelines. The Chief School Administrator will provide to students and their parents/guardians the rules of this district regarding student conduct and the sanctions which may be imposed for breach of those rules. Provisions will be made for informing parents/guardians whose primary language is other than English.

Consequential measures will include, but not be limited to, detention; in-school suspension; out-of-school suspension; removal; revocation of privileges, such as after-school activities; or expulsion. Due process will be provided appropriate to the measure.

Students will 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 authority.

Students who display chronic behavioral or academic problems may be referred to the Intervention & Referral Services (I&RS) Team, following interventions adopted by this team. If there is no improvement, a referral to the Child Study Team may follow, including behavioral modification plans.

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

The Chief School Administrator will ensure that the rules for this policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

The Board will review all related policies on a regular basis.

## **I. PUNISHABLE OFFENSES**

The following general types of offenses or infractions of the school system's standards of student conduct and responsible behavior are inappropriate and unacceptable. Students committing such offenses or infractions shall be subject to punishment for the purpose of correcting their behavior and deterring the continuation of unacceptable conduct. Specific examples of the types of offenses listed below are included in the administrative regulations accompanying this policy.

### **A. Offenses Against Students**

This type of offense includes any action by a student which interferes with or endangers another student's safety, health, or welfare in the school, on school property, at a school-sponsored function, or coming to and going home from school. This includes making oral or written threats against students, including electronic, cyber, and text messages.

### **B. Offenses Against Teachers, Other School Personnel, School Volunteers, Guest Speakers, and Visitors**

This type of offense includes any action by a student that interferes in any way with the discharge by a school staff member or another person of his/her professional duties and obligations or that endangers a staff member's or another person's personal safety, health, or welfare in the school. This includes making oral or written threats, including electronic, cyber, and text messages, against staff members. Please see Policy 5512 on Harassment, Intimidation, and Bullying beginning on page 27.

### **C. Offenses Against Property**

This type of offense includes any action by a student which vandalizes or removes the real property of the school district, the instructional equipment of the school district, or the personal property of other students or staff members, school volunteers, guest speakers, or visitors.

### **D. Offenses Against the Student Himself/Herself**

This type of offense includes any action by a student that jeopardizes, harms, or interferes with the student's academic, social, or emotional progress and success in school.

### **E. Offenses Against the School**

This type of offense includes any action by a student that detracts from the positive nature of the school environment or harms the school as a community of people, making it a less satisfying, rewarding, enjoyable, success-oriented institution for the entire student body and staff. This includes making bomb threats and/or causing false fire alarms.

### **F. Substance Abuse Offenses**

In accordance with statute and code, penalties will be assigned for use, possession, intent to distribute, and

distribution of proscribed substances (controlled dangerous substances, anabolic steroids, alcohol, etc.) The penalties will be graded according to the severity of the offense. Infractions will be reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality will be protected in accordance with federal and state law.

### **G. Weapons Offenses**

The Board of Education believes an effective educational program requires orderly school operations and respectful, lawful student behavior. All students, staff, volunteers, and visitors are entitled to safety and security in the school environment. The possession of weapons and dangerous instruments (DI) implies violent intent. Therefore, the Board prohibits the possession, use or exchange of weapons or other instruments which can be used as weapons on school property before, during, or after school, on school buses, or at a Board-sanctioned activity.

The Board further reserves the right to initiate and impose disciplinary action for conduct involving weapons which occurs away from school grounds where such conduct constitutes a threat to the safety and well-being of students and staff.

## **II. STUDENTS WITH DISABILITIES**

Students with disabilities are subject to the same disciplinary procedures as non-disabled students and may be disciplined in accordance with the IEP. However, when suspensions may exceed mandated limits, it must be determined whether:

1. the student's behavior is primarily caused by his/her educational handicap, and
2. the program that is being provided is consistent with the IEP and continues to meet the student's needs.

When the student's IEP does not exempt him/her from the Board's discipline policies, the student with educational disabilities may be suspended for up to 10 consecutive or cumulative school days without initiating action by the Child Study Team.

Educationally handicapped students, for whom it has been determined that the behavior is caused by their handicap, may not be suspended or expelled and shall be returned to their educational program. However, the Child Study Team may propose a change in the behavior plan or student's placement.

If the Child Study Team determines that the student's behavior was not primarily caused by his/her disability, the district may suspend or expel the student. However, at no time will the district Board of Education cease services to the student.

Staff will comply with the regulations of the New Jersey Administrative Code in dealing with discipline and/or suspension of classified students.

## **III. AUTHORIZED TYPES OF CORRECTIVE DISCIPLINE FOR MISCONDUCT**

Principals, teachers, administrators, and if necessary, the Superintendent and Board of Education, are authorized to prescribe and implement any one or a combination of the following types of corrective disciplinary actions or punishments when students commit any of the offenses listed in Section II of this policy. Specific examples of authorized disciplinary actions are included in the administrative regulations accompanying this policy. Parents of high school students should consult the Student Handbook for specifics on discipline.

### **A. Deprivation of Privileges**

A student may be punished by depriving him/her, for a set period of time, of the following privileges: coming to school, attending class, moving about in the school freely, leaving school at normal dismissal time, attending or participating in any school-related program or activity, participating in graduation ceremonies, and riding the school bus.

### **B. Restitution of Damages**

A student may be punished by requiring him/her to make restitution, either in kind, cost, or labor expended, for any piece of property or equipment which the student has vandalized, stolen, or misused. The student may be required to restore to its former condition, by his/her own labor, any property the student has damaged or defaced. This pertains to property or equipment owned by the school, another student, visitor, volunteer, or a staff member. The student may also be deprived of privileges until restitution has been made. If the district cannot obtain restitution from the student committing the offense, it will require restitution from his/her parents or guardian.

### **C. Counseling**

A student may be counseled or admonished in oral or written form by any school staff member for any offense or infraction. A staff member engaging in such disciplinary action shall place emphasis on explaining to the student

why a particular type of behavior is damaging to himself/herself and unacceptable in the school, the consequences of continuation of such conduct, and more appropriate alternative types of behavior. The student may be required to consult with school guidance counselors to determine the causes of his/her misconduct and to assess the need for a change in educational placement.

#### **D. Referral**

A student may be referred by a counselor or principal to the school's Intervention and Referral Services (I&RS) Team, Child Study Team, an appropriate public or private social agency, or a legal agency when school officials believe intervention and assistance is necessary.

#### **E. Corrective Instruction**

A student may be required by school officials to engage in a prescribed self-corrective educational program or other learning experience. Such programs shall be individually prescribed, although students with similar behavior problems may be assigned to small-group programs.

### **IV. MINIMAL REQUIRED DISCIPLINARY PROCEDURES**

#### **A. Prior Information to Students and Parents**

The Student Discipline/Code of Conduct Policy and Regulation 5600 shall be disseminated annually to all school staff, students, and parents via a posting on the district website. The documents will remain available on the district website throughout the year for transfer students.

#### **B. Uniformity and Consistency in Administration of Discipline**

Principals and teachers shall make every effort to apply consistently the disciplinary measures outlined herein, giving fair and equal treatment to all students, while exercising judgment with respect to individual circumstances.

A guiding principle in exercising such judgment should be progressive discipline. Repeated offenses by the same student, particularly where the offense is a serious one, may be dealt with by more severe punishment for successive offenses.

Students who repeatedly defy the policy and the rules and regulations of the school district shall be referred to the Superintendent of Schools.

#### **C. Obligation of Staff to Maintain Student Supervision**

No student or group of students shall be left unsupervised. A staff member will be held responsible for incidents which occur in a room or duty post scheduled to be under his/her supervision if he/she leaves the location unsupervised.

#### **D. Student Responsibility and Involvement**

Students shall be expected to respect the rights and property of others. It is the responsibility of all students to obey school regulations and engage in activities which promote good school citizenship, spirit, and pride.

Opportunities for student input and reaction to the implementation of the disciplinary procedures shall be made available during the course of the school year; e.g., student council, class meetings, morning meetings, etc.

#### **E. Reporting**

A written record shall be made of each serious incident of student misbehavior for which a student is punished, and such records shall be retained by the Principal for the years the student is in the school.

Parents shall be notified of all serious offenses for which punishment is administered and shall be given an opportunity to consult with principals and/or teachers before severe punishments are administered, except in cases of emergency.

Principals shall forward to the Superintendent one copy of each letter to parents notifying them of their child's suspension from school.

The Superintendent shall report monthly to the Board the number of suspensions. Serious incidents shall be reported promptly to the Board.

#### **F. Academic Dishonesty**

Except in cases of academic dishonesty or non-compliance with classroom instructional requirements, punishments for misbehavior shall bear no relation to grades, course credits, or graduation.

### **G. Corporal Punishment (See N.J.S.A. 18A:6-1)**

No member of the school district staff shall use, or cause to be used, corporal punishment on a student; i.e., infliction of physical pain by another or punishment causing or intended to cause bodily pain and suffering. However, any staff member may, within the scope of his/her duties and responsibilities, use and apply such physical restraint as is reasonable in manner and moderate in degree, for the following purposes:

1. To quell a disturbance threatening physical injury to others;
2. To obtain possession of weapons or other dangerous objects upon the person or within the control of a student;
3. For purposes of self-defense;
4. For the protection of persons or property.

Such acts by staff members shall not be construed as constituting corporal punishment within the meaning and intent of this policy. When a student has to be physically restrained by a staff member, the incident shall immediately be reported by the staff member to the supervisor or Principal. The Principal shall forward a written report of the incident to the parents and the Superintendent. The student shall be examined by the school nurse after any physical restraint.

### **H. Student Suspension and Expulsion**

For purposes of this policy, "suspension" shall mean exclusion from school, or from regular classes in the school, for a definite period of time with the expectation that the student will return to school following this period. For purposes of this policy, "expulsion" shall mean the permanent suspension of a student from school without the expectation that the student will return.

