

R 5000 PUPILS

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R 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT PUPILS

A. Definitions

1. "Affidavit pupil" means a pupil attending, or seeking to attend, school pursuant to N.J.S.A. 18A:38-1(b) and N.J.A.C. 6A:22-3.1(a)2.
2. "Commissioner" means the Commissioner of Education or his/her designee.
3. "Parent" means the natural or adoptive parent, legal guardian, foster parent, surrogate parent, and person acting in the place of a parent such as the person with whom the child legally resides or a person legally responsible for the child's welfare.

B. Eligibility to Attend School - Pupils Domiciled in the District

1. A pupil over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older pupil as is otherwise entitled by law to a free public education, is eligible to attend school in this school district if the pupil is domiciled within the district:
 - a. A pupil is domiciled in the district when he or she is living with a parent(s) or legal guardian(s) whose permanent home is located within the district. A home is permanent when the parent(s) or legal guardian(s) intends to return to it when absent and has no present intent of moving from it, notwithstanding the existence of homes or residences elsewhere.
 - (1) Where a pupil's parent(s) or legal guardian(s) are domiciled within different districts, and where there is no court order or written agreement between the parent(s) or legal guardian(s) designating the district for school attendance, the pupil's domicile is the district of the parent with whom the pupil lives for the majority of the school year, regardless of which parent has legal custody.

- (2) Where a pupil's physical custody is shared on an equal-time, alternating week/month or other similar basis such that the pupil is not living with one parent for a majority of the school year, and where there is no court order or written agreement between the parents designating the district for school attendance, the pupil's domicile is the present domicile of the parent with whom the pupil resided on the last school day prior to October 16 preceding the date of the application.
- (a) If a pupil resided with both parents, or with neither parent, on the last school day prior to the preceding October 16, the pupil's domicile is the domicile of the parent with whom the parents indicate the pupil will be residing on the last school day prior to the ensuing October 16. Where the parents do not designate, or cannot agree upon, the pupil's likely residence as of that date, or if on that date the pupil is not residing with the parent previously indicated, the pupil will attend school in the district where the parent with whom the pupil is actually living as of the last school day prior to October 16 is domiciled.
- (b) The district shall not be required to provide transportation for a pupil residing outside the district for part of the school year, other than that based upon the home of the parent domiciled within the district to the extent required by law, as a result of being the district of domicile for school attendance purposes pursuant to the provisions of this section.

- b. A pupil is domiciled in the district when he or she has reached the age of eighteen or is emancipated from the care and custody of a parent or legal guardian and has established a permanent home within the district. A home is permanent when the pupil intends to return to it when absent and has no present intent of moving from it, notwithstanding the existence of homes or residences elsewhere.
 - c. A pupil is domiciled in the district when the pupil has come from outside the state and is living with a person domiciled in the district who will be applying for legal guardianship of the pupil upon expiration of the six-month "waiting period" of State residency required pursuant to N.J.S.A. 2A:34-30(e) and N.J.S.A. 2A:34-31. However, any such pupil may later be subject to removal proceedings if application for legal guardianship is not made within a reasonable period of time following expiration of the mandatory waiting period.
 - d. A pupil is domiciled in the district when his or her parent(s) or legal guardian(s) resides within the district on an all-year-round basis for one year or more, notwithstanding the existence of a domicile elsewhere.
 - e. A pupil is domiciled in the district if the Division of Youth and Family Services in the Department of Human Services is acting as the pupil's legal guardian and has placed the pupil in the district.
2. When a pupil's dwelling is located within two or more local school districts, or bears a mailing address that does not reflect the dwelling's physical location within a municipality, the district of domicile for school attendance purposes will be that of the municipality to which the resident pays the majority of his or her property tax, or to which the majority of property tax for the dwelling in question is paid by the owner of a multi-unit dwelling.

- a. Where property tax is paid in equal amounts to two or more municipalities, and where there is no established assignment for pupils residing in the affected dwellings, the district of domicile for school attendance purposes will be determined through assessment of individual proofs as provided pursuant to N.J.A.C. 6A:22-3.4 et seq. This provision shall not preclude the attendance of currently enrolled pupils who were permitted to attend school in the district prior to the provision's initial promulgation on December 17, 2001.
- C. Eligibility to Attend School - Other Pupils Eligible to Attend School
1. A pupil is entitled by law to a free public education in the district if that pupil is kept in the home of a person other than the pupil's parent(s) or legal guardian(s), where the person is domiciled in the school district and is supporting the pupil without remuneration as if the pupil were his or her own child;
 - a. A pupil is not eligible to attend school in this district pursuant to this provision unless:
 - (1) The pupil's parent(s) or legal guardian(s) has filed, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the pupil due to family or economic hardship and that the pupil is not residing with the other person solely for the purpose of receiving a free public education; and
 - (2) The person keeping the pupil has filed:
 - (a) A sworn statement that he or she is domiciled within the district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the pupil relative to school requirements; and

- (b) A copy of his or her lease if a tenant, or a sworn landlord's statement if residing as a tenant without a written lease.
- b. A pupil shall not be deemed ineligible under this section because required sworn statements(s) cannot be obtained, where evidence is presented that the underlying requirements of the law are being met notwithstanding the inability of the resident or pupil to obtain the sworn statement(s).
- c. A pupil shall not be deemed ineligible under this section where evidence is presented that the pupil has no home or possibility of school attendance other than with a non-parent district resident who is acting as the sole caretaker and supporter of the pupil.
- d. A pupil shall not be deemed ineligible under this section solely because a parent(s) or legal guardian(s) gives gifts or makes limited contributions, financial or otherwise, toward the welfare of the pupil, provided the resident keeping the pupil receives no payment or other remuneration from the parent(s) or legal guardian(s) for regular maintenance of the pupil.
2. A pupil is entitled by law to a free public education in the district if the pupil is kept in the home of a person domiciled in the district, other than the parent(s) or legal guardian(s), where the parent(s) or legal guardian(s) is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year upon the parent(s) or legal guardian(s) return from active military duty.

3. A pupil is entitled by law to a free public education in the district if the pupil's parent(s) or legal guardian(s) temporarily resides within the district, notwithstanding the existence of a domicile elsewhere:
 - a. The parent or legal guardian shall demonstrate that such temporary residence is not solely for purposes of a pupil's attending school within the district of temporary residence;
 - b. Where one of a pupil's parents temporarily resides in the district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school will be determined in accordance with N.J.A.C. 6A:22-3.1(a)1i. However, no pupil shall be eligible to attend school based upon a parent's temporary residence in a district unless the parent(s) or legal guardian(s) demonstrates that such temporary residence is not solely for purposes of a pupil's attending school within the district.
4. A pupil is entitled by law to a free public education in the district:
 - a. If the pupil's parent(s) or legal guardian(s) moves to another district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2, Education of Homeless Children;
 - b. If the pupil is placed in the home of a district resident by court order pursuant to N.J.S.A. 18A:38-2;
 - c. If the pupil previously residing in the district parent(s) or legal guardian(s) is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to N.J.S.A. 18A:38-3(b); and

- d. If the pupil resides on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

D. Housing and Immigration Status

- 1. The physical condition of an applicant's housing, or an applicant's compliance with local housing ordinances or terms of lease will not affect eligibility to attend school.
- 2. Immigration/visa status shall not affect eligibility to attend school for a pupil who is domiciled in the district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6:22-3.2 and the pupil shall be enrolled without regard to, or inquiry concerning, immigration status. However, the provisions of N.J.S.A. 18A:38-1 shall not apply to pupils who have obtained or are seeking to obtain a Certificate of Eligibility for Nonimmigrant Status (INS form I-20) from the district in order to apply to the INS for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1 Visa").

- E. Nothing in Policy and Regulation 5111 or N.J.A.C. 6A:22-1.1 et seq. will be construed to limit the discretion of the Board to admit nonresident pupils, or the ability of a nonresident pupil to attend school with or without payment of tuition, with the consent of the district Board pursuant to N.J.S.A. 18A:38-3(a).

F. Proof of Eligibility

- 1. The district shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a pupil's eligibility for enrollment in the district:
 - a. Property tax bills, deeds, contracts of sale, leases, mortgages, signed letters from landlords and other evidence of property ownership, tenancy or residency;

- b. Voter registrations, licenses, permits, financial account information, utility bills, delivery receipts, and other evidence of personal attachment to a particular location;
 - c. Court orders, State agency agreements and other evidence of court or agency placements or directives;
 - d. Receipts, bills, cancelled checks, insurance claims or payments, and other evidence of expenditures demonstrating personal attachment to a particular location, or, where applicable, to support of the pupil;
 - e. Medical reports, counselor or social worker assessments, employment documents, unemployment claims, benefit statements, and other evidence of circumstances demonstrating, where applicable, family or economic hardship, or temporary residency;
 - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, legal guardian, person keeping an "affidavit pupil," adult pupil, person(s) with whom a family is living, or others as appropriate;
 - g. Documents pertaining to military status and assignment; and
 - h. Any other business record or document issued by a governmental entity.
2. The district may accept forms of documentation not listed above, and shall not exclude from consideration any documentation or information presented by a person seeking to enroll a pupil.
 3. The district shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form of documentation, or a particular subset of documents, without regard to other evidence presented.

4. The district shall not require or request, as a condition of enrollment in school, any information or document protected from disclosure by law, or pertaining to criteria which are not legitimate bases for determining eligibility to attend school. These include:
 - a. Income tax returns;
 - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b);
 - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
 - d. Social security numbers.
5. Documents or information of the type referenced in ¶4 above, or pertinent parts thereof, may be voluntarily disclosed by the person seeking enrollment. However, the district may not, directly or indirectly, require or request such disclosure as a condition of enrollment.

G. Initial Assessment and Enrollment

1. The district shall use registration forms that are locally developed that:
 - a. Are consistent with the forms provided by the Commissioner;
 - b. Do not seek information prohibited by any provision of statute, Code or rule;
 - c. Summarize the criteria for attendance set forth in N.J.S.A. 18A:38-1 for applicant reference, and specify the nature and form of any sworn statements to be filed;
 - d. Clearly state the purpose, in relation to such criteria, for which requested information is being sought; and

- e. Provide notice to applicants that any initial determination of eligibility is subject to a more thorough review and re-evaluation, and that there is a potential for assessment of tuition in the event that an initially admitted applicant is later found ineligible.
2. The district shall ensure that sufficient numbers of registration forms, and sufficient numbers of trained registration staff, are available to ensure prompt determinations of eligibility and enrollment.
 - a. If the district uses separate forms for "affidavit pupil" applications, rather than a single form for all types of application for enrollment, such forms shall comply in all respects with the provisions of G.1. above. Where such forms are used, the district shall provide them to any person attempting to register a pupil of whom he or she is not the parent(s) or legal guardian(s), whether or not they are specifically requested. The district shall not demand or suggest that legal guardianship or custody shall be obtained before enrollment will be considered for a pupil living with a person other than the parent(s) or legal guardian(s), nor shall they demand or suggest that "affidavit pupil" proofs be produced by an applicant seeking to enroll a pupil of whom the applicant has legal guardianship or custody.
 - b. The district level school administrator designated by the Superintendent shall be available, and clearly identified to applicants, to assist persons who are experiencing difficulties with the enrollment process.
3. Initial determinations of eligibility shall be made upon presentation of an application for enrollment, and enrollment shall take place immediately in all cases except those of clear, uncontested denials.

- a. Where an applicant has provided incomplete, unclear or questionable information, enrollment shall take place immediately, but the applicant shall be placed on notice that removal will result if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.
 - b. Where an applicant appears ineligible based on information provided in the initial application, a preliminary written notice of ineligibility shall be provided, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner.
 - (1) A pupil enrolled pursuant to this provision will be notified that he or she will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.
4. Where enrollment is denied and no intent to appeal is indicated, applicants shall be advised that they shall comply with compulsory education laws and shall, where the pupil is between the ages of six and sixteen, be asked to complete a written statement indicating the pupil will be attending school in another district, attending a nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement from the parent or legal guardian, the district level school administrator designated by the Superintendent shall notify the school district of actual domicile or residence, or the Division of Youth and Family Services based on "neglect" pursuant to N.J.S.A. 9:6-1, with the pupil's name, the name(s) of the parent/guardian/resident, address to the

extent known, denial of admission to the district based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere, for purposes of ensuring compliance with such laws.

5. Where enrollment is denied and an intent to appeal is indicated, or where enrollment is provisional subject to further review or information, enrollment or attendance at school will not be conditioned on advance payment of tuition in whole or part.
6. The Superintendent or designee, shall ensure that information suggesting an applicant may be homeless is identified during the registration process, so that, where appropriate, procedures may ensue in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children.
7. Enrollment or attendance in the district shall not be denied based upon absence of the certified copy of birth certificate or other proof of a pupil's identity required within thirty days of initial enrollment pursuant to N.J.S.A. 18A: 36-25.1.
8. Enrollment in the district shall not be denied based upon absence of pupil medical information, although actual attendance at school may be deferred as necessitated by compliance with rules regarding immunization of pupils, N.J.A.C. 8:57-4.
9. Enrollment in the district, attendance at school, or educational services where attendance in the regular education program appears inappropriate, shall not be denied based upon absence of a pupil's prior educational record. However, the applicant shall be advised that the initial educational placement of the pupil may be subject to revision upon receipt of records or further assessment of the pupil by the district.

H. Notice of Ineligibility

1. If the district finds the applicant ineligible to attend the schools of the district pursuant to N.J.A.C. 6A:22-1.1 et seq., or the application initially submitted is found to be deficient upon subsequent review or investigation, notice shall immediately be provided to the applicant consistent with sample form(s) to be provided by the Commissioner. Notices shall be in writing, in English and in the native language of the applicant, issued by the Superintendent and directed to the address at which the applicant claims to reside.
2. Notices of ineligibility shall include:
 - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made, sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal. Such description shall identify the specific section of N.J.S.A. 18A:38-1 under which the application was decided;
 - b. In cases of provisional eligibility, a clear description of the missing documents or information that shall be provided in order to attain final eligibility status under the applicable provision of N.J.S.A. 18A:38-1;
 - c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the date of the notice, along with an informational document provided by the Commissioner describing how to file an appeal;
 - d. A clear statement that the pupil is entitled to attend school for the twenty-one day period during which an appeal can be made to the Commissioner, but that, if missing information is not provided or an appeal is not filed, the pupil shall not be permitted to attend school beyond the 21st day following the date of the notice;

- e. A clear statement that the pupil is entitled to continue attending school during the pendency of an appeal to the Commissioner;
- f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating entitlement to attend the schools of the district, or the applicant abandons the appeal through withdrawal, failure to prosecute or any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;
- g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3, that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal;
 - (1) If removal is based on the pupil having moved from the district, the notice of ineligibility shall also provide information as to whether district policy permits continued attendance, with or without tuition, for pupils who move from the district during the course of the school year.
- h. The name of a contact person in the district who can provide assistance in explaining the contents of the notice; and
- i. Notice that, where no appeal is filed, the parent(s) or legal guardian(s) must still comply with compulsory education laws, and that, in the absence of a written statement from the parent(s) or legal guardian(s) that the pupil will be attending school in another district,

attending a nonpublic school, or receiving instruction elsewhere than at a school, the district level administrator designated by the Superintendent shall notify the school district of actual domicile/residence, or the Division of Youth and Family Services based on "neglect" pursuant to N.J.S.A. 9:6-1, of the pupil's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission to the district based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere, for purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25).