Authority to suspend a student in-school or out-of-school for a temporary period of time (not more than ten school days) is vested in the Principal of the school. No suspension shall be for an indefinite period.

Extension of a suspension beyond ten school days rests with the Superintendent of Schools or the Board of Education. Such a suspension requires a formal hearing before the Superintendent or the Board.

Authority to expel a student from school is vested solely in the Board of Education. Before expelling a student, the school staff and Board shall exhaust every other reasonable alternative available.

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

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

1. Continued and willful disobedience;
2. Open defiance of the authority of any teacher or person having authority over a student;
3. Actions that constitute a danger to the physical well-being of other students;
4. Physical assault with or without a firearm or other dangerous weapon upon another student, a teacher, any school employee, a visitor, or volunteer;
5. Taking, or attempting to take, personal property or money from another student whether by force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property;
7. 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;
8. Inciting others to take part in an unauthorized occupancy;
9. Inciting other students to truancy;
10. Truancy and class cutting;
11. Leaving school property without permission;
12. Use or possession of unsafe or illegal articles;
13. Use of any tobacco product on school property;
14. Use, possession, intent to sell, or sale of a controlled dangerous substance, anabolic steroids, or alcohol;
15. Use of profanity or abusive language;
16. Turning in a false alarm;
17. Making a bomb threat;
18. Tampering with or damaging property of other students or staff members;
19. Gambling, selling, or buying lottery tickets or any other gambling paraphernalia on school property or at a school-sponsored event;
20. Conviction or adjudicated delinquent for the possession of a firearm or crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a bus, or at a school-sponsored

function;

21. Inappropriately contacting a staff member outside of the school day, with or without his/her permission;
22. Tampering with or improper access to computer records or technology;
23. Unnecessary loitering in or around a school building; and
24. Joining a secret society prohibited by law.

Any student who commits an assault (as defined by N.J.S.A. 2C:12-1), not involving a firearm or weapon, upon a Board member, teacher, administrator, other Board of Education employee, visitor, or volunteer will be subject to immediate suspension from school pending a referral of the matter to the Board of Education for an expulsion hearing. Such hearing will be held within 30 calendar days from the date of the suspension. When the matter is referred to the Board for a hearing, the student will remain on suspension until the date of the Board hearing.

Any student who commits an assault with a weapon or firearm, or 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-sponsored function will be immediately removed from the school's regular education program pending a hearing before the Board to remove the student from the educational program for a period of not less than one calendar year. The Chief School Administrator may modify the removal prior to Board action on a case-by-case basis. Each student so removed will be placed in an alternate educational program or on home instruction and will be entitled to a hearing before the Board. The hearing will take place no later than 30 days following the day the student is removed from the regular educational program and will be closed to the public.

The Principal/designee will be responsible for the removal of such student and will immediately report the removal to the Chief School Administrator who, in turn, will advise the School Board. The Principal also will notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Board further reserves the right to initiate disciplinary action for conduct involving weapons which occurs away from school grounds where such conduct constitutes a threat to the safety and well-being of students and staff.

The Chief School Administrator will determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established in the Administrative Code.

### **In-School Suspension**

The Board directs the administration to arrange facilities for in-school suspension whenever possible. Students will be required to occupy themselves with school-related work during such suspensions. No socializing will be permitted. Students will be counted as present in school but absent (excused) from individual classes. Students serving an in-school suspension may not participate in after-school activities on the day(s) of the suspension.

### **General**

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

Students under suspension are prohibited from participating in or attending any school functions during the period of their suspension. They may not enter the school buildings or grounds of this district without the permission of the Chief School Administrator. Any student under suspension who enters the school buildings or grounds without the permission of the Chief School Administrator 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 Chief School Administrator.

### **Making Up Missed Work**

Suspended students 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 re-admission, failure to complete the makeup assignments will result in a meeting with the parents/guardians.

### **Procedures**

The administration will establish, and the Board will approve, specific procedures for dealing with suspension cases. Regulations ensuring due process to all students before a suspension is imposed shall be developed with the advice of the Board attorney.

### **Short-Term Suspension**

Prior to the implementation of a suspension, the student will meet with the school Principal or his/her designee and will be entitled to:

1. A description of the charge(s) against him/her.
2. An opportunity to respond to that charge.



If, after giving the student an opportunity to respond, the Principal, or his/her designee, feels that the charges are supported by the evidence, the suspension will be implemented.

The Principal, or his/her designee, will advise the student's parent(s) or guardian(s) of the suspension as soon as possible.

Any suspension lasting beyond the second regular Board meeting after the date of the alleged conduct must be continued by the Board of Education. Parents will be notified in advance of a recommendation by the school administration to extend the suspension.

### **Expulsion/Long-Term Suspension**

Where there is a recommendation by the Chief School Administrator for expulsion or long-term suspension, the student has a right to a hearing before the Board of Education. The student and his/her parents or guardians will be given adequate notice of the hearing. Such notice will provide the student and parent/guardian with:

1. A list of the charges against the student.
2. The names of all witnesses who will be called along with a description of their testimony.
3. The student's right to be represented by counsel.
4. The student's right to testify and present evidence.
5. The student's right to call witnesses to testify.
6. The student's right to cross examine any witness called by the school administration.

At the conclusion of such hearing, the Board will make a decision as to (1) whether the charges against the student have been proved; and (2) the appropriate penalty or other disposition if the charges have been proved.

- (a) A district board of education may expel, that is discontinue the educational services or discontinue payment of educational services for, a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the district board of education has provided the following:
  1. The procedural due process rights set forth at N.J.A.C. 6A:16-7.3 and 7.4, subsequent to a long-term suspension, pursuant to N.J.A.C. 6A:16-7.3.
  2. An appropriate educational program or appropriate educational services, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f).
    - i. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and 6A:14-2 and 4.3, whichever are applicable.
    - ii. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.
- (b) Any appeal of the district board of education's decision regarding the cessation of the student's general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
  1. A district board of education shall continue to provide an appropriate educational program or appropriate educational services, in accordance with N.J.A.C. 6A:16-7.5(a)2, until a final determination has been made on the appeal of the district board of education's action to expel a student.
- (c) An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14.

### **Suspension/Expulsion of Students with Disabilities**

Unless specifically exempted from school discipline in his/her individualized educational plan (IEP), a student classified with an educational disability will be disciplined in the same manner as non-classified students.

When a classified student faces expulsion or a long-term suspension (over ten days) he/she will be evaluated by the Child Study Team for a determination of whether the conduct alleged was primarily caused by the student's disability.

The conclusion of the Child Study Team will be considered by the Board and/or the school district administration in determining the appropriate disposition of the matter. Students with disabilities will continue to receive educational services.

### **Implementation**

The Chief School Administrator will develop detailed written procedures to implement this policy. He/she will ensure uniform and consistent application of the policy and will report to the Board as required on its effectiveness.

### **I. Involvement of Law Enforcement Officials**

School officials may report any student violations of state, county, or municipal laws to appropriate law enforcement agencies and cooperate with any subsequent investigations.

In addition, school officials will cooperate with law enforcement agencies in accordance with Sections I-IV of the administrative regulations accompanying this policy.

### **V. STUDENTS' RIGHTS TO DUE PROCESS**

Teachers, administrators, and the Board of Education shall observe the following due process rights of students who violate any of the provisions of this policy.

#### **A. Informal Hearing Before the Principal or His/Her Designee**

(applies to any type of offense and any type of punishment)

1. Explain verbally to the student the offense of which he/she is accused.
2. Provide the student with an opportunity to be heard and to convey other information he/she thinks is relevant.
3. Notify the parents/guardians of the student's offense.
4. Provide the parents/guardians with an opportunity to consult with the Principal or his/her designee.

For a serious offense:

1. The Principal will make every reasonable effort to notify the student's parents/guardians before the hearing.
2. The Principal will make every reasonable effort to provide the parents/guardians an informal hearing or other opportunity to consult with the Principal or his/her designee.

#### **B. Formal Hearing Before the Superintendent or the Board of Education**

(applies to any type of offense which may result in suspension of ten days or more or expulsion)

1. Explain to the student in writing the offense of which he/she is accused.
2. Provide the student with an opportunity to be heard and convey other information he/she thinks relevant.
3. Notify the parents in writing and provide them with an opportunity to be present at the formal hearing, which may be either open or closed at the parents' option.
4. Provide the student with the names of adverse witnesses.
5. Provide the student with copies of any written statements or affidavits by adverse witnesses.
6. Provide the student with an opportunity to present witnesses and other evidence in his/her own behalf.
7. Provide the student with an opportunity to question adverse witnesses.
8. Provide the student with an opportunity to be represented by counsel, if he/she so requests, and permit parents to appear at the formal hearing and represent and assist the student.
9. Provide the student with a basic written record of the formal hearing which has taken place.

### **Policy: Administrative Regulations** **Student Discipline**

This regulation is intended to guide administrative and teaching personnel in implementing Board of Education Policy 5600, as well as guide students in their conduct.

### **I. Attendance Procedures for Grades K-8** (High School requirements are contained in the Lawrence High School handbook.)

#### **A. General Principles**

The law in New Jersey provides that every parent, guardian, or other person having custody and control of a child between the ages of six and 16 years shall cause such child regularly to attend the public schools of the district or any day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments, or to receive equivalent instruction elsewhere than at school.

The curriculum for students enrolled in the Lawrence Township School District is designed to achieve certain educational goals within the limited number of school days provided by our resources. Maximum attendance is a prescribed condition upon which all courses of study are predicated. Absence from school jeopardizes the ability of the student to meet minimum attendance requirements for each course and/or school day and may violate New Jersey State law requiring students regularly to attend school. The frequent absence of a student from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of the student to complete the prescribed curriculum requirements successfully.

Students are expected to attend school daily when schools are in session. The Board of Education cannot condone nor permit absences from school for any reason not specified in the law. The Board will deny course credit and/or grade level promotion if the student attendance requirement is not met.

### **B. Parental Responsibility**

Parents and/or guardians bear a legal and ethical responsibility for their child's regular attendance at school. Excessive absences for any student jeopardize academic performance and success. In addition, a parent or legal guardian who fails to cause their child to regularly attend school is subject to prosecution in municipal court and can be fined up to \$25 for a first offense and \$100 for each subsequent offense. If the parent is unable to cause their child to attend school, the school will attempt to assist the parents. If such efforts are unsuccessful, the child is subject to truancy charges being filed in the Family Court and being adjudicated a delinquent.

Since young children are particularly impressionable, it is appropriate to help them understand and appreciate the importance of regular and punctual attendance. This is especially so, since our society values these attributes. Additionally, regular attendance improves the opportunity for optimal student learning. In accord with these assumptions, parents can serve as models by encouraging prompt and regular attendance, and by scheduling family vacations, medical and dental appointments, and similar necessities so that they do not conflict with school attendance.

### **C. Administrative Goals**

The chief school administrator shall cause each building administration to develop and maintain procedures for the attendance of students which:

1. Ensure a school session which is in conformity with requirements of the rules of the state board;
2. Identify potentially missing and/or abused students;
3. Govern the keeping of attendance records in accordance with rules of the state board, including students serving in- or out-of-school suspensions, or excluded for health reasons;
4. Impose on truant students such disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the student's record of achievement beyond that which naturally follows his/her absence from school activities;
5. Identify the habitual truant, investigate the causes of his/her behavior, and consider modification of his/her educational program to meet his/her particular needs and interests;
6. Address tardiness and class cutting in terms that enhance the intent and effectiveness of this regulation;
7. Ensure that students absent for good cause have an opportunity to make up work they missed;
8. Recognize exemplary attendance.

### **D. Minimum Attendance Requirements**

The school year consists of those school days scheduled on the district's annual school calendar. For purposes of this regulation, a "school day" shall consist of not less than four hours of actual school attendance; except that in an approved Pre K, one continuous session of two and one-half hours shall constitute a "school day."

Failure to meet the standard for attendance specified in this regulation shall be considered grounds for retention/lack of promotion. Students who accumulate unexcused absences totaling or exceeding 10% of the school year (18 days) could jeopardize the opportunity of being promoted or advancing to the next grade level.

Attendance need not always be within the school facilities. A student will be considered to be in attendance if he/she is present at any place where school classes or curricular activities are conducted by authority of the board. The board shall consider each student 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, and regularly demonstrates progress toward the objectives of his/her course of study.

### **E. Excused versus Unexcused Absences**

All absences shall be presumed to be unexcused, unless determined to be for one of the following reasons:

1. Religious holidays recognized by the New Jersey Department of Education (NJDOE);
2. Court appearance;
3. Take Your Child to Work Day, as approved by the NJDOE;
4. Other good cause approved by the Principal.

Parent/guardians are responsible to provide documentation for all absences. For anticipated absences, the parent shall notify the school in writing prior to the absence. For unanticipated absences, the parent must notify the

school as early as possible on the day of the absence and the reason therefore. For excused absences, documentation must be provided within three days of the student's return to school by a written note by the parent identifying the religious holiday observed or verification of a court order. Failure to provide such documentation within the three-day period shall result in the absence being considered unexcused.

Days absent due to vacations or other family trips shall be counted as unexcused absences. Teaching staff members are not required to provide outlines, homework assignments, or related study materials in advance or in anticipation of such trips.

#### **F. Required Notice and Warnings**

- (1) For up to four cumulative unexcused absences, the school district shall, as appropriate to the situation:
  - a. Make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;
  - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parents; and
  - c. Develop an action plan in consultation with the student's parents designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance.
- (2) For between five and nine cumulative unexcused absences, the school district shall, as appropriate to the situation:
  - a. Make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;
  - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parents;
  - c. Evaluate the appropriateness of the action plan developed pursuant to (1)(c) above;
  - d. Revise the action plan, as needed, to identify patterns of unexcused absences and establish outcomes based upon the student's needs and specify the interventions for achieving the outcomes, supporting the student's return to school and regular attendance that may include any or all of the following:
    - i. Refer or consult with the building's Intervention and Referral Services (I&RS) team pursuant to N.J.A.C. 6A: 16-8;
    - ii. Conduct testing, assessments or evaluations of the student's academic, behavioral and health needs;
    - iii. Consider an alternate educational placement;
    - iv. Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
    - v. Refer to an appropriate agency serving the Administrative Office of the Courts;
    - vi. Proceed in accordance with the provisions of N.J.S.A. 9:6 and N.J.A.C. 6A:16-11, if child abuse and neglect is suspected;
    - vii. Engage the student's family; and
    - viii. Cooperate with law enforcement and other authorities and agencies, as appropriate.
- (3) For cumulative unexcused absences of 10 or more, the student is truant, pursuant to N.J.S.A. 18A:38-27 through 31, and the school district shall take appropriate action to compel compliance with the compulsory attendance laws, including use of the following enforcement tools, as appropriate to the situation:
  - a. Make a determination regarding the need for a court referral for the truancy, per N.J.S.C. 6A: 16-7.6, iii, 4, iv; or
  - b. Refer the matter to the Mobile Response Team and/or Family Crisis Intervention Unit of the Family Court system, for intervention and/or the filing of charges against the student and/or parents;
  - c. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance; and
  - d. Cooperate with law enforcement and other authorities and agencies, as appropriate.
- (4) For students with disabilities, the building Principal shall consult with the Child Study Team as to the applicability of the IEP and the extent to which the IEP should be utilized to assist the student and the parents in improving the student's attendance and address any related problems.

#### **G. Make-up Opportunities - Middle School Only**

Unless, in the judgment of the building Principal the composition of a student's absences precludes it, a student may overcome a loss of grade advancement or course credit resulting from absences by doing one of the following:

- Complete an appropriate instructional program, approved by the building Principal, with a certified tutor at the student's expense.
- Repeat the course the next semester in which it is available.
- Repeat the course at a State approved summer school at the student's expense.
- Repeat the course at a Summer School run by the district; however, this option shall only be available if the district, in its discretion, offers the needed course.
- Repeat the needed course during a subsequent semester or school year.
- Complete a school sanctioned remediation program.

#### **H. Attendance Review Committee**

The Board of Education is cognizant of possible unforeseen factors, which may create hardships relating to the operation of this attendance regulation.

The Principal of the school can utilize a school Attendance Review Committee to hear written requests from parents/guardians of affected students, if necessary. A committee would be composed of people serving in the following capacities:

- Principal or his/her designee
- Guidance Counselor
- School Nurse
- One of Student's Teachers
- Child Study Team Caseworker, if applicable

A written request must be presented to the Principal of the school by the parent and/or guardian, or adult student no later than five (5) school days after the receipt of notification of non-credit and/or grade promotion status.

The Attendance Review Committee shall conduct a conference with the parent(s)/guardian(s).

The Attendance Review Committee shall communicate its findings and recommendation to the parent(s)/guardian(s) in writing. In determining whether and in what manner the student may be permitted to regain or restore his/her academic position, the review committee shall consider the nature and causes of all absences, and the student's overall school performance. A hardship waiver of attendance requirements may be granted, upon recommendation of a review committee in light of its evaluation of these factors, by the school Principal.

#### **I. Truancy**

Truancy is defined under N.J.S.A. 18A:38-27 as any child between the ages of six and 16 years who is repeatedly absent from school, and any child found away from school during school hours whose parent, guardian or other person having charge and control of the child is unable to cause him/her to attend school.

The Chief School Administrator will report to the district's Attendance Officer infractions of the law regarding the attendance of students below the age of 16. Each student who is habitually and repeatedly absent from his/her assigned program may be referred for evaluation by the Child Study Team, and his/her academic program may be appropriately adjusted.

#### **J. Late Arrival and Early Dismissal**

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

Parents(s)/guardian(s) shall notify the student's school administration in advance of such absences by written request that the student be released, which shall state the reason for the tardiness or early dismissal.

#### **K. Tardiness to School**

Students are tardy if they arrive to school after their first class or homeroom has begun, depending on the school's schedule. Students are expected to arrive to school on time.

Students may accumulate three unexcused tardies per marking period without incurring a disciplinary sanction. The following is an explanation of tardy to absence coding:

- Three unexcused tardies = one (1) day's absence – letter sent to parent
- Six (6) unexcused tardies = one (1) detention or as appropriate for grade level

At the Middle School, for each marking period beginning with the fourth unexcused tardy, students will receive one detention for each tardy. Students who are chronically tardy may expect the following:

- Required parent conference

- Additional discipline sanctions for willful disobedience

Tardiness to school may cause students to lose attendance credit for one or more classes. Class cuts/truancy issues may also cause a student to lose credit in his/her classes or be removed from his/her assigned program of study.

### **When the Student Requests to be Excused from School**

If a student wishes to be excused from school before the end of the school day, a written request which includes the student's first and last name and homeroom number must be received by the Main Office on the day of the absence. This request must be signed by a parent/guardian, state the reason, and contain a phone number where the parent may be reached for verification. Students who are sign-out early must sign out in the Main Office before leaving the building.

### **Absence — Student Participation**

Students must be in attendance in school for a minimum of four hours to participate in after-school or evening activities (athletics, drama productions, dances, etc.).

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## **II. PUNISHABLE OFFENSES**

Listed below in sections A - F are many types of student offenses, infractions, and misconduct which are defined as unacceptable and for which school staff are directed to take preventative and/or corrective action. Please see Policy 5512 on Harassment, Intimidation, and Bullying beginning on page 27.