I. Removal of Currently Enrolled Pupils

1. Nothing in N.J.A.C. 6A:22-1.1 et seq. and this Regulation shall preclude the Board from seeking to identify, through further investigation or periodic requests for current validation of previously determined eligibility status, pupils enrolled in the district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances or newly discovered information.
2. When a pupil, enrolled and attending school in the district, is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for removal of the pupil.
 - a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2. However, such notice shall also provide for a hearing before the Board prior to a final decision on removal.
3. No pupil shall be removed from school unless the parent, legal guardian, adult pupil or resident keeping an "affidavit pupil," as the case may be, has been informed of his or her entitlement to a hearing before the Board of Education.

4. Once the hearing is held, or if the parent, legal guardian, adult pupil or resident keeping an "affidavit pupil," as the case may be, does not respond to the Superintendent's notice within the designated time frame or appear for hearing, the Board shall make a prompt determination of the pupil's eligibility or ineligibility and shall immediately provide notice thereof in accordance with the requirements of N.J.A.C. 6A:22-4.2.
 5. Hearings required pursuant to N.J.A.C. 6A:22-4.3 et seq. may be conducted by a committee, at the discretion of the full Board, which will make a recommendation to the full Board for action. No pupil may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.
- J. Appeal to the Commissioner
1. A district determination that a pupil is ineligible to attend the schools of the district may be appealed to the Commissioner by the parent, legal guardian, adult pupil or resident keeping an "affidavit pupil," as the case may be. Such appeals shall proceed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 et seq. Appeals of "affidavit pupil" eligibility determinations shall be filed by the resident keeping the pupil.
- K. Assessment and Calculation of Tuition
1. If no appeal to the Commissioner is filed following notice of a determination of ineligibility, the Board may assess tuition for any period of a pupil's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner.
 - a. The district may obtain an order of the Commissioner of Education for tuition,

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enforceable pursuant to N.J.S.A. 2A:58-10 through recording on the judgment docket of the Superior Court, Law Division, by filing a petition of appeal pursuant to N.J.A.C. 6A:3.

2. If an appeal to the Commissioner is filed, where the appellant does not sustain the burden of demonstrating entitlement to attend the schools of the district, or abandons the appeal through withdrawal, failure to prosecute or any means other than settlement agreeing to waive or reduce tuition, the Commissioner may order assessment of tuition for any period of a pupil's ineligible attendance in a district, including the twenty-one day period for filing of an appeal and the period during which the hearing and decision on appeal were pending.
 - a. An order of the Commissioner is enforceable through recording on the judgment docket of the Superior Court, Law Division, pursuant to N.J.S.A. 2A:58-10.
3. Tuition assessed pursuant to the provisions of this section shall be calculated on a per pupil basis for the period of a pupil's ineligible enrollment, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23-3.1. The individual pupil's record of daily attendance shall not impact on such calculation.
4. Nothing in N.J.A.C. 6A:22-1.1 et seq. precludes an equitable determination, by the Board or the Commissioner, that, when the particular circumstances of a matter so warrant, tuition shall not be assessed for all or part of any period of a pupil's ineligible attendance in the district.

Adopted: 25 September 2006

R 5130 WITHDRAWAL FROM SCHOOL

Every pupil in this district shall be encouraged to complete the program of instruction in which he/she is enrolled, in cooperation with school staff members. Although the enrollment and attendance of persons over the age of sixteen cannot be compelled by law, school personnel shall make every reasonable effort to determine whether the school is meeting the educational needs of a pupil who requests withdrawal.

A. Request for Permanent Withdrawal

1. The pupil must obtain a withdrawal form from the school office to be taken home for the signature of his/her parent(s) or legal guardian(s).
2. The pupil must meet with the school counselor to discuss the reasons for the requested withdrawal.
3. The school counselor will review the pupil's file to determine whether the pupil has received the educational services to which he/she is entitled.
4. The pupil will be offered an exit conference with the school counselor and/or the Principal, at which the pupil will be informed of:
 - a. The desirability of continuing education at some future time toward the award of a high school diploma through an Adult High School Program,
 - b. The possibility of readmission until the pupil is twenty years of age (or, if the pupil is disabled, until the end of the school year in which his/her twenty-first birthday occurs),
 - c. The possibility of further education in the Armed Forces of the United States and the application of such training toward a high school diploma pursuant to N.J.A.C. 6:27-4.1, and
 - d. The continuing availability of high school counseling services.
5. The school counselor will report the withdrawal and the reasons for the withdrawal to the Superintendent to satisfy state reporting requirements.

B. Transferring Pupils

1. A pupil requesting transfer to another school, public or private, must obtain from the school office a transfer form for approval by the pupil's parent(s) or legal guardian(s).
2. A parent(s) or legal guardian(s) who withdraws a pupil from this district shall be asked to designate the name and location of the school or school district in which he/she intends to enroll the pupil. The Principal shall be alert to the receipt of a request for records from that school district, for the purpose of implementing Policy No. 8464.

C. Pupil's Responsibilities

A pupil who withdraws, permanently or by transfer, must:

1. Return all books, uniforms, and other school property to the appropriate school staff member, who shall give a proper receipt for returned items;
2. Clear out his/her locker(s) and turn in any locks owned by the district;
3. Clear any obligations, for materials or fines, to the school library;
4. Pay any fines due for damaged or lost textbooks; and
5. Submit a properly authorized withdrawal or transfer form.

D. Records

1. The records of a pupil who transfers to another school will be sent to that school in accordance with Regulation No. 8330.
2. The permanent records of a pupil who withdraws from school will be retained in accordance with Regulation No. 8330.

Adopted: 5 November 2001

R 5200 ATTENDANCE

Absence from school jeopardizes the ability of a pupil to satisfactorily complete the prescribed course of study and violates the statutes requiring children to regularly attend school. The Board accepts the responsibility of properly operating schools within the context of prevailing laws and regulations. It cannot succeed in its paramount task of providing an education as proposed through accepted curriculum and courses of study unless the pupils for which these are intended are present for all regularly scheduled classroom learning activities. Consequently, there is an impelling responsibility upon the parents and pupil for the pupil to attend school as scheduled. Therefore, the Board of Education cannot condone nor permit unnecessary absences from school and will not issue credit if maximum pupil attendance is not accomplished.

A. Definitions

1. "Attendance" is a pupil's presence in school and in the classroom to which he/she is assigned at the times scheduled for instruction or other school activities.
 - a. A pupil will be considered to have attended school if he/she has been present at least 4 instructional hours during the school day.
 - b. A Kindergarten pupil will be considered to have attended school if he/she has been present at least 2 hours during the Kindergarten session to which the pupil is assigned.
2. "Excused absence" is a pupil's absence from school for a full day or a portion of a day for one or more of the following reasons:
 - a. The pupil's illness,
 - b. Illness or death in the immediate family,
 - c. Educational opportunities,
 - d. Excused religious observances, pursuant to N.J.S.A. 18A:36-14 through 16,

- e. Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. §§ 794 and 705(20), and individualized health care plans pursuant to N.J.A.C. 6A:16-2.3,
 - f. The pupil's suspension from school,
 - g. The pupil's required attendance in court,
 - h. Interviews with an admissions officer of an institution of higher education,
 - i. Examination for a driver's license,
 - j. An absence for a reason not listed above, but deemed excused by the Building Principal or designee upon a written request by the pupil's parent or legal guardian to the Building Principal or designee stating the reason for the absence and requesting permission for the absence to be an excused absence.
3. "Truancy" is a pupil's absence from all or a part of the school day without the knowledge of the pupil's parent(s) or legal guardian(s). A pupil will also be considered truant if he/she:
- a. Leaves school at lunch time without a pass,
 - b. Leaves school without permission when school is still in session,
 - c. Leaves class because of illness and does not report to the school nurse as directed, or
 - d. Is present in school but is absent from class without approval. Such truancy from class is a "class cut."
4. "Unexcused absence" is a pupil's absence for all or part of a school day for any reason other than those listed in ¶A2 above.
- a. Instances of tardiness in the number established by Policy No. 5240 will constitute a single unexcused absence.

B. Notice to School of a Pupil's Absence

1. The parent(s) or legal guardian(s) or adult pupil is requested to call the school office before 9:00 a.m. of the morning of the pupil's absence.
2. The parent(s) or legal guardian(s) of a pupil who attended morning session but will not attend afternoon session should call the school office before 10:30 a.m. to give notice of the pupil's absence.
3. The parent(s) or legal guardian(s) or adult pupil who anticipates a future absence or anticipates that an absence will be prolonged should notify the Building Principal or designee who will assist in the arrangement of make-up work.
4. Family Vacations

Family vacations will be counted as unexcused absences. The procedure for notifying school officials of a family vacation is as follows:

- a. Parents will notify the school in writing at least two (2) weeks in advance.
- b. Vacation days are to occur in chronological order and the beginning and ending of the vacation period will be so noted.
- c. The parents will arrange to request school assignments at least two weeks in advance for the period of the vacation in order that the student may keep abreast of the class.
- d. Assigned written work will be given to the respective teachers within one week of the return of the pupil to school.
- e. Parents are cautioned that excessive days absent are detrimental to their child's progress and may result in a loss of credit.

C. Readmission to School After an Absence

1. A pupil returning from an absence of any length must present to the Building Principal or designee a written statement, dated and signed by the parent(s) or legal guardian(s) or adult pupil, of the reasons for the absence.
2. A note explaining a pupil's absence for noncommunicable illness for a period of more than five school days must be accompanied by a physician's statement of the pupil's illness.
3. A pupil who has been absent by reason of having or being suspected of having a communicable disease must present to the Building Principal or designee written evidence of being free of communicable disease, in accordance with Policy No. 8451.

D. Tardiness and Early Excusal

The orderly conduct of class activity is predicated upon the prompt and precise beginning of the program. Tardiness and early excusal hinders the proper conduct of the activity, imposes a distraction which leads to a loss of instructional time for pupils properly in attendance, and denotes school time lost by the tardy pupil.

1. Tardiness To School

Any student who arrives late for school will be marked tardy and a written excuse from the parent or legal guardian will be required. The Building Principal or designee will bring excessive tardiness to the attention of the child's parents and will pursue disciplinary action with the pupil.

2. Early Excusal

- a. Illnesses that occur after the student reported to school upon recommendation of the school nurse,
- b. Verified appointment with a physician/dentist,
- c. Court issued orders.

In these cases, the school will review and verify the conditions, after which the pupil may be excused from school pursuant to prescribed procedures. The pupil shall be permitted to make-up all work missed. Any other emergency will be reviewed by the administration and judged on its individual merits.

E. Instruction

1. Teachers are expected to cooperate in the preparation of home assignments for pupils who anticipate an excused absence of five or more school days duration. The parent(s) or legal guardian(s) or adult pupil must request such home assignments.
2. A pupil who anticipates an excused absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy No. 2412. The parent(s) or legal guardian(s) or adult pupil must request home instruction.
3. Pupils absent for any reason are expected to make up the work missed. Teachers will provide make-up assignments as necessary.
4. A pupil who missed a test because of an excused absence shall be offered an opportunity to take the test or an alternate test.

F. Denial of Course Credit

1. K-8 Schools
 - a. The teacher will determine the credit to be awarded a pupil for make-up work, subject to the rules set forth in this section. Where class participation is a factor in the learning process, the teacher may consider a pupil's absences in determining a final grade, except that absences for the observance of a pupil's religious holiday or for a suspension from school cannot adversely affect the pupil's grade. The teacher may record an incomplete grade, in accordance with Regulation No. 2624, for a pupil who has not had full opportunity to make up missed work.

2. High School

In accordance with the requirements of New Jersey State Law and Administrative Code, students are expected to attend school every day that school is in session, and the responsibility for compliance belongs to the student and parent. Regular attendance and participation in classes are a vital and integral part of the learning process. Frequent absences from classroom learning experiences disrupt the continuity of the instructional process and limit the ability of the student to complete the prescribed curriculum requirements successfully. In addition, chronic absences reinforce a habit that will handicap the individual in future education or employment. A student must be in attendance over 90 percent of the school year in order to be considered to have successfully completed the instructional program requirements of the grade/course to which he/she is assigned.

- a. Students who accrue more than seven (7) absences in a full year course, five (5) absences in a three (3) marking period course (physical education), three (3) absences in a semester course, or two (2) in a one marking period course (health) will receive no credit for the course because of excessive absenteeism.

This is not a permissive regulation establishing or licensing a limit of days which may be missed. Rather, it assumes absences will only occur due to personal illness or circumstances listed below. Parents are asked to contact the school by 9:00 a.m. on any day their child is absent, and to submit a written statement on the first day a student returns to school after an absence.

- b. Family vacations or job interviews will be recorded as unexcused absences.
- c. Students who report late to class (less than fifteen (15) minutes) without an appropriate pass will accrue (one-half) 1/2 of a student absence in that class period.

- d. Students absent from class for fifteen (15) minutes or more without an appropriate pass will be recorded as absent. Thus, lateness and/or absence from class will contribute toward loss of credit in a class.
- e. Any absence from class will count toward loss of credit in that class with the exception of absences due to:
- (1) Death in the immediate family.
 - (2) Observation of an approved religious holiday.
 - (3) Suspension from school.
 - (4) Subpoena-court ordered appearance.
 - (5) Drivers Test - An appropriate absence note must be brought by the student upon his/her return to school. Failure to bring in a note within five school days will result in the absence not being excused.
 - (6) Verifiable absences for illness, as legitimized by a physician's note, will be accepted as excused absences.
 - (7) Other absences authorized by the administration with prior approval.
 - (8) Authorized school activities, such as field trips, state or school testing, regularly scheduled student council or peer counselor meetings, athletic contests, band lessons, and class meetings will not be counted as cumulative absences.