### **A. Offenses Against Students**

1. Fighting with other students.
2. Stealing the property of other students.
3. Inciting others to fight, threaten, or harm.
4. Driving dangerously on school grounds.
5. Creating disorder in classes, hallways, or assemblies.
6. Sexual offenses such as inappropriate touching (whether consensual or not), verbal abuse, or inappropriate sexual expressions.
7. Violating codes of conduct of organized school groups; e.g., athletic code, honor society code, etc.
8. Bringing to or using in school dangerous weapons such as knives, guns, chains, or explosives.
9. Running, pushing, tripping, throwing objects, or otherwise acting so as to endanger the safety of other students.
10. Intimidating, threatening with harm, or otherwise creating fear on the part of other students.
11. Use of foul, abusive, derogatory, or demeaning language, including ethnic remarks, to other students.
12. Lying about other students' actions or intentions in such a way as to harm them.
13. Procuring another student's money or possessions by use of threats or fear.
14. Threatening, in oral or written form, including electronic/cyber threats and text messages, another student's safety.

### **B. Offenses Against Teachers or Other School Personnel**

1. Insubordination, disregarding or defying the authority of school staff, or disregarding their instruction and directions.
2. Use of foul, abusive, derogatory, or demeaning language to teachers or other school staff.
3. Lying about school staff's actions, directions, or intentions, in such a way as to harm them.
4. Stealing the property of school staff.
5. Creating disorder or disruptions in classes, hallways, or places of assembly.
6. Running, pushing, tripping, throwing objects, or otherwise acting so as to endanger the safety of school staff.
7. Demonstrating discourtesy or disrespect of school staff by word or action.
8. Physically assaulting, intimidating, or otherwise creating fear on the part of school staff.
9. Disregarding instructions of school bus drivers, distracting drivers, or interfering with the safe operation of school buses, whether from inside or outside the bus.
10. Threatening in oral or written form, including electronic/cyber threats and text messages, a staff member's safety.
11. Inappropriately contacting a staff member outside of the school day, with or without his/her permission.

12. Obtaining personal information of a staff member.

**C. Offenses Against Property**

1. Unauthorized entry into school buildings or vehicles.
2. Vandalizing, destroying, damaging, or defacing school buildings, grounds, or school-owned equipment, including technology equipment and vehicles owned by the district or used for school purposes.
3. Stealing the property of the district.
4. Misusing district property or equipment.
5. Vandalizing, destroying, damaging, or defacing the personal property of students or staff including automobiles, books, locker contents, clothing, etc.
6. Littering in classrooms, hallways, public areas, or on school property.
7. Unauthorized occupancy, takeover, or misuse of any school facility or equipment intended for shared student use, such as lavatories, hallways, classrooms, offices, and sidewalks.

**D. Offenses of the Student Against Himself/Herself**

(Self-Deprivation of Educational Benefits)

1. Truancy from school.
2. Tardiness to school or to classes.
3. Cutting class.
4. Cheating or other forms of academic dishonesty.
5. Leaving school grounds without authorization during the school day.
6. Failure to do required homework or class work or to bring required learning materials to class.
7. Unauthorized or inappropriate dress that might endanger one's own safety or health or create disruption, distraction, or disorder in the school.
8. Lying about any matter or jeopardizing one's reputation for honesty and integrity.
9. Gambling.

**E. Offenses Against the School**

1. Violation of any school rule, regulation, or procedure established by principals.
2. Being in unauthorized places in the school or on the school grounds.
3. Smoking in the school, on school property, or at school-sponsored activities.
4. Falsifying the names of parents or school staff on passes, excuses, or other official school documents.
5. Arson: setting fire to school buildings or equipment and material in the school.
6. Sounding or causing to be sounded or sent false fire alarms, bomb scares, or other false or misleading messages to the school or community safety agencies.
7. Bringing to school or exploding in the school or on school grounds firecrackers or other explosive devices.
8. Littering in classrooms, hallways, public areas, or on school property.

**F. Substance Abuse**

1. Bringing to school, using in school, showing symptoms in school or prior use of controlled dangerous substances, anabolic steroids, or alcohol, or possession of such substances in personal automobiles, lockers, or on clothing.
2. Giving, selling, dealing, or otherwise encouraging or persuading others to use controlled dangerous substances, anabolic steroids, or alcohol.
3. Possessing, giving, selling, dealing or otherwise encouraging or persuading others to use, purchase or obtain a counterfeit controlled dangerous substance.

**III. PROCEDURES TO BE FOLLOWED IN CASES OF THE USE OF CONTROLLED DANGEROUS SUBSTANCES, ANABOLIC STEROIDS, OR ALCOHOL**

Use of controlled dangerous substances, anabolic steroids, or alcohol is illegal. It is regarded as a most serious offense which constitutes a danger to the life and health of the student user or to other students. Therefore, the following procedures, as prescribed by law, shall be followed automatically.

**A. Reporting of Students Under the Influence of Alcohol or Other Drugs (18A:40A-12)**

1. Whenever it shall appear to any teaching staff member, school nurse, or other educational personnel that a student may be under the influence of alcohol or other drugs, that school person shall report the matter as soon as possible to the school nurse or Student Assistance Counselor and to the school Principal, or in

his/her absence, to his/her designee. In the case of school functions where the stated parties are unavailable, the staff member responsible for the school function shall be notified. Any staff member who reports a student to the Principal or his/her designee in compliance with the stated provisions of this regulation, shall not be liable in civil damage as a result of making such a report as specified, N.J.S.A. 18A:40A-13 and N.J.S.A. 18A:40A-14.

2. The student shall be removed to a protective environment for observation and care by the school nurse or staff member responsible for the school activity until arrangements have been made for an immediate examination. If the school nurse and Principal (or his designee) have reasonable suspicion that the student is under the influence of alcohol and/or drugs, a test for alcohol and a urine sample for chemical screening may be taken in the nurse's office.
3. The Principal or designee shall immediately notify the parent/guardian of the student and arrangements will be made for an immediate examination of the student. The examination may be performed by a physician chosen by the parent/guardian or by the school doctor or medical inspector. If the doctor chosen by the parent is not immediately available, the examination shall be conducted by the school doctor/medical inspector.
4. If the medical inspector is not immediately available, the student shall be taken to the emergency room of the nearest hospital for examination. A local emergency rescue squad should provide transportation to the emergency room. If the parent is not available, a school staff member designated by the Principal will accompany the student to a local emergency room.
5. If, at the request of the parent or legal guardian, the medical examination is conducted by a physician other than the school medical inspector, the examination shall be completed immediately and at the parent's or legal guardian's expense.
6. The purpose of the examination is to diagnose whether or not the student is under the influence of alcohol or other drugs. A written report of that examination shall be furnished by the examining physician within twenty-four (24) hours to the parent or legal guardian of the student and to the school nurse who will disseminate the information appropriately. The results of the drug screen shall be sent to the school nurse.
7. The student shall be allowed to return to school if the Principal or his designee is advised verbally or in writing by the examining physician that the student is able to return to school.
8. If the medical examination reveals a positive diagnosis indicating that the student is under the influence of alcohol or other drugs, the student shall be made to return home and not resume attendance at school until the Principal receives a written report certifying that the student is physically and mentally able to return to school. The report shall be prepared by a personal physician, the medical examiner, or the physician who examines the student pursuant to the provision of this regulation. The report shall certify that substance abuse no longer interferes with the student's physical and mental ability to perform in school.
9. In addition, the student shall be required to meet with the Student Assistance Counselor or other trained staff for the purpose of determining the extent of the student's involvement with these substances and possible need for treatment. If it is determined that the student's involvement with and use of alcohol or other drugs represents a danger to the student's health and well-being, referral of the student to an appropriate treatment program approved by the Commissioner of Health may be enacted. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 shall be deemed a violation of the Compulsory Education Act (N.J.S.A. 18A:38-25 and 18A:38-31) and/or child neglect (N.J.S.A. 9:6-1 et. seq.)

**B. Possession of Alcohol or Other Drugs in School, on School Property, or at a School-Related or -Sponsored Function**

1. Any staff member having reason to believe a student is in possession of alcohol or other drugs shall notify the Principal or Assistant Principal. When an administrator is not available, the staff member responsible for the school-sponsored or -related function shall be notified. The student shall be placed under the supervision of the administrator or staff member in charge of the function, whichever is applicable.
2. The Principal or his/her designee shall notify the student's parents/guardians and the Superintendent. In cases where the student refuses to cooperate, the police may be notified.
3. The suspected substance shall be collected by the Principal, Assistant Principal, or staff member. If there is reasonable suspicion, the school officials may include a search in order to discover additional evidence. The search will follow the due process standards relating to searches.
4. If a violation of the district's policy and discipline code on alcohol and other drugs is determined, the following action will occur:
  - First Offense - Suspension from school for a period to be determined by the Principal or designee and notification to the Superintendent.



- Second Offense - Suspension with recommendation for a Board hearing.
5. During the suspension period, the student shall be referred to the Student Assistance Counselor (SAC), or school counselor, and/or the appropriate student services personnel for an evaluation. During this time, a follow-up plan shall be developed by the SAC and appropriate school counselors and administration addressing the specific needs of the student.
  6. In cases where the student refuses to cooperate with school officials, the police may be called for assistance. In all cases, the parents/guardians of the student shall be contacted and given the opportunity to be present during the interview by the police.

**C. Selling or Distribution of Alcohol or Other Drugs by a Student in School, on School Property, or While in Attendance at a School-Related or -Sponsored Function**

1. Any staff member having reason to believe a student is selling or distributing alcohol or other drugs shall notify the Principal or Assistant Principal or the staff member in charge of the school-related or -sponsored function. The student shall be removed from the activity and placed under the supervision of the appropriate administrator or staff member.
2. The Principal, Assistant Principal, or staff member in charge shall notify the student's parents and the Superintendent of Schools. Police assistance shall be requested in all cases of suspected drug distribution.
3. If there are grounds for reasonable suspicion, the school officials may institute a search in order to discover additional evidence. If a student refuses to cooperate, even after notification of the parents/guardians, the police may be called in for assistance.
4. If a violation of the school district's policy and discipline code on alcohol and other drugs is determined and dealing is suspected by the school administration, the following action may occur:
  - Any offense, even if it is the first, involving possession with intent to distribute, sell or traffic drugs, alcohol or a counterfeit controlled dangerous substance may result in a suspension from school until a Board of Education hearing takes place.
  - Educational services to a student with a disability shall be provided consistent with the student's IEP in accordance with N.J.A.C. 6A:14.
  - During the time of suspension, the student may be referred to an appropriately certified staff member consistent with N.J.A.C. 6A:16.
  - A follow-up plan shall be developed by the team to address the specific needs of the student. This plan shall include, but not be limited to, on-going counseling with the Student Assistance Counselor or appropriate personnel, formal drug/alcohol evaluation by an outside agency, involvement in community service, parent conferences, random drug testing, contracts for attendance/behavior, and loss of school privileges, particularly the privilege of attending after-school activities.
  - The student's compliance with the prescribed program shall be a condition for his/her retention in school.

**D. Suspicion of Use of Anabolic Steroids**

1. Any staff member having reason to believe a student may be using or has used anabolic steroids shall report the matter to the school nurse or medical inspector, the Student Assistance Counselor, if applicable; and the school Principal.
2. The Principal or his/her designee shall immediately notify the parent/guardian and the Superintendent and shall arrange for an examination of the student by a doctor selected by the parent/guardian or by the medical inspector. The student shall be examined as soon as possible for the purpose of diagnosing whether or not the student has been using anabolic steroids.
3. A written report of that examination shall be furnished by the examining physician to the parent or guardian of the student and to the Superintendent.
4. If it is determined that the student has been using anabolic steroids, the student shall be interviewed by the Student Assistance Counselor and/or any other appropriately trained staff personnel for the purpose of determining the extent of the student's involvement with this substance and possible need for treatment. In order to make this determination, the Student Assistance Counselor or other staff personnel may conduct a reasonable investigation which may include interviews with the student's teachers and parents. Also, the counselor or staff members may consult with such experts in the field of substance abuse as may be necessary and appropriate.
5. If it is determined that the student's involvement with the use of these substances represents a danger to the student's health and well-being, the Student Assistance Counselor or appropriate staff member shall refer

the student to an appropriate treatment program which has been approved by the Commissioner of Health.

- E. Any staff member who reports a student to the appropriate school personnel in compliance with the provisions of these subsections shall not be liable in civil damages as a result of making such a report as specified in N.J.S.A. 18A: 40A-13 and N.J.S.A. 18A:40A-14.
- F. **Procedures for Students Returning from a Residential Treatment or from Suspension (in- or out-of-school) or from Other Disciplinary Actions as a Result of Alcohol or Other Drug Use**
1. The Student Assistance Counselor and/or the guidance counselor shall schedule a re-entry conference for the purpose of reviewing the case and developing and implementing an appropriate aftercare program. Conference participants shall include, but not be limited to the student, the parent(s) or guardian(s), the student's school counselor, the school nurse, a member of the Child Study Team, and a member of the school administration.
  2. The aftercare program shall be developed based upon the final report from the residential treatment or rehabilitation program report, the current educational status of the student, and the nature of the incident. The aftercare program may include, but not be limited to the following:
    - A review and revision of the student's current program of studies.
    - The participation of support services such as individual or small group counseling, aftercare support groups, behavioral contracts, and outpatient programs.
    - The referral of the student to the Child Study Team to determine the student's eligibility or need for a special education program and/or related services.
  3. The student's school counselor shall be responsible for convening a case conference with the student's teachers. The purpose of the case conference is to provide teachers with an understanding of the student's conditions and to develop appropriate educational and behavioral strategies for the student.

#### **IV. USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD) - Policy 5516**

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

"Electronic communication and recording device (ECRD)" includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, laptop computers, electronic readers, personal digital assistants (PDAS), two-way radios, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

A student is not permitted to have turned on or use an ECRD on school grounds during the school day or when the student is participating in a curricular or school-sponsored co-curricular activity without consent of the supervising staff member. A student's personal ECRD may only be used on school grounds in an emergency situation or with the permission of a school staff member supervising the student in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a student using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other students or staff members are present shall require the permission for such recording from any other student and their parents or guardians and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, and athletic events and drama production filming. A student authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from student access by the school district's acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a student from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.

For the purposes of this policy, "school grounds" means and includes land, portions of land, structures,

buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

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

A student shall not knowingly bring or possess any remotely activated paging device on any school grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present without the express written permission of the Principal. The student must submit a written request and establish to the satisfaction of the Principal a reasonable basis for the possession of the device. The written request must include the purpose for the student possessing and/or bringing the device on school property and the date or dates in which the student requests to possess and/or bring the device on school property. The written request must also include the date in which the student will no longer need to bring and/or possess the device on school property.

The Principal, upon reviewing the request from the student, will make a determination. The determination will be in writing and if approved, written permission for the student to bring and/or possess a remotely activating paging device will be provided to the student. Permission will only be provided for the school year.

The student must submit a new request if the time in which permission is given to bring and/or possess a device expires. The student that is granted permission to possess and/or bring the device must be in the possession of the device at all times. The Principal or designee shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student brings or possesses a remotely activated paging device in violation of N.J.A.C. 6A:16-5.8 and this Policy.

A student who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the student is required to respond to an emergency and the student provides a statement to the Superintendent from the chief executive officer of the volunteer fire company, first aid, ambulance, or rescue squad authorizing the possession of the device by the student at all times and that the student is required to respond to an emergency.

The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student brings or possesses a remotely activated paging device in violation of N.J.A.C. 6A:16-5.8 and this Policy.

N.J.S.A. 2C:33-19  
Adopted: 08 February 2006  
Revised: 23 March 2016

## **V. WEAPONS AND DANGEROUS INSTRUMENTS**

The Board of Education believes an effective educational program requires orderly school operations and respectful, lawful student behavior. All students, staff, volunteers, and visitors are entitled to safety and security in the school environment. The possession of weapons and dangerous instruments (DI) implies violent intent. Therefore, the Board prohibits the possession, use or exchange of weapons or other instruments which can be used as weapons on school property before, during, or after school, on school buses, or at a Board sanctioned activity.

For the purpose of this policy, "weapon" includes but is not limited to those items enumerated in N.J.S.A. 2C:39-1r and 18 U.S.C. 921 as anything readily capable of lethal use or inflicting serious bodily injury. The term includes, but is not limited to, all (1) firearms, even though not loaded or lacking a clip or other component to render them immediately operable; (2) gravity knives, switchblades, daggers, dirks, stilettos or other dangerous knives, billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti, or similar leather bands studded with metal filings or razor blades imbedded in wood; (3) dangerous instruments intended to inflict harm; (4) components which can be readily assembled into a weapon; (5) explosive devices; (6) imitation firearms; and (7) stun guns and any other weapon or device which projects, releases, or emits tear gas or any other substances intended to produce temporary physical discomfort or permanent injury.

For the purpose of this policy, "dangerous instruments" are:

1. Any imitation firearm or weapon which could be confused with a real firearm or weapon.
2. Any item capable of causing harm or bodily injury and for which the bearer cannot demonstrate an educational or other legitimate purpose.

In any case in which a person is alleged to possess, has possessed or has used an object as a weapon or DI, the possessor or user of the object shall be required to demonstrate by clear and convincing evidence that the particular object

is not a weapon or DI as defined herein. The Principal or designee shall make the final determination that a particular object is a weapon or dangerous instrument.

Any act, including possession, involving a weapon or dangerous instrument which results in threats of violence to a person or property, or which threatens the safety of others in the school, on school property, on school buses, or at any school activity is extremely serious and will result in administrative penalties appropriate to the offense, in accordance with state and federal law, and in accordance with the Safe School Initiative-The Zero Tolerance for Guns Act of 1995.

Any individual who has reasonable grounds to suspect the presence of a weapon or DI prohibited by this policy shall immediately report his or her suspicion to the Principal. The Principal shall conduct an appropriate search in accordance with Policy 5770 and confiscate any weapons discovered in the search. He or she, if appropriate, and feasible, will summon the aid of law enforcement officers to conduct the search. Any school employee who confirms the presence of a weapon under circumstances that place persons at risk may use force as is reasonable and necessary to obtain possession.

Unless the weapon has been taken into custody by a law enforcement officer, the Principal/designee shall immediately store the confiscated weapon in a securely locked box or container and report the presence of a weapon to the Superintendent. The Superintendent shall notify, by telephone call and by letter, the Chief of Police of Lawrence Township that a weapon is present on school premises, and request removal. The Superintendent shall obtain and file a receipt for any weapon removed by a law enforcement officer.

Any student involved in the purchase or sale of a weapon, found to be in possession of a weapon or DI, or committing a crime or assault upon a member of the school community with a weapon or DI on school property, school buses or at school-sponsored activities will be immediately removed from the school program. The Principal/designee will be responsible for the removal of such a student from the school premises and program and will immediately report the removal to the Superintendent who in turn will advise the Board. In accordance with Chapter 29 of the 1995 The Zero Tolerance for Guns Act, each student so removed will be provided with an alternate educational program or home instruction as determined by the Superintendent, pending a hearing before the Board. Removal will be in accordance with Policy 5611. As in all disciplinary cases, parental/guardian notification is required.