Teachers should contact the activity advisor if a student's absences from class are hindering the student's academic progress. If a student is performing below average in a course, the teacher and the advisor will determine the

advisability of the student missing class to participate in an activity. If a student is failing a course that is required for graduation it is recommended that the student not be excused from class to attend an activity until he/she maintains a passing average. The Child Study Team should be involved in recommending the appropriate course of action for classified students.

In order for a student to participate in an athletic event or social activity such as a prom, he/she must be in attendance a minimum of five periods on the day of that event.

f. Notification (Due Process)

It is important that parents/guardians be notified periodically of their child's attendance so that appropriate measures may be taken. Notification will be as follows:

(1) Full-Year Course

- a. After the fourth unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status.
- b. After the sixth unexcused absence, the parent/guardian will be notified via email or letter a second time. The student's counselor and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.
- c. Upon the eighth unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.

(2) Three Marking Period Course

- a. After the second unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status.
- b. After the fourth unexcused absence, the parent/guardian will be notified via email or letter a second time. The student's counselor and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.
- c. Upon the sixth unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.

(3) Semester Course

- a. After the second unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status. The student's counselor and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.
- b. Upon the fourth unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.

(4) One Marking Period Course

- a. After the first unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status, and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.

b. Upon the third unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.

g. Appeal Process

Upon losing credit for excessive absences the student may request an appeal of his/her loss of credit as follows:

- (1) Within five (5) school days of notification of loss of credit, the student may request an appeal.
- (2) The letter of appeal must be submitted to the Assistant Principal for Attendance.
- (3) Within five (5) school days, a hearing will be arranged with the Attendance Appeal Committee at which time the student may bring his/her parent(s) and/or a representative.
- (4) All information will be reviewed and a decision will be made within five (5) school days after the date of the hearing as to whether or not credit will be reinstated. The student and parent will be notified in writing of the results.

h. Attendance Appeals Committee

The Attendance Appeals Committee will meet on an as needed basis throughout the year to fulfill its assigned function consisting of teachers, a school nurse and an administrator. The basic purpose of this committee will be to make recommendations to the building principal on all appeals resulting from the implementation of the attendance policy.

The Attendance Appeals Committee may require documentation in the form of doctor's notes, court appearance notes or other pertinent data.

This information should be made available to the committee upon request, with the understanding that said data will be considered, but not necessarily accepted, as reason for granting an appeal.

All attendance appeals are to be made through the Attendance Office. Any questions regarding this Committee should also be directed to the Assistant Principal.

i. Student Responsibilities Prior to Administratively Approved Absence

- (1) A student must see the teacher of any class that he/she will miss because of an administratively excused absence.
- (2) The day following the absence the student is expected to report to class to fulfill class requirements, e.g., homework, tests.
- (3) Failure of a student to meet these obligations will not absolve him/her of the responsibilities.

Students must maintain average to above average performance in a class to participate in co-curricular events held during the school day. Participation is dependent upon good school/class attendance. Excessive absences may cause forfeiture of the right to participate in co-curricular events. The faculty will bring to the attention of the appropriate Assistant Principal the name of the student whose frequent absences are impacting negatively on class performance.

j. Procedure for Dealing with Class Cuts

An attendance list will be issued to teachers daily. Teachers will check the attendance list for students who were not in class and are not listed as absent on the attendance sheet, and students who were present but listed as absent. Teachers should check the attendance list for students who were tardy, in in-school or out-of-school suspension, and on field trips.

Students whose whereabouts cannot be verified should be asked the following day to verify their absence from class. If the student cannot prove by authorized pass (e.g., nurse, guidance, main office, etc.) that he/she was absent for a legitimate reason, the teacher should submit a Discipline Report to the Assistant Principal for Attendance.

k. Truancy

Students may only be absent from school for legitimate and authorized reasons. Pupils who are determined by the administration to be absent from school for unauthorized reasons will be considered as truant from school and will be dealt with according to the attendance policy and discipline code. Truancy is a violation of Title 18A: 3827 which requires that a student who is repeatedly absent from school without authorization be subject to school district policies and, if necessary, be deemed to be a juvenile delinquent. The Roxbury Township District applies the definition of truancy to any student absence for unauthorized reason whether the absence is a prolonged one or is an isolated incident. Some examples of unauthorized reasons for student absence include, but are not limited to the following: "Cut Days" or days following a prom weekend.

G. School District Response To Unexcused Absences During the School Year

1. For up to four cumulative unexcused absences, the Building Principal or designee shall:
 - a. Make a reasonable attempt to notify the pupil's parent or legal guardian of each unexcused absence prior to the start of the following school day;
 - b. Conduct an investigation of the cause of each unexcused absence, including contact with the pupil's parent or legal guardian;

- c. Develop an action plan in consultation with the pupil's parent or legal guardian designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11, if a potentially missing or abused child abuse situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between four and eight cumulative unexcused absences, the Building Principal or designee shall:
- a. Make a reasonable attempt to notify the pupil's parent or legal guardian of each unexcused absence prior to the start of the following school day;
 - b. Conduct a follow-up investigation, including contact with the pupil's parent or legal guardian, to determine the cause of each unexcused absence;
 - c. Evaluate the appropriateness of the action plan developed pursuant to F.1.c. above;
 - d. Revise the action plan, as needed, to identify patterns of unexcused absences and establish outcomes based upon the pupil's needs and specify the interventions for achieving the outcomes, supporting the pupil's return to school and regular attendance that may include any or all of the following:
 - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - (2) Conduct testing, assessments, or evaluations of the pupil's academic, behavioral, and health needs;

- (3) Consider an alternate educational placement;
 - (4) Make a referral to a community-based social and health provider agency or other community resource;
 - (5) Refer to the court program designated by the New Jersey Administrative Office of the Courts; and
 - (6) Proceed in accordance with the provisions of N.J.S.A. 9:6 et seq. and N.J.A.C. 6A:16-11, if a potentially missing or child abuse situation is detected.
- e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
3. For cumulative unexcused absences of ten or more, the pupil between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-27, and the Building Principal or designee shall:
- a. Make a mandatory referral to the court program required by the New Jersey Administrative Office of the Courts;
 - b. Make a reasonable attempt to notify the pupil's parent or legal guardian of the mandatory referral;
 - c. Continue to consult with the parent or legal guardian and the involved agencies to support the pupil's return to school and regular attendance;
 - d. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - e. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.

4. For pupils with disabilities, the attendance plan and punitive and remedial procedures of N.J.A.C. 6A:16-7.8 and Policy and Regulation 5200 shall be applied, where applicable, in accordance with the pupil's Individualized Education Programs, pursuant to 20U.S.C. §1400 et seq.; the Individuals with Disabilities Education Improvement Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plans under 29 U.S.C. §§794 and 705(20); and individualized health care plans, pursuant to N.J.A.C. 6A:16-2.3.
5. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a) shall act in accordance with F.1. above for each pupil with up to four cumulative unexcused absences.
 - a. For each pupil attending a receiving school with five or more cumulative unexcused absences, the absences shall be reported to the sending district by the receiving school.
 - (1) The sending school district shall proceed in accordance with the district Board of Education policies and procedures pursuant to F. above and the provisions of F.2. through F.4. above, as appropriate.

H. Discipline

1. Pupils may be denied participation in co-curricular activities if their attendance fails to meet the standards set forth in Policy No. 2430.
2. Pupils may be denied participation in athletic competition if their attendance fails to meet the standards set forth in Board Policy No. 2431.
3. No pupil who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.
4. In addition to the requirements as outlined in G.3.a. through e. above, a pupil deemed truant shall be subject to appropriate pupil discipline.

I. Recording Attendance

1. Teachers must accurately record the pupils present, tardy, and absent each day in each session or each class. Attendance records must also record pupils' attendance at out-of-school curricular events such as field trips.
2. Teachers must record each absence as excused, unexcused, or truancy.
3. A report card will record the number of times the pupil was absent and tardy in each marking period.
4. A pupil's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

J. Appeal

1. A truant pupil may be suspended or expelled for truanancies in accordance with Policy Nos. 5610 and 5620.
2. A pupil who has been retained at grade level for excessive absences may appeal that action in accordance with Policy No. 5410.
 - a. The Attendance Review Committee shall decide the appeal and inform the pupil in writing within seven working days of the meeting. The committee may impose conditions on any reenrollment and may require the pupil to agree to those conditions.
 - b. The pupil may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education, in that order and in accordance with Policy No. 5710, Pupil Grievance. Resort to the Attendance Review Committee shall be considered to have exhausted the first step of the grievance.

K. Attendance Improvement Plan

1. The Superintendent or designee will collect attendance data from each of the schools in the district and calculate the average daily attendance rate for the district and for each school. The attendance rate shall be calculated by dividing the total number of pupil days present for all pupils by the total possible number of pupil days present for all pupils and multiplying the result by one hundred.
2. When the average daily attendance rate for the district or for a school does not meet the New Jersey Department of Education requirements, performance objectives to improve pupil attendance pursuant to N.J.A.C. 6A:32-12.2(a)3 shall be developed.

Adopted: 5 November 2001

Revised: 9 September 2002; 13 September 2004; 18 October 2004;
18 June 2007; 17 August 2009; 24 September 2012

R 5230 LATE ARRIVAL AND EARLY DISMISSAL

A. Definitions

1. "Late arrival" means the arrival of a pupil after the beginning of the pupil's school day for an excused purpose. A late arrival is not an instance of tardiness for the purpose of applying Regulation No. 5240.
2. "Early dismissal" means the release of a pupil from school prior to the end of the pupil's school day for an excused purpose; "early dismissal" includes the release of a pupil for a period of time that occurs during the pupil's school day. An early dismissal is not an absence for the purpose of applying Regulation No. 5200.
3. "Dismissal from class" means a pupil's brief absence from his/her assigned class for a reason that has been approved in advance. A "dismissal from class" is not a class "cut" for the purpose of applying Regulation No. 5200.

B. Acceptable Excuses

The following circumstances justify a pupil's late arrival. The list is not meant to be exhaustive, and the Principal or designee should use his/her best judgment in determining whether or not there is good cause for the pupil's late arrival.

1. The pupil's disability from illness or injury, including any necessary emergency visits to a physician or dentist;
2. A bona fide family emergency;
3. The observance of a religious holiday;
4. Religious instruction;
5. Medical or dental appointment that cannot be scheduled at a time other than during the school day;
6. Motor vehicle driver's examination that cannot be scheduled at a time other than during the school day;

7. The pupil's required attendance in court;
8. Private lessons in music, art, or dance or private practice sessions in preparation for competitive events, such as in figure skating or gymnastics; and
9. An interview with a prospective employer or with an admissions officer of an institution of higher education with written verification of the appointment.

C. Late Arrival

1. A pupil's late arrival in school should be approved by the Principal or designee in advance. A late arrival that is not approved at least twenty-four hours in advance will be considered to be an instance of tardiness.
2. The parent(s) or legal guardian(s) or adult pupil shall submit a written request for approval of a late arrival to the Principal or designee. The request must include the reason for the pupil's late arrival and a statement of why it is necessary to delay the pupil's arrival at school.
3. A pupil who arrives late at school shall report to the school office and pick up a late arrival permission slip, signed by the Principal or designee. The permission slip will include the date and the time of the pupil's arrival. The pupil will proceed to his/her assigned class and present the permission slip to the teaching staff member in charge, who will verify the date and time.

D. Early Dismissal Generally

1. A pupil's early dismissal must be approved by the Principal or designee in advance. Except for emergencies, an early dismissal that is not approved in advance will be considered to be an absence.
2. The parent(s) or legal guardian(s) or adult pupil shall submit a written request for approval of an early dismissal to the Principal or designee. The request must include the reason for the pupil's early dismissal and a statement of why it is necessary to excuse the pupil before the end of the pupil's school day.

3. A pupil must obtain an approved early dismissal permission slip from the school office and present the slip to the teaching staff member in charge of the class or activity from which the pupil is to be dismissed. The permission slip will include the date and time of approved dismissal. The teaching staff member in charge must verify the date and time.

E. Early Dismissal for Illness or Injury

1. A pupil who suffers a significant illness or injury during the course of the school day will be treated in accordance with Policy and Regulation No. 8441.
2. A pupil who suffers a minor illness or injury will be sent to the school nurse. A pupil in grades Kindergarten through three who is sent to the school nurse must be accompanied by an adult or responsible pupil. If the nurse's office is unattended, the pupil should report to the Principal's office.
3. If the school nurse determines that an elementary pupil should be sent home, the pupil's parent(s) or legal guardian(s) or the responsible adult designated by the parent(s) or legal guardian(s) will be telephoned to pick up the pupil.
4. No pupil under Grade eight shall be released from school before the end of the school day except in the presence of the pupil's parent(s) or legal guardian(s) or an agent of the parent(s) or legal guardian(s).

F. Early Dismissal for Family Emergency

1. A pupil's parent(s) or legal guardian(s), or caretaker may request the pupil's early release for a bona fide family emergency. Early dismissal for family emergency must be approved by the Principal or designee.
2. A pupil will be released to a parent(s) or legal guardian(s) who reports to the school office and explains satisfactorily to the Principal that good and sufficient reason justifies the pupil's release from school before the end of the pupil's school day.

3. A pupil will be released to an agent of the parent(s) or legal guardian(s) provided the parent(s) or legal guardian(s), or a caretaker personally known to the Principal has requested the pupil's release by:
 - a. Written request signed by the parent(s) or legal guardian(s), or caretaker and verified by telephone call to the signer, or
 - b. A telephone call that is verified by a return telephone call to the pupil's residence or, if the call does not originate in the pupil's home, by interrogation of the caller to test his/her knowledge of specific facts about the pupil.
4. The Principal shall verify the identity of the agent to whom the pupil is released by examination of documents or by verification of characteristics supplied by the parent(s) or legal guardian(s), or caretaker.
5. If the Principal believes that a genuine emergency may exist but cannot verify the identity of the person who requests release of the pupil, the Principal shall arrange for the pupil's transportation by a school staff member directly to the custody of the parent(s) or legal guardian(s), or designated agent of the parent or legal guardian.
6. The Principal shall maintain a record of each pupil's parent(s) or legal guardian(s). The record shall include any legally sufficient notice given the Principal by a parent(s) or legal guardian(s) in sole custody that the noncustodial parent's access to the pupil has been limited. In the absence of such notice, the Principal shall presume that the pupil may be released into the care of either parent(s) or legal guardian(s).

R 5240 TARDINESS

Middle School

1. Late to School

Students will be considered tardy if they report to school after the "late" bell. Anyone coming into school after that time must report to the office to sign-in and have their name removed from the absence list. If students are tardy because of a bus arriving to school after the "late" bell, they should report to the office immediately. These students will not be considered tardy.

2. Late to Class

Students are considered late to class if they are not in the classroom, seated, and ready for class to begin when the "late" bell rings. Repeated offenses of tardiness to school or class may result in conferences with parents and/or penalties.

3. Penalties

Students who arrive after Period 1 has begun, will report to the Main Office.

1st tardy to school/class:

Student will receive a verbal warning from teacher/administration.

2nd, 3rd, and 4th tardy to school/class:

Student will meet with Team and parents will be notified.

5th, 6th, 7th tardy to school/class:

Student will be assigned one detention, after school, by administration.

8th tardy to school/class:

Student will be assigned Saturday detention and parent will be notified.

9th, 10th, 11th tardy to school/class:

Student will be assigned one in-school suspension and parent conference held.

12th tardy to school/class:

Student will be suspended out-of-school, parent will be notified, and a referral will be made to the Pupil Assistance Committee for recommendations.

High School

1. Penalties

Homeroom will be held during Period 1. This allows for all tardies to all classes to be treated the same. Additionally, tardy to Period 1 will be considered as tardy to school, and the attendance policy will be administered accordingly. A student will be considered tardy to Period 1 up to 7:50 a.m. For any student entering Period 1 after 7:50 a.m. it will be considered as an unexcused absence. All tardiness to school will result in the assignment of discipline in accordance with the school's progressive discipline policy.

Prompt attendance to all classes is a vital part of the learning process. Frequent tardiness to classes perpetuates a bad habit that inhibits the learning process. Tardiness not only creates congestion in the hallways, but it also stalls the learning process for those students who take punctuality seriously and arrive to class on time. Lateness to class will contribute toward possible loss of credit in a course. Each lateness to class will count as one-half (1/2) of an absence.

The discipline policy for tardiness to school will be administered in sets of three as follows:

1 st tardy:	verbal warning
2 nd tardy:	written warning
3 rd tardy:	Saturday detention
4 th tardy:	verbal warning
5 th tardy:	written warning
6 th tardy:	Saturday detention
7 th tardy:	verbal warning
8 th tardy:	written warning
9 th tardy:	In-School Suspension
10 th tardy:	verbal warning
11 th tardy:	written warning
12 th tardy:	Out-of-School Suspension

The discipline policy for lateness to any class will be administered as follows:

1st-4th tardy:

A mandatory phone call home will be made by the teacher.

5th and 6th tardy:

Assignment of Saturday detention.

Subsequent tardies:

Assignment of two Saturday detentions. On the 8th tardy, a mandatory student/parent conference will occur.

This policy applies to each period separately.

Adopted: 5 November 2001
Revised: 13 September 2004

R 5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to pupils enrolled in the nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.

- A. Nursing services shall be provided to pupils enrolled in a nonpublic school as follows pursuant to N.J.S.A. 18A:40-23 et seq.:
1. Who are full-time based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year;
 2. The provision of services shall be only to pupils of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year;
 3. The provision of nursing services as follows:
 - a. Assistance with medical examinations including dental screening;
 - b. Screening of hearing;
 - c. The maintenance of pupil health records and notification of local or county health officials of any pupil who has not been properly immunized.
 4. Scoliosis examinations of pupils between the ages of ten and eighteen.
- B. The Board of Education shall provide for the extension of emergency care provided to public school pupils to those pupils who are enrolled full-time in the nonpublic school who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-1.4 and 2.1(a)4.
- C. The Board of Education may provide additional services to those required under A. above under the following conditions:

1. Such additional medical services may only be provided when all basic nursing services required under A. and B. above have been provided or will be provided;
 2. Such additional medical services may include the necessary equipment, materials, and services for immunizing pupils who are enrolled full-time in the nonpublic school from diseases as required by N.J.A.C. 8:57-4, Immunization of Pupils in School;
 3. Equipment comparable to that in use in the school district may be purchased by the school district to loan without charge to the nonpublic school for the purpose of providing services under this section. However, such equipment shall remain the property of the district Board of Education; and
 4. Costs of supplies comparable to that in use in the school district and transportation costs may be charged to the funds allocated for each participating nonpublic school provided that they are directly related to the provision of the required basic nursing services and additional medical services which may be provided.
- D. Health services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, an employee of a third-party contractor, or an independent contractor.
- E. The health services provided to a nonpublic school pupil shall not include instructional services.
- F. A nonpublic school may decline nursing services required under N.J.A.C. 6A:16-2.5 by submitting notification to the Board of Education signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29.
- G. A pupil who is enrolled in a nonpublic school and whose parent(s) or legal guardian(s) objects to the pupil receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the pupil is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

- H. The Board of Education shall consider the provision of health services based upon the following:
1. The funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year;
 2. The provision of services shall be only to a pupil of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year; and
 3. The funds expended by the Board of Education for administrative costs shall be limited to the actual costs or six percent of the funds allocated for each participating nonpublic school, whichever is less.
- I. The Superintendent or designee shall confer annually with the administrator of the nonpublic school for the following purposes:
1. To advise the nonpublic school of the amount of funds allocated to the nonpublic school by the Department of Education or otherwise made available by the school district for the provision of health services for the full-time pupils enrolled in the nonpublic schools;
 2. To agree on the basic health services to be provided and additional medical services which may be provided as set forth in N.J.S.A. 18A:40-23 et seq.;
 3. To assure that in the event the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide assistance;
 4. To assure that each nonpublic school which receives nursing services has a copy of N.J.S.A. 18A:40-23 to 31 and N.J.A.C. 6A:16-2.5; and
 5. To assure a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.

- J. For the purposes of monitoring and recordkeeping, the Board of Education providing health services to nonpublic schools shall annually submit the following information to the County Superintendent of Education on or before October 1 and shall provide a copy to the Chief School Administrator of the nonpublic schools within school district boundaries:
1. A written statement verifying that the required conference was held with the nonpublic school;
 2. A copy of the contract with another agency to provide the services, if applicable, and approved minutes of the Board of Education meeting approving the contract, which describes the methods by which the health services to nonpublic school pupils will be provided for the ensuing year, including a rationale for the distribution of funds; and
 3. A description of the type and number of services that were provided during the previous school year on a form approved by the Commissioner of Education.

Adopted: 25 February 2008

R 5308 PUPIL HEALTH RECORDS

Pupil health records shall be maintained for each pupil pursuant to N.J.A.C. 6A:16-2.4. Maintenance and security of pupil health records shall be in accordance with N.J.A.C. 6A:32-7.4.

A. Mandated Pupil Health Records

1. The following mandated pupil health records shall be maintained:
 - a. Findings of health histories, medical examinations, and health screenings pursuant to N.J.A.C. 6A:16-2.2 and 4.3; and
 - b. Documentation of immunizations against communicable diseases or exemption from these immunizations pursuant to N.J.A.C. 8:57-4.
2. The district will document the findings of pupil health histories, health screenings, and required medical examinations that are relevant to school participation on the pupil's health record using a form approved by the Commissioner of Education.

B. Maintenance of Pupil Health Records

1. The school district shall maintain pupil health records in accordance with N.J.A.C. 6A:32-7.4 as follows:
 - a. Pupil health records shall be maintained separately from other pupil records in a secure location;
 - b. Pupil health records kept in electronic form shall be both accessible and secure according to N.J.A.C. 6A:32-7.4(d);
 - c. Pupil health records shall be located in the school building or complex to which a pupil is assigned;
 - d. Pupil health records shall be accessible to authorized personnel while school is in session; and

- e. The health and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record until such time as graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

C. Transferring Pupil Health Records

1. The school district shall ensure the following when transferring pupil health records:
 - a. Original mandated pupil health records that school districts are directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator, or designee, of the school district to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;
 - b. Duplicate mandated pupil health records which school districts have been directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator, or designee, of the nonpublic school to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;
 - c. Duplicate mandated pupil health records which school districts have been directed to compile pursuant to New Jersey statute, rule, or authorized administrative directive shall be forwarded to the Chief School Administrator or designee of the out-of-State school district to which the pupil has transferred within ten days of receipt of a written request and verification by the school district;
 - d. Records that are transferred in duplicate form shall have their original maintained at the location of the sending school district; and
 - e. The Chief School Administrator or designee shall request all pupil health records in writing from the school district of last attendance within two weeks from the date that the pupil enrolls in the new school district.

D. Restrictions for Sharing Pupil Health Information

1. Any Board of Education employee with knowledge of, or access to, the following health information shall comply with restrictions for sharing that information as required by Federal and State statutes and regulations.
 - a. Information that identifies a pupil as having HIV infection or AIDS shall be shared only with prior written informed consent of the pupil age twelve or greater, or of the pupil's parent(s) or legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the pupil.
 - b. Information obtained by the school's alcohol and other drug program which would identify the pupil as an alcohol or other drug user may be disclosed only for those purposes and under those conditions permitted by 42 CFR Part 2.
 - c. Information provided by a secondary school pupil while participating in a school-based alcohol or other drug counseling program that indicates a parent, guardian, or other person residing in the pupil's household is dependent upon or illegally using a substance shall be shared only for those purposes and conditions permitted by N.J.S.A. 18A:40A-7.1.

E. Access to Pupil Health Records

1. Access to and disclosure of information in the pupil's health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, incorporated herein by reference, as amended and supplemented, 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7, Student Records.
2. The school district shall provide access to the pupil health records to licensed medical personnel, not holding educational certification, who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties.

- a. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the pupil's health record that are necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.

Nothing in N.J.A.C. 6A:16-2.5 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing information contained in the pupil's health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the pupil or other persons pursuant to N.J.A.C. 6A:32-7.4.

Adopted: 25 February 2008

R 5310 HEALTH SERVICES

A. Definitions - N.J.A.C. 6A:16-1.3

1. Advanced Practice Nurse - means a person who holds current certification as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
2. Certified School Nurse - means a person who holds a current license as a registered professional nurse from the State Board of Nursing and an Educational Services Endorsement, school nurse or school nurse/non-instructional from the Department of Education pursuant to N.J.A.C. 6A:9-13.3 and 13.4.
3. Medical Examination - means the assessment of an individual's health status.
4. Medical Home - means a health care provider and that provider's practice site chosen by the pupil's parent or legal guardian for the provision of health care.
5. Noncertified Nurse - means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by a district Board of Education or nonpublic school, and who is not certified as a school nurse by the Department of Education.
6. Physical Examination - means the examination of the body by a professional licensed to practice medicine or osteopathy or an advanced practice nurse. The term includes very specific procedures required by statute as stated in N.J.A.C. 6A:16-2.2.
7. School Physician - means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Examiners who works under a contract or as an employee of the school district. The physician is also referred to as the medical inspector as per N.J.S.A. 18A:40-1.

B. Medical Examinations - General Conditions

Each pupil medical examination shall be conducted at the medical home of the pupil. If a pupil does not have a medical home, the school district shall provide this examination at the school physician's office or other comparably equipped facility. For the purpose of the physical examination required for pupils prior to participation on a school-sponsored interscholastic or intramural athletic team or squad for pupils enrolled in grades six to twelve, the pupil's parent(s) or legal guardian(s) may choose either the school physician or their own private physician. A full report of the examination shall be maintained as part of the pupil's health record.

The findings of required examinations under C. through G. below shall be documented on a form that is approved by the Commissioner of Education and shall include the following components:

1. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.16;
2. Medical history including allergies, past serious illnesses, injuries and operations, medications and current health problems;
3. Health screenings including height, weight, hearing, blood pressure, and vision; and
4. Physical examinations.

The district Board of Education shall make accessible information regarding the NJ FamilyCare Program for pupils who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.

Pursuant to N.J.S.A. 18A:40-4.4, a pupil who presents a statement signed by his/her parent(s) or legal guardian(s) that required examinations interfere with the free exercise of his/her religious beliefs shall be examined only to the extent necessary to determine whether the pupil is ill or infected with a communicable disease or under the influence of alcohol or drugs or is disabled or is fit to participate in any health, safety, or physical education course required by law.

Information concerning a pupil's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.

C. Medical Examinations - Prior To Participation On A School-Sponsored Interscholastic Or Intramural Athletic Team Or Squad For Pupils Enrolled In Grades Six To Twelve

The school district shall ensure that pupils receive medical examinations prior to participation on a school-sponsored interscholastic or intramural athletic team or squad for pupils enrolled in any of the grades six to twelve.

1. The examination shall be conducted within 365 days prior to the first practice session.
2. The medical examination shall include a health history questionnaire, completed and signed by the parent(s) or legal guardian(s).
 - a. The report of health findings of the medical examination for participation shall be documented on the Athletic Preparticipation Physical Examination Form approved by the Commissioner of Education to determine whether the pupil had or currently has any of the following conditions since their last physical:
 - (1) Injuries;
 - (2) Chronic or ongoing illness;
 - (3) Prescribed medication;
 - (4) Allergies;
 - (5) Head-related conditions;
 - (6) Heart-related conditions;
 - (7) Eye, ear, nose, mouth, or throat conditions;
 - (8) Neuromuscular/orthopedic conditions; or
 - (9) General or exercise-related conditions.

- b. The medical report shall include a determination concerning the pupil's participation from the examining physician, advanced practice nurse or physician's assistant which includes, at a minimum, the following normalities:
- (1) Measurement of weight, height, and blood pressure;
 - (2) Examination of the skin to determine the presence of infection, scars from previous surgery or trauma, jaundice and purpura;
 - (3) Examination of the eyes to determine visual acuity, use of eyeglasses or contact lenses, and examination of the sclera for the presence of jaundice;
 - (4) Examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum and gross hearing loss;
 - (5) Examination of the nose to assess the presence of deformity which may affect endurance;
 - (6) Assessment of the neck, back, and spine to determine range of motion, the presence of pain associated with such motion, and abnormal curvature of the spine;
 - (7) Examination of chest contour;
 - (8) Auscultation and percussion of the lungs;
 - (9) Assessment of the heart with attention to the presence of murmurs, noting rhythm and rate;
 - (10) Assessment of the abdomen with attention to the possible presence of hepatomegaly, splenomegaly, or abnormal masses;
 - (11) Examination of upper and lower extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars and varicosities;

- (12) Examination of the testes to determine the presence and descent of testes, abnormal masses, or configurations, or hernia;
 - (13) Assessment of physiological maturation; and
 - (14) Neurological examination to assess balance and coordination.
- c. The medical report shall indicate whether a pupil is allowed or disallowed to participate in the required sports categories and must be completed and signed by the original examining physician, advanced practice nurse, or physician's assistant. A form that is incomplete shall be returned to the pupil's medical home for completion.
3. Each pupil whose medical examination was completed more than sixty days prior to the first practice session shall provide a health history update of medical problems experienced since the last medical examination. This shall be completed and signed by the parent(s) or legal guardian(s). The health history update shall include the following information:
- a. Hospitalization/operations;
 - b. Illnesses;
 - c. Injuries;
 - d. Care administered by a physician of medicine or osteopathy, advanced practice nurse, or physician's assistant; and
 - e. Medications.
4. Each school district shall provide written notification signed by the school physician to the parent(s) or legal guardian(s) stating approval of the pupil's participation in athletics based upon the medical report or the reasons for the school physician's disapproval of the pupil's participation.
5. A pupil that does not have a completed Athletic Preparticipation Physical Examination Form shall not be permitted to participate.