The student will be provided with a hearing before the Board to decide the removal of the student from the educational program for a period of not less than one calendar year. The hearing will take place within a reasonable time and will be closed to the public. The removal may be subject to modifications on a case-by-case basis by the Superintendent. The Superintendent will determine at the end of the expulsion period whether the student is prepared to return to the regular education program in accordance with procedures established in the Administrative Code.

School personnel may order a change in the placement of a child with a disability to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten school days (to the extent such alternatives would be applied to children without disabilities); and to an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but for not more than forty-five days if the child carries a weapon to school or to a school function under the jurisdiction of a state or local educational agency.

Either before or not later than ten days after taking a disciplinary action, if the school district did not conduct a functional behavioral assessment and implement a behavioral intervention plan for such child before the behavior that resulted in the suspension, the district administration shall convene an IEP meeting to develop an assessment plan to address that behavior; or if the child already has a behavioral intervention plan, the IEP team shall review the plan and modify it, as necessary, to address the behavior.

Nothing in this policy shall be construed to prohibit the reporting of a crime committed by a child with a disability to the appropriate law enforcement or judicial authorities, or to prevent such authorities from exercising their responsibilities with regard to the application of the federal or state law to crimes committed by a child with disabilities.

## **VI. AUTHORIZED TYPES OF PREVENTATIVE DISCIPLINE OR CORRECTIVE DISCIPLINARY ACTION TO BE USED BY TEACHERS AND ADMINISTRATORS**

Because the best form of student discipline is self-discipline and because preventative disciplinary programs should be the school's first step and strategy before student misconduct occurs, with corrective disciplinary action or punishment invoked as a second-level step or strategy, school staff is authorized and instructed to take the following types of disciplinary action.

Administrators are urged to remember that consistency is the cornerstone of successful administration of discipline. However, exceptions from established norms may be appropriate when making decisions on preventative

or corrective discipline depending on the individuals and circumstances involved.

**A. Recommended Preventative Disciplinary Programs and Procedures**

1. Conveyance by staff to students of an attitude of respect for each individual student, for individuality and dignity as persons, for their capacity to learn, and for their ability to act responsibly.
2. Initiation and maintenance of activities, programs and projects that enhance school spirit and maintain high levels of student morale and pride in themselves and their school.
3. Identification of "Students in Good Standing" via letters, lists, postings, and report cards.
4. Homeroom or class presentations and discussions re: standards of personal conduct and review of student discipline policies and regulations of the school district.
5. Posting of standards for student conduct, expectations by staff of students, and classroom and school routines in classrooms and other appropriate locations in the school.
6. Development of curricula for effective education courses.
7. Inclusion of human relations, personal citizenship content, or values education teaching units in course curricula.
8. Inclusion in classroom tests of student knowledge of school discipline policies and regulations.
9. Upgrading quality of instruction in all courses and classes to prevent student disinterest or lack of confidence in value of instruction.
10. Accurate daily recording of disciplinary infractions and administrative actions, analysis and deliberation on same by administration and faculty, and periodic reporting to faculty and student body.
11. Setting of weekly or monthly goals by staff and students for infraction reduction.
12. Joint development by students, staff, and parents, of written codes of student rights and responsibilities.
13. Special informative programs for parents on student conduct, school rules, and parenting courses.
14. Advisory or monitoring committees of parents and/or students.
15. Use of student councils or committees to review levels and types of infractions and administrative disciplinary actions.
16. Assignment of counselors, administrators, or teachers to periodic small group counseling sessions for referred students.
17. Student time-out rooms.
18. Student advisor systems to supplement counseling services.
19. Parent-student-teacher or parent-student-principal contracts.
20. In-service training of administrators, supervisors, and teachers.
21. Continual maintenance of school facilities in clean, attractive condition and prompt repair of property damaged or defaced.
22. Inclusion in teacher evaluation of educational improvement programs of appropriate recommendations on disciplinary procedures, and regular monitoring by supervisors.
23. Assignment of staff to supervise all areas of school during school hours.
24. Availability of lesson plans for substitute teachers and personal daily oversight of substitute teachers by supervisors.

**B. Authorized Corrective Disciplinary Measures for Student Misconduct**

1. Deprivation of Privileges
  - a. Expulsion or permanent separation from the school environment (Board approval required).
  - b. Out-of-school suspension or temporary separation from the school environment or transfer to home instruction.
  - c. In-school suspension or temporary restriction to a stipulated location and assignment of tasks in that location in the school.
  - d. Placement of student on temporary probationary status in the school with special requirements for student movement and conduct and parental and staff contacts.
  - e. Temporary or permanent withdrawal of selected privileges.
  - f. Isolation or separation from selected students in classrooms or school as a whole.
  - g. Detention or requirement to stay after school for specified extra help, make-up, or connective tasks; transportation will be the responsibility of the student's parent(s) or legal guardian(s).
  - h. Restriction from participation in graduation ceremony.
2. Restitution of Damages
  - a. Restitution or payment in money, in kind, and/or in labor expended to the school system, a staff member, or another student for property damaged, destroyed, defaced, or stolen.

- b. Voluntary apology, oral or written, to individual offended.
  - c. Required school service activity of a prescribed type and over a prescribed time period, as condition for continuation in school with full privileges.
  - d. Required conference of the student, parent/guardian, and one of the building administrators, before the student can be reinstated.
3. Counseling
    - a. Required, periodic contact with school guidance counselor and/or Student Assistance Counselor for continuing intervention.
    - b. Compulsory appearance before a board of student peers, staff, or parents/guardians for diagnosis, discussion, advisement, and monitoring of conduct.
    - c. Required parent/guardian conference or periodic contacts by parents/guardians with school officials, as a condition of continuance in school with full privileges.
  4. Referral
    - a. Reporting of criminal offense to police authorities for investigation and prosecution.
    - b. Referral to a corrective or social agency or the district I&RS Team or Child Study Team for counseling, therapy, or treatment as a condition for continuance in school with full privileges.
  5. Corrective Instruction
    - a. Special instructional assignments designed to provide students an understanding of alternatives, awareness of causes and consequences of an offense.
    - b. Assignment to a required course, instructional unit, or discussion group.
    - c. Required make-up work as a response to cutting, tardiness or truancy, designed to provide an alternative learning activity equivalent to what the student missed.
    - d. Required contract involving student, parents/guardians, teacher, and/or principal outlining required academic work and acceptable conduct with monitored compliance as a condition for continuation in school with full privileges.
    - e. Voluntary services to the school and/or the community.
    - f. Mandatory visit(s) to a court, trial, prison, hospital or other situation where learning may take place which will self-correct misconduct.
    - g. Percentage or point loss on grades for academic offenses.
    - h. Required written anecdotal record or oral recounting and analysis by the student designed to build self-understanding of the type of misconduct, its causes and consequences.
    - i. Decision by the student himself/herself regarding appropriate and self-imposed punishment for an offense.

## **VII. SEARCH AND SEIZURE**

It may be necessary for school officials to conduct limited searches of a student's person or personal property and random periodic searches of assigned school property such as lockers and desks to determine whether a student is violating school rules or the law.

Any search undertaken by school officials must be strictly in compliance with the law, which requires that the search be reasonable under the circumstances. It is important to note that school officials do not need a search warrant to conduct a reasonable search. If local officials assist in a search, school administration is still required to follow board policies when opening a locker or speaking with a student.

## **VIII. INVOLVEMENT OF LAW ENFORCEMENT OFFICIALS**

When law enforcement officials become involved with a student in the schools, the following procedures shall be followed.

1. The building Principal shall be contacted by the law enforcement official prior to contacting the student regardless of whether the student is in the school building or on another part of the campus.
2. The Principal or his/her designated representative shall determine the purpose of the officer's business and shall require proper identification from the officer.
3. Police interviews of students on school premises shall be avoided whenever possible. If unavoidable, the building Principal or his/her designated representative shall make every effort to notify the parents or guardians and provide them with the opportunity to be present for the interview.
4. The Principal or his/her designated representative shall call the student who is to be interviewed to the office and inform the student of the officer's presence.
5. The law enforcement official shall conduct the interview in a private office or room and in the presence of the Principal or his/her designated representative, unless a parent or guardian is present. The Principal or

- his/her designated representative shall not join in the interview of the student.
6. The law enforcement official shall be responsible for informing the student of his/her rights and privileges in accordance with the law.
  7. No student shall be released to police custody except as follows:
    - a. Pursuant to an order or warrant of the juvenile and domestic relations court or other court having jurisdiction.
    - b. For delinquency, when there has been no process issued by a court, a law enforcement officer may take any juvenile into custody without process, pursuant to the laws of arrest and rules of court.
    - c. A juvenile may be taken into custody if the law enforcement officer has reasonable cause to believe that the juvenile is in need of supervision.
  8. Whenever law enforcement officers visit the schools, the Principal or his designated representative shall notify the Superintendent.

## **IX. PERSONAL MAIL**

Occasionally, mail addressed to individual students is sent using the school address. Sometimes this mail comes from unsolicited sources, and sometimes this mail is inappropriate for children. Therefore, it is the practice for all Lawrence Township Public Schools to open and screen suspect mail prior to giving it to students. Mail deemed inappropriate will be discarded. Mail that has illegal content will be turned over to the police.

Parents who do not want their child's mail opened should notify the Principal in writing. Any mail received for that student will be returned to the postal service.

## **X. TRANSPORTATION REGULATIONS**

Parent(s) or legal guardian(s) should review the following safety measures with students:

### **A. Before Loading the Bus**

1. Arrive ten minutes early at the designated bus stop.
2. Never stand in the roadway while waiting for the bus.
3. Act in a safe and courteous manner while waiting. Do not move toward the bus at the loading zone until the bus has come to a complete stop. Do not destroy or damage surrounding property while waiting for the bus. Bus stops may be discontinued for such action.
4. Avoid crowding and pushing when getting on or off the bus.
5. Only students assigned to a bus/stop may use a bus.

### **B. Bus Stops**

1. Buses/Stops may be changed only through the Transportation Department.
2. Parents should not get on a bus. Report any concerns/incidents to the Transportation Department or the Principal.

### **C. On the Bus**

1. Go to a seat and remain there until the bus reaches the school. Do not stand or walk around during the trip.
2. Keep arms or other parts of the body inside at all times after entering and until leaving the bus.
3. Obey the driver promptly and cheerfully. The driver has a large responsibility in maintaining order and driving safely.
4. Do not talk to the driver while the bus is in motion. Loud talking, laughter, or undue confusion tends to divert the driver's attention.
5. Do not damage or tamper with bus equipment. Damage should be reported to the driver. Offenders must pay for the damage.
6. Do not open or close windows without permission of the driver.
7. Do not throw articles from bus windows. Keep books, lunches, school bags, etc. out of aisles. Take them with you when you leave the bus.
8. Refrain from bringing animals or bulky, unmanageable projects onto the school bus.
9. Smoking is not permitted on the school bus.

### **D. Violations**

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

1. The driver will report the offensive conduct to the Principal of the school in which the student is enrolled by submission of a completed written form that includes the name of the student, the school, and the

specific offensive conduct.

2. The parent(s) or legal guardian(s) will be notified, by copy of the form, of the student's conduct.
3. The Principal or designee will determine the discipline to be administered, in accordance with the severity of the infraction. In general, when the offense is not severe:
  - a. On the first notice of misconduct, the student will be counseled, the parent(s) or legal guardian(s) notified, and the student may be suspended from the bus for a minimum of three (3) school days.
  - b. On the second notice of misconduct, the student and parent(s) or legal guardian(s) will attend a conference, and the student may be suspended from the bus for a minimum of five (5) school days.
  - c. On the third notice of misconduct, the Principal will confer with the parent(s) or legal guardian(s) and the student may be suspended from the bus for a period of not less than five (5) school days or more than one semester or the balance of the school year, whichever is less.
4. When the misconduct is severe, the student may be summarily suspended from the bus pending a conference with the parent(s) or legal guardian(s) and further disciplinary action.
5. Per Board Policy 8690, to maintain safe and secure conditions for all students transported on school owned or contracted school vehicles, the Board may use devices to monitor, observe and/or record student behavior, teacher and support staff behavior, school bus driver discipline procedures and/or school bus driver driving techniques. The device may be a sound video camera, a voice monitoring device, GPS, or other devices.

#### **E. Exclusion**

A student may be excluded from the bus for disciplinary reasons by the Principal. Parents shall provide for transportation to and from school during the period of exclusion.

#### **F. Getting Off the Bus**

When a highway has to be crossed at the discharge point, students must go to a point at least ten feet in front of the bus and wait for the signal to cross from the school bus driver.

#### **G. Walkers**

Walkers should use crossing guards and the safest routes available. Grades PreK-3 students must be signed-out/accompanied by a parent or person designated by a parent. Bus or car riding students must provide a note from their parent(s) or legal guardian(s) on day(s) they walk home from school or deviate from their primary method of transportation.

### **XI. STUDENT SUPERVISION AFTER SCHOOL DISMISSAL – POLICY 8601**

The Board of Education adopts this Student Supervision After School Dismissal Policy as a result of the New Jersey Supreme Court's decision in *Joseph Jerkins, an infant by his Guardian Ad Litem, Charles Jerkins; Charles Jerkins and Toni Jerkins, individually, v. Soweto Anderson; Kemba N. Anderson; John Does 1-10 (fictitious individuals) and ABC Corporations 1-10 (fictitious entities), and Board of Education of Pleasantville Public Schools and Rosemay Clarke*.

The New Jersey Supreme Court, in *Jerkins*, indicated dangers exist for younger students at dismissal as children are susceptible to numerous risks, including negligent conduct, when leaving school property. Because of these risks, the Board of Education adopts and requires the implementation of Policy 8601 for the supervision of younger students after dismissal. The supervision provisions of Policy 8601 are applicable to parents of students attending district-operated schools or programs in grades Pre-K to 12 who are not eligible for district-provided transportation after dismissal or are eligible and elect not to use district-provided transportation after dismissal.

Any parent of a student attending a district-operated school or program in grades Pre-K to 12, where the student is not eligible for district-provided transportation or is eligible and elects not to use district-provided transportation after dismissal may request the school or program not release the student to walk home after dismissal unless the student is released to the parent or escort designated by the parent. The parent requesting their child(ren) only be released to a parent or parent-designated escort after dismissal must submit a completed Request for Supervision at Dismissal from School Form to the Principal or designee, or program administrator.

#### **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 chief school administrator 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. According to grade level and/or student needs, create 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 superintendent or designee will review the dismissal procedures annually.

#### **Supervision of Non-Bused Students at Dismissal**

The parent shall notify the school, in writing, in advance of any dismissal arrangements for students requiring a designated escort or designated transportation. For students in grades K-6, the parent shall notify the school, in writing, if a student has permission to be dismissed to walk home unescorted. For students in grades 7-12, the parent shall be informed annually in writing that, unless other dismissal arrangements are made in writing, students shall be dismissed to walk home unescorted.

All documented dismissal arrangements will be considered permanent for the entire school year. Unless otherwise indicated in writing, all dismissal arrangements shall be followed on days of early dismissal due to weather or other emergencies.

Parents may alter dismissal arrangements upon prior written notifications to the chief school administrator or designee. Written notification will be determined in school procedures but should be no later than the morning of the day of the change of dismissal arrangement.

All dismissal arrangements require the review and written approval of the Superintendent or designee before taking effect.

Parents of students who are designated to be escorted/transported at time of dismissal will be reported to the proper authorities if the student is not picked up, or not picked up on time.

Copies of all dismissal arrangements requested by the parents shall be kept on file at each of the student's school and in the office of the Superintendent or designee.

#### **Notification of Dismissal Protocols**

The chief school administrator or designee shall ensure that parents are notified annually (more frequently if revisions are made) 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 activities;
- D. Supervision arrangements for students at dismissal;
- E. Emergency plan for supervision of students left at school for students in grades K-6;
- F. After school program opportunities;
- G. Procedures for enrolling students in after school programs.

This policy shall be published in the school handbook.

The parent is responsible for reviewing the school calendar and complying with all school dismissal times and procedures. It is the parents' responsibility to resume custody of their child at the end of each school day.

The chief school administrator will develop procedures:

- A. For parents 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 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.

#### **After School Program**

Students shall be supervised by school staff after school dismissal to the location of the Board approved, in-district after school program. The staff of the approved after school program are not employed by the district while working in the after school program (even though some may also be employed by the district during the regular school day). It is the responsibility of the parent to make dismissal arrangements with after school program staff for students in the after school program. The district does not supervise any aspect of the after school program and is not responsible for the actions or inaction of staff employed by the after school program.

### **After School Activities**

School staff engaged in district sponsored after school activities shall remain with students participating in such activities until they are picked up by parent/guardian/escort, or student is dismissed to walk home unescorted, as designated in writing by the parent/guardian and approved by the superintendent or designee. Parents must notify the school in writing of dismissal arrangements prior to the start of after school activities as described in school procedures. Parents of students who are designated to be escorted/transported at time of dismissal, will be reported to the proper authorities if the student is not picked up, or not picked up on time. Student permission to participate in the activity may also be suspended or revoked.

### **Spectators**

For the purpose of this policy, a student who is not participating and instead attends an after school activity, such as a play, concert, or sporting event as a spectator will be treated the same as a non-bused student at dismissal. For students in grades K-6, the parent shall notify the school, in writing, if a student has permission to attend an after school activity unescorted. For students in grades 7-12, the parent shall be informed annually in writing that, unless other dismissal arrangements are made in writing, students shall be dismissed to attend an after school activity unescorted. School staff is not responsible to remain with or monitor a student who is not participating and instead attends an after school activity, such as a play, concert, or sporting event, as a spectator. Any dismissal arrangement that may be in place for the regular school day will not apply when a student is a spectator, regardless of any individual needs a student may have. Parents are responsible to stay with any student who needs monitoring while that student attends an after school activity as a spectator, and will be reported to the proper authorities if the student is not picked up, or not picked up on time, at the end of such an activity.

Adopted: 09 December 2015

## **XII. HARASSMENT, INTIMIDATION, AND BULLYING – POLICY 5512**

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### **A. Policy Statement**

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

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the

natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

### **B. Harassment, Intimidation, and Bullying Definition**

"Harassment, intimidation, or bullying" means any gesture, any written, verbal, or physical act, or any electronic communication, as defined in N.J.S.A. 18A:34-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or by any other distinguishing characteristic;
2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-14 and 15.3;
3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
  - a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
  - b. Has the effect of insulting or demeaning any student or group of students; or
  - c. Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

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

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

### **C. Student Expectations**

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

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

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

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

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

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

students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infraction of these rules.

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

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

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

#### **D. Consequences and Appropriate Remedial Actions**

##### Consequences and Appropriate Remedial Actions—Students

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

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

##### Factors for Determining Consequences—Student Considerations

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

##### Factors for Determining Consequences—School Considerations

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

##### Factors for Determining Remedial Measures:

###### Personal

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

###### Environmental

1. School culture;
2. School climate;
3. Student-staff relationships and staff behavior toward the student;

4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.

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

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

#### Examples of Consequences

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

#### Examples of Remedial Measures

##### Personal—Student Exhibiting Bullying Behavior

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

##### Personal—Target/Victim

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

5. Help the student develop skills and strategies for resisting bullying; and
6. Schedule a follow-up conference with the student.