D. Medical Examinations - Upon Enrollment Into School

1. The school district shall ensure that pupils receive medical examinations upon enrollment into school. Parent(s) or legal guardian(s) shall be required to provide examination documentation of each pupil within thirty days upon enrolling into school.
2. When a pupil is transferring to another school, each school district shall ensure that pupil documentation of entry examination is forwarded to the transfer school district pursuant to N.J.A.C. 6A:16-2.4(d).
3. Pupils transferring into this school district from out-of-State or out-of-country may be allowed a thirty-day period in order to obtain entry examination documentation.
4. The school nurse shall notify parent(s) or legal guardian(s) of the importance of obtaining subsequent medical examinations of the pupil at least once during each developmental stage, at early childhood (pre-school through grade three), pre-adolescence (grades four through six) and adolescence (grades seven through twelve).

E. Medical Examinations - When Pupils Apply for Working Papers

1. The school district shall ensure that a pupil receives medical examinations when applying for working papers. Pursuant to N.J.S.A. 34:2-21.7 and 21.8, the school district is responsible for the administration of medical examinations for a pupil pursuing a certificate of employment.
2. A statement of physical fitness shall be signed by the school physician unless the parent(s) or legal guardian(s) elects to obtain the examination at the pupil's medical home.
3. The school district shall not be held responsible for the costs incurred by the parent(s) or legal guardian(s) who elects to obtain the examination at the pupil's medical home.

F. Medical Examinations - For The Purposes Of The Comprehensive Child Study Team Evaluation Pursuant To N.J.A.C. 6A:14-3.4

1. The school district shall ensure that pupils receive medical examinations for the purposes of the Comprehensive Child Study Team Evaluation pursuant to N.J.A.C. 6A:14-3.4.

G. Medical Examinations - When A Pupil Is Suspected Of Being Under The Influence Of Alcohol Or Controlled Dangerous Substances pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3

1. If a pupil who is suspected of being under the influence of alcohol or controlled dangerous substances is reported to the certified school nurse, the certified school nurse shall monitor the pupil's vital signs and general health status for emergent issues and take appropriate action pending the medical examination pursuant to N.J.A.C. 6A:16-4.3.
2. No school staff shall interfere with a pupil receiving a medical examination for suspicion of being under the influence of alcohol or controlled dangerous substances pursuant to N.J.A.C. 6A:16-4.3.

H. Health Screenings

Each district Board of Education shall ensure that pupils receive health screenings.

1. Screening for height, weight, and blood pressure shall be conducted annually for each pupil in Kindergarten through grade twelve.
2. Screening for visual acuity shall be conducted biennially for pupils in Kindergarten through grade ten.
3. Screening for auditory acuity shall be conducted annually for pupils in Kindergarten through grade three and in grades seven and eleven pursuant to N.J.S.A. 18A:40-4.
4. Screening for scoliosis shall be conducted biennially for pupils between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.

5. Screenings shall be conducted by a school physician, school nurse, physical education instructor, or other school personnel properly trained.
6. The school district shall provide for the notification of the parent(s) or legal guardian(s) of any pupil suspected of deviation from the recommended standard.

Adopted: 19 November 2001
Revised: 25 February 2008

R 5320 IMMUNIZATION

A. Immunizations on Admission

1. No principal shall knowingly admit or retain any pupil who has not submitted acceptable evidence of immunization according to the schedule set forth at ¶E, unless the pupil is provisionally admitted as provided at ¶A2 or exempted as provided at ¶B. N.J.A.C. 6:29-2.1 and N.J.A.C. 8:57-4.3 and 8:57-4.4
2. A pupil may be admitted to preschool or school on a provisional basis if a physician, a certified nurse practitioner or health department can document that at least one dose of each of the required vaccine(s) or antigen(s) which are age appropriate have been administered and that the pupil is in the process of receiving the remaining immunizations.
 - a. No child will be enrolled provisionally in a school or child care center without documentation of at least one dose of polio, diphtheria, tetanus, pertussis, measles, mumps, rubella, and Hib vaccine (for child care centers only) which are age-appropriate for the child, and hepatitis B as described below. The child must also have an appointment for, and be in process of, receiving the remaining antigens.
 - b. A child under five years of age lacking all required vaccines shall have no more than seventeen months to meet all immunization requirements.
 - c. A child five years of age or older lacking all required vaccines shall have no more than one year to complete all immunization requirements.
 - d. Beginning in September 2001, a child born after January 1, 1990 and entering or attending kindergarten or first grade (whichever occurs first) and grade 6 shall document receipt of at least one dose of a licensed hepatitis B vaccine and shall have no more than one year to meet the hepatitis B requirement. Physicians or

certified nurse practitioners choosing to administer the specific hepatitis B vaccine product licensed for two doses when administered wholly to children eleven to fifteen years of age are to administer the second and final dose of that vaccine no later than six months following the first dose as recommended by the AAP, ACIP, FDA, and the vaccine manufacturer rather than waiting twelve months to complete the hepatitis B vaccine series.

- e. Provisional status shall be granted only one time to pupils entering or transferring into this district. If a pupil on provisional status transfers from this district, information on his/her status will be sent to the new school. Provisional status may be extended by a physician for medical reasons as indicated in N.J.A.C. 8:57-4.3.
- f. Pupils transferring into this district from another state or country shall be allowed a thirty day grace period in order to obtain past immunization documentation before provisional status shall begin. The thirty day grace period does not apply to pupils transferring from within the State of New Jersey.
- g. The Principal shall ensure that the provisionally admitted pupil is receiving required immunizations on schedule. If the pupil has not completed the immunizations at the end of the provisional period, the Principal shall exclude the pupil from school until appropriate documentation of completion has been presented.
- h. Pupils on provisional status may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health and Senior Services.

B. Exemptions from Immunization

- 1. A pupil shall not be required to have any specific immunization(s) that are medically contraindicated.

- a. A written statement from any physician licensed to practice medicine or osteopathy in any jurisdiction in the United States or a certified nurse practitioner indicating that an immunization is medically contraindicated as stated by the wholly accepted standards for the current Red Book or ACIP standards for a specified period of time, and the reasons for the medical contraindication, will exempt a pupil from the specific immunization requirements of law for the period of time specified in the physician's statement.
 - b. The physician's or a certified nurse practitioner's statement shall be maintained by the school as part of the immunization record of the pupil and shall be reviewed annually.
 - c. When the pupil's medical condition permits immunization, this exemption shall thereupon terminate, and the pupil will be required to obtain the immunizations from which he/she has been exempted.
2. A pupil shall be exempted from mandatory immunization if the parent(s) or legal guardian(s) submits a signed statement that explains how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.
 - a. The written statement signed by the parent(s) or legal guardian(s) will be kept by the school as part of the pupil's immunization record.
 - b. This exemption may be suspended by the State Commissioner of Health during the existence of an emergency as determined by the State Commissioner of Health.
 - c. Pupils enrolled in school before September 1991 and granted a religious exemption to immunization before May 1990 shall not be required to reapply for a new religious exemption under N.J.A.C. 8:57-4.4(a).
 3. Pupils exempted on medical or religious grounds may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health.

C. Documentation of Immunization

1. Any of the following documents will be accepted as evidence of a pupil's immunization history, provided that the document lists the type of immunization and the specific date (month, day and year) when each immunization was administered.
 - a. An official school record from any school or preschool indicating compliance with immunization requirements,
 - b. A record from any public health department indicating compliance with immunization requirements, or
 - c. A certificate signed by a physician licensed to practice medicine or osteopathy in any jurisdiction in the United States or a certified nurse practitioner indicating compliance with immunization requirements.
2. All immunization records submitted by a parent(s) or legal guardian(s) in a language other than English shall be accompanied by a translation provided by the parent(s) or legal guardian(s) sufficient to determine compliance with the immunization requirements of this regulation.
3. Parental verbal history or recollection or previous immunization is unacceptable documentation or evidence of immunization.

D. Immunization Records

1. Each school shall maintain an official State of New Jersey Immunization Record for every pupil which shall include the date of each individual immunization.
 - a. The New Jersey Department of Health and Senior Services' "School/Child Care Immunization Record" IMM-8 form or the New Jersey Education Department's "Health History and Appraisal" A-45 form for schools continue to be the only two acceptable immunization documentation records under these regulations.

- b. When a child is transferring to a different school, and at the request of a parent or the receiving school, a copy of the school immunization form or the original form must be sent or communicated to the receiving school within twenty-four hours of such a request so that the child may be quickly enrolled at the new school. If the pupil leaves the school or child care center for any reason, and if the parent requests the State "School Immunization Record", a certified copy shall be provided to the parent within twenty-four hours (one working day) of such a request.
- c. The immunization record shall be kept separate and apart from the pupil's other medical records for the purpose of immunization record audit.
- d. If a pupil withdraws, is promoted, or transfers to another school, the record, including statements pertaining to medical or religious exemptions, or certified copies thereof, shall be sent to the new school or be given to the parent(s) or legal guardian(s) on request, within twenty-four hours of the request.
- e. Child care centers and elementary schools are to retain immunization records, or a copy thereof, for at least one year after the pupil has transferred or withdrawn from the facility. For children who are promoted from elementary to middle school or from middle school to high school within the same school system, this record retention requirement is not applicable in accordance with Department of Education rules and policies on transfer of pupil records.
- f. Each pupil's immunization record or a copy thereof shall be retained by the high school for a minimum of four years after the pupil has left the school and shall be retained by the elementary school for a minimum of one year after the pupil has left the school.
- g. When a pupil graduates from high school, the record or a certified copy thereof shall be sent to an institution of higher education or may be given to the parent(s) or legal guardian(s) on request.

- h. Any computer-generated document or list developed to record immunization information will be considered a supplement to, not a replacement of, the official New Jersey Immunization Record.
 2. A report of the immunization status of the pupils in each school shall be sent each year to the State Department of Health and Senior Services by the Principal or other person in charge of a school. The form for the report will be provided by the State Department of Health and Senior Services. The report shall include all pupils and shall be submitted by December 1 of the respective academic year. A copy of this report shall be sent to the local Board of Health in whose jurisdiction the school is located.
 3. The Principal in charge of a school shall make immunization records available for inspection by authorized representatives of the State Department of Health and Senior Services or the local Board of Health in whose jurisdiction the school is located, within twenty-four hours of notification.
- E. Immunization Requirements (Effective September 2001)
1. Diphtheria and Tetanus Toxoids and Pertussis Vaccine
 - a. For those children less than seven years of age, entering kindergarten or first grade, a minimum of four doses of DTP are still required. One dose must have been administered on or after the fourth birthday. Children receiving any five doses of DTP, DTaP, DTP/Hib, DTaP/Hib, or DT (with a valid medical contraindication) shall also be in compliance with this regulation.
 - b. DTaP vaccine doses are valid toward meeting the DTP requirement. DTP vaccine is no longer available in the United States.
 - c. Children under age one in child care centers are still covered by the DTP immunization regulations. Children too young to have four doses of DTP/DTaP with at least one dose being administered after the fourth birthday, shall be appropriately immunized for their age to meet the DTP requirement.

- d. For children over seven years of age, three doses of TD or a combination of DTP, DT, DTaP/Hib, DTP/Hib, DTaP, and Td to total three doses shall meet the DTP requirements.
 - e. For child care centers, what is routinely considered as the fifth dose of DTP or DTaP, is not required for a child to remain in a preschool class since it is routinely given as a school entry booster at 4, 5, or 6 years of age depending on when the child enters school (Kindergarten or Grade 1) and the physician's timing preference for this booster dose.
 - f. The regulation formally recognizes that the more recently licensed DTP/Hib, DTaP/Hib, and DTaP vaccines, as specified in licensure and these rules, constitute a valid DTP dose.
 - g. Pediatric Diphtheria-Tetanus (DT) toxoid is acceptable in lieu of DTP or DTaP, only if a valid medical contraindication is submitted by a physician or a certified registered nurse practitioner.
2. Polio Vaccine
- a. For those children less than seven years of age, a minimum of three doses of oral polio vaccine (OPV) and/or enhanced inactivated poliovirus vaccine (IPV), is required, provided at least one dose is given on or after the fourth birthday. Alternatively, children receiving four doses of polio vaccine, separated by a minimum of one month, shall also be in compliance with this requirement.
 - b. Children under one year of age enrolled in child care centers are still covered by the immunization regulations. Those children too young to have three doses of polio vaccine, with at least one dose after their fourth birthday, shall be appropriately immunized for their age.

- c. For children seven to eighteen years of age, three doses of oral polio vaccine or IPV will satisfy the polio vaccine requirement.
 - d. Pupils eighteen years of age or older are not required to receive poliovirus vaccine in order to enter or remain in school. Physicians should continue to recommend that person eighteen years of age or older who have begun, yet not completed the primary series, finish the series.
 - e. For child care centers, what is routinely considered as the fourth dose of poliovirus vaccine is not required to remain in a preschool class since it is routinely given as a school entry booster at 4, 5, or 6 years of age depending on when the child enters school (Kindergarten or Grade 1) and the physician's timing preference for this booster dose.
3. Measles Vaccine
- a. Two doses of a measles-containing vaccine given after the first birthday, preferably MMR, will be required of all children born on or after January 1, 1990, who are entering kindergarten or grade 1, or attending a New Jersey school. A measles or MMR dose of vaccine administered to a child before the first birthday will not be counted, and these children are to be reimmunized.
 - b. The two doses of measles-containing vaccine must be separated by an interval of at least one month (twenty-eight days).
 - c. Children presenting at Kindergarten or Grade 1, or higher grades as noted above, with no documented doses of measles-containing vaccine will be given provisional status after receiving 1 dose. These children shall be required to receive the second dose of measles vaccine, preferably as MMR, no sooner than one month and no later than the routine interval of two months following the first dose. Children who have not received the second dose on schedule during the second month will be subject to exclusion.

- d. One dose of measles vaccine administered on or after the first birthday continues to be acceptable for school enrollment and for continued attendance for children born before January 1, 1990.
 - e. Child care pupils younger than fifteen months of age who lack measles vaccine are in compliance with this regulation until they become fifteen months of age, which is the recommended age for routine measles vaccination.
 - f. Documented laboratory evidence of measles immunity continues to be acceptable.
4. Rubella Vaccine
- a. All school or child care pupils must still have rubella vaccine administered on or after the first birthday. Those children immunized before one year of age are to be reimmunized, preferably with MMR.
 - b. Children lacking rubella vaccine who are younger than fifteen months of age are still considered to be in compliance with this regulation until they become fifteen months of age, which is the recommended age for rubella vaccination.
 - c. Documented laboratory evidence of rubella immunity continues to be acceptable.
5. Mumps Vaccine
- a. All school or child care pupils must still have mumps vaccine administered on or after the first birthday. Those children immunized before one year of age are to be reimmunized, preferably with MMR.
 - b. Children lacking mumps vaccine who are younger than fifteen months of age are in compliance with this regulation until they become fifteen months of age, which is the recommended age for mumps vaccination.
 - c. A history of mumps disease from a parent or physician will not be acceptable proof of immunity for children entering school or a child care center after September 1, 1995. Child who previously attended a school or child care facility and have a physician's history of mumps disease on record before September 1, 1995 will still be considered to be in compliance with these requirements.

- d. Documented laboratory evidence of mumps immunity continues to be acceptable under this regulation.
6. Haemophilus Influenza Type B (Hib) Vaccine
- a. All infants, two to eleven months of age, enrolling or attending child care centers, shall have received at least two doses of age-appropriate Hib conjugate vaccine as a primary series, or fewer as age-appropriate. This rule recognizes that the various licensed Hib vaccines have different numbers of doses and intervals, that the number of Hib doses administered is also dependent upon the child's age at the time they begin the series, and the child's actual age.
 - b. At least one booster dose of any licensed Hib conjugate vaccine is required of day care/child care enrollees after twelve months of age and before sixteen months of age. This rule recognizes that for all licensed Hib vaccine products, the booster dose can be given at twelve to fifteen months of age. For most Hib vaccine products, it is recommended that the booster be routinely given at fifteen months, while for one vaccine product the booster dose is recommended at twelve months of age. A child shall not be considered delinquent nor subject to exclusion unless the booster dose has not been given by the sixteenth month of age.
 - c. All unvaccinated children fifteen to fifty-nine months of age attending a child care center or preschool, not previously vaccinated with any Hib vaccine must document receipt of at least one dose of any Hib conjugate vaccine.
 - d. A dose of any licensed combination DTP/Hib vaccine is considered a valid Hib dose. The DTaP/Hib combination vaccine is only valid as a Hib dose when given as the fourth Hib dose.
7. Hepatitis B Vaccine
- a. Children born on or after January 1, 1996 and entering kindergarten or first grade (whichever occurs first) or a comparable special education unassigned grade, shall receive three doses of a hepatitis B vaccine.

- b. All children born on or after January 1, 1996 and attending or transferring into a New Jersey school from out-of-state in subsequent years beyond the initial September 2001 implementation date, shall also receive three doses of a hepatitis B vaccine.
- c. For children granted provisional admittance status by having received one documented dose of a hepatitis B vaccine, the second dose shall be received no later than three months following the first initial dose. Children in provisional status must receive the third and final dose of the hepatitis B vaccine series no later than twelve months following the first dose which established the provisional status.
- d. Beginning September 1, 2001, children born on or after January 1, 1990 and entering grade 6 or a comparable special education unassigned grade, shall be required to receive three doses of a hepatitis B vaccine.
- e. All children born on or after January 1, 1990 and attending or transferring into a New Jersey school from out-of-state in subsequent years beyond the initial September 1, 2001 implementation date, shall also receive three doses of a hepatitis B vaccine.
- f. The recently licensed two dose hepatitis B vaccine and its unique regimen is also recognized as an acceptable alternative to the three dose hepatitis B requirement provided that the medical provider appropriately documents it as HepB Adult Formulation 1.0 mL Merck or RecombivaxHB 1.0 mL to differentiate it from the three dose regimen and that both doses of that specific vaccine be administered to a pupil eleven to fifteen years of age.
- g. Children presenting documented laboratory evidence of hepatitis B immunity or a physician's written certification of past hepatitis B disease constitutes a medical exemption and shall not be required to receive hepatitis B vaccine.

F. Emergency Powers

If a threatened outbreak or outbreak exists at a school, as determined by the State Commissioner of Health, all pupils with provisional, religious, or medical exemptions (which relate to the specific disease threatening or occurring) shall be excluded for a specific period of time or until the outbreak is declared over as determined by the New Jersey Department of Health. If these pupils become immunized or produce serologic evidence of immunity to the specific disease the pupil may immediately be readmitted to school.

G. Required Immunizations by Age for New Jersey Child Care Centers.

By This Age	Child shall have received a total of:	Intervals between Immunizations
2-3 months	1 dose of DTP/DTaP (Diphtheria-Tetanus-Pertussis) 1 dose Hib 1 dose Polio Vaccine	
4-5 months	2 doses DTP/DTaP 2 doses Hib 2 doses Polio	2 months
6-7 months	3 doses DTP/DTaP 2-3 doses Hib* 2 doses Polio	2 months
8-14 months	3 doses DTP/DTaP 2-3 doses Hib* 2 doses Polio	
15-17 months	3 doses DTP/DTaP 1 dose Hib 2 doses Polio 1 dose MMR (Measles, Mumps, Rubella)	9 months
18-19 months	4 doses DTP/DTaP 1 dose Hib 3 doses Polio 1 dose MMR	3 months
19 months-4 years	4 doses DTP/DTaP 1 dose Hib 3 doses Polio 1 dose MMR	16-17 months to complete the required series

* Haemophilus influenzae b (Hib) vaccine has different schedules depending on the type of vaccine used and when the child started the series.

H. Recommended Booster Vaccine Doses for Children Between 4-6 Years Before Entering School (Kindergarten/Grade 1)

By Age 4-6	Vaccines	Interval
School Entry Boosters	Child should have received school entry boosters; these consist of 1 dose of DTP/DTaP and 1 dose of poliovirus vaccine given on or after the fourth birthday; and 1 dose of measles/MMR if not given before.	Variable: Dependent upon when the child will be entering a school setting and the physician's preference.

I. Required Immunizations for New Jersey Child Care Centers and Schools for Children Entering Kindergarten or Grade 1 Not Previously Immunized

Visit Number	Child shall receive at each physician visit	Intervals between Immunizations
1	1 dose DTP/DTaP (Diphtheria-Tetanus-Pertussis) 1 dose Polio Vaccine 1 dose MMR (Measles, Mumps, Rubella) 1 dose Hep B (Hepatitis B)*	Provisional status granted
2	1 dose Hep B* 1 dose DTP/DTaP 1 dose Polio Vaccine 1 dose MMR/measles**	2 months
3	1 dose DTP/DTaP	2 months
4	1 dose Hep B* 1 dose DTP/DTaP 1 dose Polio vaccine	6-8 months
Totals	3 doses Hep B* 4 doses DTP/DTaP 3 doses Polio vaccine 2 doses MMR	10-12 months to complete required vaccines

* Beginning September 1, 2001, pupils born on or after January 1, 1996 are required to document three doses of Hepatitis B prior to Kindergarten or Grade 1 as appropriate.

** Second dose of a measles-containing vaccine, preferably MMR, required for children born on or after January 1, 1990.

J. Required Immunizations for New Jersey Schools for Children Age 7 or Older Not Previously Immunized

Visit Number	Child shall receive at each physician visit	Intervals between Immunizations
1	1 dose Td (Tetanus-Diphtheria) 1 dose Polio Vaccine 1 dose MMR (Measles, Mumps, Rubella)* 1 dose Hepatitis B (Hep B)**	Provisional status granted
2	1 dose MMR* 1 dose Td 1 dose Polio Vaccine 1 dose Hep B - dependent on regimen and pupil age**	2 months
3	1 dose Td 1 dose Polio Vaccine 1 dose Hep B**	6-10 months
Totals	3 doses Td 3 doses Polio Vaccine 1 or 2 doses MMR* 2 or 3 doses Hep B**	8-12 months to complete required vaccines

* If born on or after January 1, 1990, a second dose of a measles-containing or MMR vaccine is required.

** NOTE: Beginning September 1, 2001, if born on or after January 1, 1990 and entering Grade 6, two or three doses of Hepatitis B vaccine as appropriate to regimen used are required.

K. Hib and Hep B Vaccine Information

Preschools and child care centers are advised that physicians are likely to document Hib conjugate and hepatitis B vaccine administration in various ways. There are currently eleven basic separate or combination Hib or hepatitis B vaccines available in the United States. The table below summarizes these vaccines for your reference:

Separate Hib Vaccines	Routine Infant Schedule
HbOC (HibTiter) by Wyeth-Ayerst routinely 4 doses given	2,4,6,12-15 months
PRP-T (ActHib or OmniHib) by Aventis routinely 4 doses given	2,4,6,12-15 months
PRP-OMP (PedvaxHib) by Merck routinely 3 doses given	2,4,12 months
PRP-D (ProHIBit) by Aventis routinely 1 dose after 15 months of age (Can also be used as a booster dose 12-15 months)	15 months
Combination Hib Vaccines	
DTP/HbOC (Tetramune) by Wyeth-Ayerst	2,4,6,12-15 months
DTP/PRP-T (ActHib, OmniHIB) reconstituted with special DTP vaccine by Aventis	2,4,6,12-15 months
DTaP/Hib (TriHIBit) by Wyeth-Ayerst	4th dose of Hib only (12-15 months)
Hib/Hepatitis B (Comvax) (6 weeks-4 years) by Merck	2,4,12-15 months
Hepatitis B Vaccine	
Recombivax HB 0.5 mL (for pediatrics 0-18) by Merck 3 dose	2,4,6-18 months
Recombivax HB 1.0 mL (for adolescents 11-15) by Merck 2 dose	11 years, 11 years 6 months
Engerix B 0.5 mL (pediatrics 0-18) by SmithKline 3 dose	2,4,6-18 months
Comvax Hib/hepatitis B (6 weeks-4 years) by Merck	2,4,12-15 months

Adopted: 5 November 2001

R 5330 ADMINISTRATION OF MEDICATION

A. Definitions

1. "Medication" means any prescription drug or over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. "Administration" means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. "Self-administration" means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to pupils with asthma and other life-threatening illnesses.
4. "Life-threatening illness" means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life, i.e. adrenaline injection in anaphylaxis.
5. "A pre-filled single dose auto-injector mechanism containing epinephrine" is a medical device used for the emergency administration of epinephrine to a pupil for anaphylaxis.
6. "Noncertified school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by the district, and who is not certified as a school nurse by the Department of Education.
7. "Substitute school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute credential to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6:11-4.5.

8. "School physician" means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee of the district. This physician is referred to as the medical inspector in N.J.S.A. 18A:40-4.1.
 9. "Advanced practice nurse" means a person who holds current certification as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
- B. Permission for Administration by a school nurse or Registered Nurse
1. Permission for the administration of medication in school or at school-related events will be given only when the pupil's attendance and/or safety depends upon the timely administration of medication in school or at school-related events.
 2. Medication will not be administered to a pupil who is physically unfit to attend school or has a contagious disease. Any such pupil should not be permitted to attend school and may be excluded in accordance with Policy No. 8451.
 3. Parent(s) or legal guardian(s) requests for the administration of medication in school must be made in writing and signed by the parents or legal guardian.
 4. The parent(s) or legal guardian(s) must submit a certified statement written and signed by the pupil's physician. The statement must include:
 - a. The pupil's name,
 - b. The name of the medication,
 - c. The purpose of its administration to the pupil for whom the medication is intended,
 - d. The proper timing and dosage of medication,

- e. Any possible side effects of the medication,
 - f. The time when the medication will be discontinued,
 - g. A statement that the pupil is physically fit to attend school and is free of contagious disease, and
 - h. A statement that the pupil would not be able to attend school if the medication is not administered during school hours.
5. The request for the administration of medication must be made to the Principal prior to any administration of medication or delivery of the medication to the school. The Principal may consult with the school nurse and the school physician in making his/her final determination to allow or deny the request.
- a. An approved request will be signed by the Principal and given to the school nurse and the pupil's parent(s) or legal guardian(s).
 - b. The parent(s) or legal guardian(s) will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.
6. No medication will be administered to pupils in school except by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the pupil's parent(s) or legal guardian(s) and other school employees trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.
7. The parent(s) or legal guardian(s) may provide the Superintendent written authorization for the emergency administration of epinephrine via a pre-filled single dose auto-injector mechanism containing epinephrine to a pupil for anaphylaxis provided that:

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- a. The parent(s) or legal guardian(s) provides the Superintendent with written orders from the physician or an advanced practice nurse that the pupil requires the administration of epinephrine for anaphylaxis and does not have the capability for self-administration of the medication.
- b. The school nurse has the primary responsibility for the administration of a pre-filled single dose auto-injector mechanism containing epinephrine. However, the school nurse may designate, in consultation with the Board or Superintendent another employee of the district trained in accord with the "Training Protocols for the Implementation of Emergency Administration of Epinephrine" issued by the New Jersey Department of Education to administer a pre-filled single dose auto-injector mechanism containing epinephrine when the school nurse is not physically present at the scene. The pupil's parent(s) or legal guardian(s) must consent in writing to the designated person if applicable.
- c. The parent(s) or legal guardian(s) must be informed in writing by the Board or Chief School Administrator that the school district has no liability as a result of any injury arising from the proper administration of a pre-filled single dose auto-injector mechanism containing epinephrine if the procedures as outlined in this policy and "Training Protocols for the Implementation of Emergency Administration of Epinephrine" issued by the New Jersey Department of Education are followed.
- d. The parent(s) or legal guardian(s) must sign a statement that shall indemnify and hold the district and employees harmless against any claims arising from the administration of a pre-filled single dose auto-injector mechanism containing epinephrine if the procedures as outlined in this policy and "Training Protocols for the Implementation of Emergency Administration of Epinephrine" issued by the New Jersey Department of Education are followed.

- e. The permission for the emergency administration of epinephrine via a pre-filled single dose auto-injector mechanism containing epinephrine to pupils for anaphylaxis is effective for the school year it is granted and must be renewed for each subsequent school year.