Parents, Family, and Community

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

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

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

Consequences and Appropriate Remedial Actions—Adults

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

#### Target/Victim Support

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

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

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

1. Teacher aides;
2. Hallway and playground monitors;
3. Partnering with a school leader;
4. Provision of an adult mentor;
5. Assignment of an adult "shadow" to help protect the student;
6. Seating changes;
7. Schedule changes;
8. School transfers;
9. Before- and after-school supervision;
10. School transportation supervision;
11. Counseling; and
12. Treatment or therapy.

#### **E. Harassment, Intimidation, and Bullying Reporting Procedure**

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

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

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

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

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

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

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

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

**F. Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety/School Climate Team(s)**

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

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
  - b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;
  - c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
  - d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
  - e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.
2. The Principal in each school shall appoint a school Anti-Bullying Specialist. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
  - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
  - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect the school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

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

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



### **G. Harassment, Intimidation, and Bullying Investigation**

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

However, prior to initiating the investigation, the Principal or designee, in consultation with the Anti-Bullying Specialist, may make a preliminary determination as to whether the reported incident or complaint, assuming all facts presented are true, is a report within the scope of the definition of harassment, intimidation, and bullying under the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-14. The Superintendent or designee may sign-off on the preliminary determination.

The Principal or designee, upon making a preliminary determination the incident or complaint is not within the scope of the definition of harassment, intimidation, and bullying, shall inform the parents of the parties involved, who may appeal the preliminary determination to the Board of Education and thereafter to the Commissioner of Education in accordance with N.J.A.C. 6A:3.

A Board hearing shall be held within ten business days of receipt of the request for a Board hearing. If the preliminary determination, upon review of the facts presented in the reported incident or complaint, is to continue with the harassment, intimidation and bullying investigation, the investigation shall be completed in accordance with N.J.S.A. 18A:37-15.b.(6) and this Policy.

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

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

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

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

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

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

At the regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on

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

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

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

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

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

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

#### **I. Reprisal or Retaliation Prohibited**

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

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

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

measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

#### **J. Consequences and Appropriate Remedial Action for False Accusation**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **O. School and District Grading Requirements**

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

#### **P. Reports to Law Enforcement**

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

#### **Q. Collective Bargaining Agreements and Individual Contracts**

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

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

#### **R. Students with Disabilities**

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

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

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

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

N.J.S.A. 18A:37-13 through 18A:37-32  
N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.  
Adopted: 12 April 2000  
Revised: 12 September 2018

### **XIII. DATING VIOLENCE AT SCHOOL—Policy 5519**

The Board of Education believes a safe and civil environment in school is necessary for children to learn. A student who is a victim of dating violence suffers academically and the student's safety at school is jeopardized. Acts or incidents of dating violence at school whether they are verbal, sexual, physical, or emotional will not be tolerated and will be dealt with in accordance with the school's student code of conduct.

All school staff members (administrative staff, instructional staff, support staff, and volunteers) shall take all reasonable measures to prevent acts or incidents of dating violence at school involving a student. All acts or incidents of dating violence at school shall be reported to the Principal or designee in accordance with the provisions outlined in Regulation 5519. A verbal report shall be made to the Principal or designee as soon as possible, but no later than the end of the student's school day when the staff member witnesses or learns of an act or incident of dating violence at school. A written report regarding the act or incident shall be submitted to the Principal or designee by the reporting staff member no later than one day after the act or incident occurred.

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

The Board of Education, upon the recommendation of the Superintendent of Schools, shall adopt the guidelines and procedures outlined in Regulation 5519 for responding to at school acts or incidents of dating violence. The protocols outlined in Regulation 5519 have been established for any school staff member who witnesses or learns of an act or incident of dating violence at school and for school administrators to work with the victim and the aggressor of an act or incident of dating violence.

Dating violence statements and investigations shall be kept in files separate from student academic and discipline records to prevent the inadvertent disclosure of confidential information. Every act or incident of dating violence at school that is reported shall be documented in an appropriate manner. This should include statements, planning actions, and disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or aggressor.

School administrators shall implement discipline and remedial procedures to address acts or incidents of dating violence at school consistent with the school's student code of conduct. The policies and procedures specific to acts or incidents of dating violence at school shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and

alleged aggressor have been involved.

Consequences may include, but are not limited to: admonishment, temporary removal from the classroom, classroom or administrative detention, in-school suspension, out-of-school suspension, reports to law enforcement, and/or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the alleged aggressor based on the severity of the act or incident.

Remediation/intervention may include, but is not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services (I&RS), behavioral management plans, and/or alternative placements.

A pattern of behaviors may be an important sign a student is involved in an unhealthy or abusive dating relationship. The warning signs listed in Regulation 5519 shall educate the school community on the characteristics that a student in an unhealthy or abusive relationship may exhibit. Many of these warning signs make a connection to one student in the relationship asserting control and power over the other. Recognizing one or more signs of teen dating violence plays an important role in preventing, educating, and intervening in acts or incidents of dating violence.

The Board of Education shall make available to students and their families information on safe, appropriate school, family, peer, and community resources available to address dating violence.

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

Upon written request to the school Principal, a parent/legal guardian of a student less than eighteen years of age, shall be permitted within a reasonable period of time after the request is made, to examine the dating violence education instruction materials developed by the school district.

Notice of Policy and Regulation 5519 shall appear in all district publications that set forth the comprehensive rules, procedures, and standards of conduct for students within the district and in any handbook.

Adopted: 13 January 2016

#### **XIV. GANG AND GANG-RELATED ACTIVITY—REG. 5512.2**

Note: These Regulations supplement Board Policy 5512.2 (Gang and Gang-Related Activity), and the definitions and provisions of that Policy are incorporated into this Regulation.

##### **A. Prohibited Items/Behaviors**

In addition to and consistent with the general prohibitions set forth in the policy, the administration has generated the following list of specifically prohibited items/behaviors as prohibited and indicative of students who have possible involvement in gangs or who have connection to gang-related activity.

1. Bandanas.
2. Beads in gang colors and patterns.
3. Clothing, accessories or symbols promoting or endorsing gangs or gang activity.
4. Any nonverbal method of communication that can be taken as promoting or endorsing gangs or gang activity, i.e. hand signals.
5. Clothing, accessories or symbols identifying relationship with: Latin Kings, Bloods, Crips, Netas, or any subset of a gang.
6. Comments/verbal signals referencing a connection to a gang, i.e. blat, what's crackin', snitches get stitches.
7. Writings or other media that promote or endorse gangs or gang activity.
8. Tattoos indicating gang relations/involvement.

##### **B. Interventions and Responses**

In the face of indications of gang affiliation or the endorsement or promotion of gangs or gang activity by any student, the school administration shall have the discretion to implement any of the following interventions, in lieu of or in addition to, taking disciplinary action. The interventions are not in order of priority, and nothing in this paragraph shall preclude the immediate imposition of disciplinary action under C below.

- Conversation with the student about his/her behavior, clothing, or conduct during a situation or event.
- Meeting with student(s), parent(s), school administration, Lawrence Township Police Department.
- Recommendation that the individual attend a township or county program to further educate the student on

the danger of gangs and gang behaviors.

- With respect to items listed in paragraph A above, the student may be directed to immediately remove or cease using any specific item or behavior determined by the administration to be in violation of paragraph A above, without the imposition of discipline for the wearing or display. A student who refuses to follow such a directive, however, may be disciplined. The decision to intervene in lieu of imposing discipline is left to the discretion of the school administrator, based upon all of the circumstances, including the nature of the violation, the adequacy of notice that the item was prohibited and the student's overall behaviors in the school setting. In addition, a student who has been warned through such intervention that a particular behavior or item is prohibited, may be disciplined thereafter for any subsequent incident or occurrence.

### **C. Disciplinary Action**

1. Disciplinary action may be taken for any violation of Board Policy 5512.2, of this Regulation, or of any other policy, regulation, statute, or school rule, including failure to comply with directives from school staff.
2. Disciplinary action may include, but is not limited to, any of the following:
  1. Detention
  2. Suspension
  3. Expulsion
  4. Mandated attendance at a township or county program to further educate the student on the danger of gangs and gang behaviors.
  5. Replacement or repair of school property damaged by the student. If the student is a minor, the parents may also be held liable for damages under state statute N.J.S.A. 18A:37-3.
  6. Participation in a form of community service may, at the discretion of the administration, be imposed by way of substitution, in whole or in part, for punishment that would otherwise be imposed.
7. For any disciplinary matter covered by this Regulation and Policy 5512.2, a finding that the conduct was gang-related or gang-affiliated shall be considered an aggravating factor in determining the appropriate punishment.

Issued: November 15, 2006

Reissued: May 9, 2018

## **XV. STUDENT GRIEVANCE – POLCY 5710**

The Board of Education believes that students are citizens who possess the right to request redress of grievances and that students should be encouraged to respect lawful procedures for the resolution of disputes. Accordingly, the Board will establish and observe procedures by which the grievances of students will be heard.

For the purposes of this policy, a student grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees.

A student grievance will be heard in the following manner:

1. A student should first make the grievance known to the staff member most closely involved or with a guidance counselor and both shall attempt to resolve the matter informally and directly.
2. A grievance not resolved at the first step must be reduced to a written statement in which the student sets forth the specific nature of the grievance, the facts that gave rise to it, the relief sought, and the reasons why that relief is appropriate.
3. The written grievance may be submitted to the building principal, the Superintendent, and the Board of Education, in that order and within a suitable period of time not to exceed five days allowed at each level for the hearing of the grievance and the preparation of a response.
4. At each step beyond the first, the school authority hearing the grievance may summon the parent or legal guardian of a grievant who is not an adult. The grievant may summon the assistance of his or her parent or legal guardian at any step.
5. A student grievance that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than 30 calendar days. The student will be informed of the right to appeal a decision of the Board to the Commissioner of Education.

The Superintendent shall direct all staff members to respect the right of students to seek redress of grievances by lawful procedures without fear of reprisal.

Adopted: 12 April 2000

Revised: 13 June 2018