C. Permission for Self-Administration of Medication

Permission for self-administration of medication of a pupil with asthma or another potentially life-threatening illness may be granted under the following conditions:

1. Parent(s) or legal guardian(s) of the pupil must provide the Board written authorization for the self-administration of medication. The request must be a signed written statement by the pupil's parent(s) or legal guardian(s);
2. The parent(s) or legal guardian(s) of the pupil must also provide the Board with a signed written certification from the physician of the pupil that the pupil has asthma or another potentially life threatening illness and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The pupil's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the pupil for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the pupil is physically fit to attend school and is free of contagious disease; and

D. Custodianship of Medication

1. Medications to be administered by the school nurse or a registered nurse
 - a. All medications must be delivered to the school by the parent(s) or legal guardian(s).
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. Except as stated in subsection 2, the school nurse shall be custodian of pupils' medication, which will be secured under lock and key under appropriate conditions.
 - d. Any unused medication must be picked up by the pupil's parent(s) or legal guardian(s) once the student is no longer taking the medication.
 - e. After reasonable efforts to have the parent(s) or legal guardian(s) retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or two school weeks after the pupil stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a pupil
 - a. Time being of the essence in cases of asthma and other potentially life threatening illness, all medications to be self-administered by a pupil must be kept in the pupil's possession.
 - b. No pupil may possess medication for self-administration unless the proper permission has been granted by the Principal and a record of the medication is on file in the office of the school nurse.
 - c. Pupils who are permitted to self-administer medications must secure their medication in such

a manner that the medication will not be available to other pupils. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. The medication, if ingested by someone other than the pupil, shall not cause severe illness or death.

- d. Pupils who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for one administration.

E. Administration of Medication

1. No medication shall be administered to or taken by a pupil in school or at a school-sponsored event except as permitted by Board policy and this regulation.
2. Medication may be administered only by the school physician, the school nurse, a registered nurse, the pupil's parent(s) or legal guardian(s), or in the case of pupils with asthma or other potentially life threatening illness by the pupil when proper permission has been granted.
3. When practicable, self-administration of medication should be observed by the school nurse.
4. Pupils self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the pupil during school activities. Such individuals shall report all administrations and any side effects reported or observed to the school nurse within twenty-four hours.
5. When a pupil attends a school-sponsored event at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse cannot be in attendance, the pupil's parent(s) or legal guardian(s) will be invited to attend. If

neither the school nurse nor the parent(s) or legal guardian(s) can attend and the pupil does not have permission to self administer medication and there is a substantial risk that the pupil may suffer significant injury from lack of medication, the pupil may be excused from the event.

6. If the parent does not wish their child excused from the event, then it is the district's responsibility to arrange for coverage for medication to be administered to the child at the event.

F. Emergencies

Any medical emergency requiring medication of pupils will be handled in accordance with Policy No. 8441 and implementing regulations on first aid and, as appropriate, the school physician's standing orders for school nurses.

G. Records

The school nurse shall include the following in a pupil's health record:

1. The approved written request for the administration or self administration of medication;
2. A record of each instance of the administration of the medication by the school nurse or a registered nurse;
3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report pupil self administration of medication;
4. Any side effects that resulted from the administration of medication; and
5. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent(s) or legal guardian(s) removed the medication or, if the parent(s) or legal guardian(s) failed to remove the medication, the medication was destroyed and the date on which that occurred.

H. Notification

1. The school nurse may provide the Principal and other teaching staff members concerned with the pupil's educational progress with information about the medication and administration when such release of information is in the pupil's best educational interest.
2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of pupils who have been given permission to self-administer medication.
3. The school nurse will inform the pupil's parent(s) or legal guardian(s) of any difficulty in the administration of medication or any untoward side effects.
4. The school nurse will report to the school physician any pupil who appears to be adversely affected by the medication.

Adopted: 7 August 2006

R 5331 MANAGEMENT OF LIFE-THREATENING ALLERGIES IN SCHOOLS

A. Definitions

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

B. Policy and Regulation Development

1. Policy and Regulation 5331 address different allergens, varying ages and maturity levels of pupils, and the physical properties and organizational structures of schools in this school district. The components below were critical in developing Policy and Regulation 5331.
 - a. The school district nursing staff, in consultation with the school physician, if needed:

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- (1) Assessed the overall health needs of the pupil population at risk for anaphylaxis, particularly pupils with food allergies; and
 - (2) Assessed current and relevant policies and/or protocols regarding the care of pupils with life-threatening allergies and identified areas in need of development or improvement.
2. Policy and Regulation 5331 were developed using a multidisciplinary team that included various school district administrators, teachers, and support staff members.
3. Additional factors need to be regarded at the secondary school level in order to provide the best care for food-allergic teens. The multidisciplinary team should consider the factors below when developing Policy and Regulation 5331 as it pertains to food-allergic teens.
 - a. Pupils move to different classrooms, frequently in larger buildings and campuses, presenting needs for updated avoidance strategies, epinephrine availability, and designated assistance.
 - b. Pupils may have open lunch periods and accompany friends to local eateries.
 - c. Pupils may have access to vending machines.
 - d. Certain classes give rise to new avoidance issues, e.g., chemistry/biology labs, home economics/culinary class, etc.
 - e. The number of off-site school-sponsored functions increases, e.g., travel, sometimes to other States and foreign countries; athletic games and competitions, sometimes in other towns; dances; etc.
 - f. Risk-taking behaviors frequently accompany the independence of adolescent years.

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- g. N.J.S.A. 18A:40-12.6 provides for a delegate for the emergency administration of epinephrine even when a pupil is able to self-administer life-saving medication. Although teenage pupils will more than likely be permitted to carry and self-administer emergency medications, those pupils are not to be expected to have complete responsibility for the administration of epinephrine. A severe allergic reaction can completely incapacitate a pupil and inhibit the ability to self-administer emergency medication. Therefore, the school nurse or volunteer delegate shall be available during school and school-sponsored functions to administer epinephrine in an emergency in accordance with the provisions of N.J.S.A. 18A:40-12.5.e.2).
4. The Principal and/or the school nurse will educate staff and the community regarding Policy and Regulation 5331; obtain feedback on the implementation and effectiveness of the Policy and Regulation; and annually review, evaluate, and update the Policy and Regulation, as needed or required by law.

C. Prevention Measures

1. Considerations for the Cafeteria

The Principal, in consultation with the school nurse, teaching staff members, food service staff members, and other appropriate staff members, will work to make the cafeteria environment as safe as possible for food-allergic pupils. This process includes making determinations about serving foods with known allergens and identifying steps that can be taken to reduce the chance of accidental exposure. The steps may include:

- a. Training to food service personnel on food label reading and safe handling, as well as safe meal substitutions for food-allergic children.
- b. Educating cafeteria staff and monitors about food-allergy management and make them aware of the pupils who have life-threatening food allergies.

- c. Developing and implementing standard procedures for cleaning tables, chairs, and trays, particularly those designated as allergen-safe, after lunch periods using dedicated and disposable supplies to avoid cross contact.
 - d. When possible, sharing ingredient/allergen information for food provided by the school to pupils and parent(s) or legal guardian(s).
 - e. Making allergen-safe table(s) an available option for allergic pupils.
 - f. Considering allergen-full table(s) (i.e., all those eating peanut butter sit together).
 - g. Discouraging pupils from sharing or trading food/snack items, drinks, straws, or utensils.
 - h. Encouraging pupils to wash hands before and after eating.
 - i. Considering the benefits and ramifications of serving and/or removing allergen-containing foods or removing a particular food item from the school menu.
 - j. Making accommodations in the event a pupil cannot be in direct proximity to certain allergens that are being cooked/boiled/steamed.
2. Considerations for the Classroom

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

- a. If possible, consider prohibiting the use or consumption of allergen-containing foods in the classroom.
- b. Conduct training for teachers, aides, volunteers, substitutes, and pupils about food allergies.

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- c. Develop and implement a procedure that will alert substitute teachers to the presence of any pupils with food allergies and any accompanying instructions.
- d. Develop and implement a letter to parent(s) or legal guardian(s) of classmates of the food-allergic pupil (without identifying the pupil), particularly in lower grades, explaining any prohibitions on food in the classroom.
- e. Discourage the use of food allergens for classroom projects/activities, classroom celebrations, etc.
- f. Encourage the use of non-food items for all classroom events/activities, as a way to avoid the potential presence of major food allergens.
- g. Notify parent(s) or legal guardian(s) of classroom celebrations that involve food with particular attention to notification of parent(s) or legal guardian(s) of food-allergic children.
- h. Encourage pupils to wash hands before and after eating.
- i. Develop and implement standard procedures for cleaning desks, tables, and the general classroom area.

3. General Considerations for the School Environment

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

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

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- b. Developing and implementing guidelines for food fundraisers (i.e. bake sales, candy sales, etc.) that are held on school grounds.
- c. Avoiding the use of food products as displays or components of displays in hallways.
- d. Developing protocols for appropriate cleaning methods following events held at the school, which involve food.

4. Field Trips and Other School Functions

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

- a. Communicate (with parent(s) or legal guardian(s) permission) relevant aspects of the IEHP to staff, as appropriate, for field trips, school-sponsored functions, and before- and after-school programs.
- b. Encourage long-term planning of field trips in order to ensure that food-allergic pupils receive needed services while away from school.
- c. Evaluate appropriateness of trips when considering the needs of pupils e.g., a trip to a dairy farm should not be scheduled for a class with a milk-allergic pupil.
- d. Encourage, but do not require, parent(s) or legal guardian(s) of food-allergic pupils to accompany their child on school trips.
- e. Implement the district's procedure for the emergency administration of medications.

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

5. Bus Transportation

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

- a. Advise bus drivers of the pupils that have food allergies, symptoms associated with food-allergic reactions, and how to respond appropriately.
- b. Assess the emergency communications systems on buses.
- c. Consider assigned bus seating i.e., pupils with food allergies can sit at the front of the bus or can be paired with a "bus buddy."
- d. Assess existing policies regarding food on buses.
- e. In general, bus drivers will not be delegates; their primary responsibility will be to call 911 or for other assistance.

6. Preparing for an Emergency

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

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

- c. Ensure that epinephrine is quickly and readily accessible in the event of an emergency. If appropriate, maintain a backup supply of the medication.
- d. Coordinate with local EMS on emergency response in the event of anaphylaxis.
- e. Consider conducting anaphylaxis drills as part of the district or school-wide emergency response plan.
- f. Ensure access to epinephrine and allergy-free foods when developing plans for fire drills, lockdowns, etc.
- g. Ensure that reliable communication devices are available in the event of an emergency.
- h. Adhere to Occupational Safety and Health Administration (OSHA) and Universal Precautions Guidelines for disposal of epinephrine auto-injectors after use.

7. Sensitivity and Bullying

A food-allergic pupil may become victim to threats of bullying related to his/her condition. N.J.A.C. 6A:16-7.9 requires each Board of Education to develop, adopt, and implement a policy prohibiting harassment, intimidation, or bullying on school grounds, including on a school bus or at a school-sponsored function, pursuant to N.J.S.A. 18A:37-15. The appropriate school staff member(s) should:

- a. Remind pupils and staff that bullying or teasing food-allergic pupils will not be tolerated and violators should be disciplined appropriately.
- b. Offer professional development for faculty and staff regarding confidentiality to prevent open discussion about the health of specific pupils.

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

D. Roles and Responsibilities for Managing Food Allergies

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

1. Family's Role

- a. Notify the school of the pupil's allergies.
- b. Work with the school team to develop a plan that accommodates the pupil's needs throughout the school, including the classroom, the cafeteria, after-care programs, during school-sponsored activities, and on the school bus, as well as an IEHP.
- c. Provide written medical documentation, instructions, and medications as directed by a physician, using the Food Allergy Action Plan as a guide. Include a photo of the child on written form.
- d. Provide properly labeled medications and promptly replace medications after use or upon expiration.
- e. Educate the child in the self-management of their food allergy including: safe and unsafe foods; strategies for avoiding exposure to unsafe foods; symptoms of allergic reactions; how and when to tell an adult they may be having an allergy-related problem; and how to read food labels (age appropriate).
- f. Review policies and procedures with the school staff, the child's physician, and the child (if age appropriate) after a reaction has occurred.

- g. Provide current emergency contact information and update regularly.
 - h. Notify the school nurse in writing at least 48 hours prior to the student attending a school-sponsored function occurring outside of regular school hours.
2. School's Role
- a. Review the health records submitted by parent(s) or legal guardian(s) and physicians.
 - b. Identify a core team including the school nurse, teacher, Principal, and school food service and nutrition manager/director to work with parent(s) or legal guardian(s) and the pupil (age appropriate) to establish an IEHP. Changes to the IEHP that promote food allergy management should be made with core team participation.
 - c. Assure that all staff who interact with the pupil on a regular basis understand food allergies, can recognize symptoms, know what to do in an emergency, and work with other school staff to eliminate the use of food allergens in the allergic pupil's meals, educational tools, arts and crafts projects, or incentives.
 - d. Coordinate with the school nurse to ensure medications are appropriately stored and ensure an emergency kit is available that contains a physician's standing order for epinephrine. Epinephrine should be kept in a secure but unlocked location that is easily accessible to delegated school personnel.
 - e. Pupils who are permitted to self-administer should be permitted to carry their own epinephrine in accordance with State regulations and district policy.
 - f. Designate school personnel who volunteer to administer epinephrine in an emergency.

- g. Be prepared to handle a reaction and ensure there is a staff member available who is properly trained to administer medications during the school day, regardless of time or location.
 - h. Review policies and prevention plans with the core team members, parent(s) or legal guardian(s), pupil (age appropriate), and physician after a reaction has occurred.
 - i. Work with the transportation administrator to insure that school bus drivers receive training that includes symptom awareness and what to do if a reaction occurs and assess the means by which a bus driver can communicate during an emergency, including proper devices and equipment. In general, bus drivers will not be delegates; their primary responsibility will be to call 911.
 - j. Discuss field trips with the family of the food-allergic child to decide appropriate strategies for managing the food allergy.
 - k. Follow Federal and/or State laws and regulations regarding sharing medical information about the pupil.
 - l. Take threats or harassment against an allergic child seriously.
3. Pupil's Role
- a. Pupils should not trade food with others.
 - b. Pupils should not eat anything with unknown ingredients or known to contain any allergens.
 - c. Pupils should be proactive in the care and management of their food allergies and reactions based on their developmental level.
 - d. Pupils should notify an adult immediately if they eat something they believe may contain the food to which they are allergic.

Adopted: 17 August 2009

R 5338 DIABETES MANAGEMENT

A. Definitions

1. "Individualized emergency health care plan" means a document developed by the school nurse, in consultation with the parent of a pupil with diabetes and other appropriate medical professionals, which is consistent with the recommendations of the pupil's health care provider(s) and which outlines a set of procedural guidelines that provide specific directions about what to do in a particular emergency situation and is signed by the parent and the school nurse.
2. "Individualized health care plan" means a document developed by the school nurse, in consultation with the parent of a pupil with diabetes and other appropriate medical professionals who may be providing diabetes care to the pupil, which is consistent with the recommendations of the pupil's health care provider(s) and which sets out the health services needed by the pupil at school and is signed by the parent and the school nurse.
3. "Parent" means parent or legal guardian.

B. Health Care Plans for Pupils with Diabetes

1. The parent of a pupil with diabetes who seeks diabetes care for the pupil while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the pupil.
 - a. The parent of the pupil with diabetes shall annually provide to the Principal and the school nurse a signed written request and authorization for the provision of diabetes care as may be outlined in the individualized health care plan, which shall include authorization for the emergency administration of glucagons and, if requested by the parent, authorization for the pupil's self-management and care of his/her diabetes; and

- b. If such a request is made by a pupil's parent, the pupil's physician or advanced practice nurse must provide a signed written certification to the Principal and the school nurse that the pupil is capable of, and has been instructed in, the management and care of his/her diabetes.
2. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event that there is a change in the health status of the pupil.
3. Each individualized health care plan shall include, and each individualized emergency health care plan may include, the following information:
 - a. The symptoms of hypoglycemia for that particular pupil and the recommended treatment;
 - b. The frequency of blood glucose testing;
 - c. Written orders from the pupil's physician or advanced practice nurse outlining the dosage and indications for insulin administration and the administration of glucagon, if needed;
 - d. Times of meals and snacks and indications for additional snacks or exercise;
 - e. Full participation in exercise and sports, and any contraindications to exercise, or accommodations that must be made for that particular pupil;
 - f. Accommodations for school trips, after-school activities, class parties, and other school-related activities;
 - g. Education of all school personnel who may come in contact with the pupil about diabetes, how to recognize and treat hypoglycemia, how to recognize hyperglycemia, and when to call for assistance;

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- h. Medical and treatment issues that may affect the educational process of the pupil with diabetes; and
 - i. How to maintain communications with the pupil, the pupil's parent and health care team, the school nurse, and the educational staff.
4. The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in the care of pupils with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan.

C. Authorized Employees for Administration of Glucagon

1. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a pupil with diabetes who is experiencing severe hypoglycemia. The school nurse shall designate, in consultation with the Superintendent of Schools or designee, additional employees of the school district who volunteer to administer glucagon to a pupil with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.
2. In accordance with the provisions of N.J.S.A. 18A:40-12.14, the activities described in C.1. above shall not constitute the practice of nursing and shall be exempted from all applicable statutory or regulatory provisions that restrict the activities that may be delegated to a person who is not a licensed health care professional.
3. In accordance with the provisions of N.J.S.A. 18A:40-12.14, if a licensed athletic trainer volunteers to administer glucagon to a pupil with diabetes as described in C.1. above, it shall not constitute a violation of the "Athletic Training Licensure Act," P.L.1984, c.203 (C.45:9-37.35 et seq.).

D. Management and Care of Diabetes by Pupil

1. Upon the written request and authorization from the parent submitted to the Principal and school nurse and as provided in the pupil's individualized health care plan, the school district shall allow the pupil to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the pupil has been evaluated and determined to be capable of doing so as reflected in the pupil's individualized health care plan. The pupil's management and care of his/her diabetes shall include the following:
 - a. Performing blood glucose level checks;
 - b. Administering insulin through the insulin delivery system the pupil uses;
 - c. Treating hypoglycemia and hyperglycemia;
 - d. Possessing on the pupil's person at any time the supplies or equipment necessary to monitor and care for the pupil's diabetes;
 - e. Compliance with required procedures for medical waste disposal in accordance with district policies and as set forth in the individualized health care plan; and
 - f. Otherwise attending to the management and care of the pupil's diabetes.

E. Release for Sharing of Certain Medical Information

1. The school nurse shall obtain a release from the parent of a diabetic pupil to authorize the sharing of medical information between the pupil's physician or advanced practice nurse and other health care providers.
2. The release shall also authorize the school nurse to share medical information with other staff members of the school district as necessary.

F. Immunity From Liability

1. No school employee, including a school nurse, a school bus driver, a school bus aide, or any other officer or agent of the Board of Education shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.11 through 18A:40-12.21, nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person trained in good faith by the school nurse pursuant to this act. Good faith shall not include willful misconduct, gross negligence, or recklessness.

G. Possession of Syringes

1. The possession and use of syringes consistent with the purposes of N.J.S.A. 18A:40-12.11 through 18A:40-12.21 and Policy 5338 shall not be considered a violation of applicable statutory or regulatory provisions that may otherwise restrict or prohibit such possession and use.

R 5350 PUPIL SUICIDE

The following regulations are established for guidance of staff members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a pupil commits suicide. Because a prompt response may be essential to a pupil's life, the designation of a district position in these regulations includes the person who holds that position and, if the position holder is absent or unavailable, the person temporarily charged with the responsibilities of the position.

A. Recognition of Potential Suicide

All school personnel, both teaching staff members and support staff members, shall be alert to any sign that a pupil may be contemplating suicide. Such signs include, but are not necessarily limited to, a pupil's:

1. Overt suggestion, regardless of its context, that he/she is considering or has considered suicide or has worked out the details of a suicide attempt;
2. Evidence of preparation of a will, intention to dispose of his/her effects and belongings, or otherwise get life "in order";
3. Obsession with death or afterlife;
4. Possession of a weapon or other means of suicide or obsession with such means;
5. Sense of hopelessness or unrelieved sadness;
6. Lethargy or despondency, or, conversely, a tendency to become more impulsive or aggressive than usual;
7. Drop in academic achievement, slacking off of energy and effort, or inability to focus on studies;
8. Isolation from others by loss of friends, withdrawal from friends, lack of companionship, or family disintegration;
9. Preoccupation with nonexistent physical ills;
10. Loss of weight, appetite, and/or sleep;

11. Substance abuse; and
12. Loss of economic resources.

B. Response to Potential Suicide

In the event that a staff member observes or is told about a student who is possibly suicidal, expresses suicidal ideation or an overt threat, the following steps should be taken:

1. The staff member will keep the student under continuous adult supervision until the student's guidance counselor has been notified.
2. During the crisis the guidance counselor will:
 - a. Immediately notify the office of the Principal. The Principal shall summon the school social worker or school psychologist if appropriate.
 - b. Talk with the identified student.
 - c. Request the parent or guardian to come to school immediately.
 - d. Recommend a referral to St. Clare's psychiatric emergency service, or in less severe cases professional counseling.
 - e. If the parent is unavailable or uncooperative, contact DYFS.
 - f. Notify appropriate school personnel to monitor the student's performance.
 - g. Conduct a follow-up check with the family, student, and referral agency.
 - h. File a report of Suicide Risk with the building principal, nurse, special services.
 - i. Send a confirmation of contact letter to the parent, return receipt requested.

In responding to a suicide attempt, on school premises, the following steps should be taken to ensure the short-term physical safety of the student.

1. The school nurse will provide immediate medical treatment using either first aid techniques or telephoning the local rescue squad.
2. The student will be kept under close supervision at all times.
3. The school nurse will communicate with the Principal who will contact the student's guidance counselor to establish an interim plan of action.
4. The guidance counselor will:
 - a. Notify the parent/guardian immediately.
 - b. Mobilize the CST and guidance staff to identify close friends and unstable students, and contact them to offer support.
 - c. Complete report to Suicide Risk Form and send to designated individuals.
 - d. Contact St. Clare's for lifeline support.
5. The Principal will:
 - a. Notify the Superintendent of Schools.
 - b. Prepare a brief statement of facts to be disseminated to faculty and staff.
 - c. Call a faculty meeting at the end of the day to offer staff members support and plan appropriate procedure for following days.
 - d. Notify the Principal in school(s) where siblings attend.

In responding to a suicide attempt, off school premises, the following steps should be taken:

1. The guidance counselor will:
 - a. Engage student in supportive interaction to determine exactly what happened in the suicide attempt.

- b. Establish communication with parent which focus on
 - recognition of serious problems
 - need for professional help
- c. Complete report of Suicide Risk Form and send to designated individuals.
- d. Follow-up with parent and St. Clare's.

In responding to a suicide completion, the following steps should be taken:

- 1. The Principal will:
 - a. Verify information with the police and notify the Superintendent and the student's guidance counselor immediately.
 - b. Call an emergency faculty meeting before school through the school phone chain.
 - c. Prepare a written statement to assist teachers in maintaining consistency of facts.
 - d. Stress that students should be allowed to leave class on an as-needed basis to come down to guidance.
 - e. Plan for an after school staff meeting to debrief the events of the day.
 - f. Act as the single spokesperson for the school in dealing with the media.
 - g. Ask faculty to give at risk students' names to the guidance counselor.
- 2. The guidance counselor will:
 - a. Contact St. Clare's hospital to arrange for support personnel.
 - b. Meet with guidance staff and CST members to set up support sites in the school.
 - c. Compile a list of students especially close to the deceased or other unstable students to be seen by guidance staff.

- d. Contact local clergy to make drop-in sites available after school.
- e. Confer with the Principal about a need for a parent meeting, and telephone parents of students who appear very upset.
- f. Monitor grieving process to determine needs in the days following the crisis.

C. Prevention of Suicide Contagion

1. All district Principals will be promptly informed when a pupil of this district commits suicide.
2. Each Principal will assemble teaching staff members prior to the opening of school to provide them with accurate information, plans for the school day, and guidelines for handling the concerns of pupils.
3. The Principal of the school or building that the victim attended will assign a crisis team from the pupil personnel staff to assist the staff in dealing with the general school situation and any individual problems that may arise.
4. The suicide will not be given prominence by public announcement or a school-wide assembly. School will not be closed in order to permit pupils and staff members to attend the victim's funeral.
5. Teachers will respond to the needs of pupils with as little interruption of the educational program as possible.
6. Pupils will be provided with accurate information and will be given the opportunity to discuss their feelings of loss and their memories of the victim, both good and bad, without penalty.
7. All school personnel shall be especially alert to signs of contemplated suicide among the victim's peers.
8. Teaching staff members, under the direction of the Principal, shall attempt to prevent social contagion by:
 - a. Preventing glorification or romanticization of the suicide,

- b. Helping pupils recognize that suicide is irreversible and permanent and does not truly resolve problems,
 - c. Encouraging pupils to ask probing questions when a fellow pupil suggests suicide and to report such suggestions to a teaching staff member, and
 - d. Discussing ways of handling depression and anxiety without resort to self-destruction.
9. Pupils who were close to the victim, and their parent(s) or legal guardian(s), shall be offered special counseling services and notified of available community mental health services.

Adopted: 5 November 2001

R 5410 PROMOTION AND RETENTION

The following rules are promulgated in accordance with the policy of the Board of Education dealing with the promotion and retention of pupils.

A. Standards for Pupil Promotion

Elementary and Intermediate Grades (Pre-K-8) - A pupil will be promoted to the next succeeding grade level when he/she demonstrates the proficiencies required for movement into the next grade.

High School (9-12) - A pupil will be promoted to the next grade when he/she has completed, in the current school year, the number of credits required for that grade as indicated in the current High School Student Handbook.

B. Procedures for Pupil Promotion

1. A written copy of promotion standards will be given to all parent(s) or legal guardian(s) and pupils at the beginning of each year.
2. Parent(s) or legal guardian(s) and pupils will be provided a minimum of four reports each year as to a pupil's progress towards meeting promotion standards.
3. Teachers who determine that a pupil's progress may not be sufficient to meet promotion standards shall notify the parent(s) or legal guardian(s) of the pupil and offer consultation with the parents or legal guardians. Notification will be made by the guidance counselor at the high school level.
4. In grades Pre-K-8, the parent(s) or legal guardian(s) and where appropriate the pupil will be notified no later than three weeks prior to the end of the year when the possibility of a pupil not being promoted is determined.
5. A pupil with fewer than 150 days attendance in grades Pre-K-8 will not be promoted to the next grade level. In grades 9-12, fewer than 164 days during the school year.

6. Extenuating circumstances as determined by the building principal can waive the 150 day attendance requirements for grades Pre-K-8. In the high school, an attendance appeal route is available for pupils whose attendance is in excess of the regulations specified in this regulation and the attendance policy.
 7. Classroom teachers shall provide input to the Principal who makes the decision concerning the promotion or retention of each pupil.
- C. Procedure for Retention or Social Promotion
1. Grades Pre-K-8 - Classroom teachers must initiate the process by providing to the building principal complete forms in accordance with the timelines specified.
 2. The Principal will review each case and in consultation with the teacher render a final decision.
 3. Parent(s) or legal guardian(s) and adult pupils may appeal a promotion/retention decision to the Assistant Superintendent and then to the Superintendent whose decision is final.

Adopted: 5 November 2001

R 5411 MIDDLE SCHOOL PROMOTION CEREMONY

As specified in Policy No. 5411, pupils who are members of the promotion class will be expected to dress in accordance with a dress code that includes the following: Girls - Dresses or a skirt with blouse, Boys - Dress slacks with white or pastel shirt. Other forms of dress including tuxedos and dress gowns are not acceptable.

This policy should be incorporated into all students' handbooks and announcements pertaining to Middle School Promotion. Additionally, eighth grade parents shall receive a letter in the spring of each year informing them of the proper dress required for participation in the promotion exercise. Students who arrive at the ceremony improperly dressed are to be given the opportunity to return home and change and may participate if they return prior to the beginning of the graduation ceremony. If this is not possible, students who do not meet the provisions of the policy may not be permitted to participate in the ceremony.

Eisenhower Middle School Step Up Program

BOYS

- Shirt - Dress shirt with a collar, white or pastel in color, long or short sleeves.
- Tie - Tie is required.
- Jacket - Optional
No tuxedo jackets.
- Pants - Dress pants with hem, ankle length - no denim.
- Belts - Pants must be belted at the normal waist line.
No slacking.
- Shoes - No sneakers.
- Other - No hats or bandannas.

GIRLS

- Dress - Length - no shorter than 4 inches above knee, no longer than 8 inches or below the knee, mid-thigh to mid-calf length.

REGULATION

ROXBURY TOWNSHIP BOARD OF EDUCATION

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Middle School Promotion Ceremony

- Suit - No mini, no micro-mini, no gowns.
(Jacket, Skirt)
or Skort/Jacket
- Sleeves - Dress must have sleeves or no less than two inch wide straps, no off the shoulder, nor may they be strapless, no spaghetti straps, and no halter straps, unless covered by a jacket.
- Material - No spandex or tight material, no sheer or lace insets unless it is over non-see through material.
- Neckline - Modest neckline with no visible cleavage.
- Back Line - Modest back line no lower than the normal bra line.
- Shoes - Dress shoes or dress sandals, no sneakers, no heels higher than 2 inches.
- Leg Wear - Panty hose or groomed bare legs. No socks, no over the knee stockings.

Adopted: 5 November 2001

R 5420 REPORTING PUPIL PROGRESS

A. Purpose

The purpose of reporting the educational progress of pupils is to:

1. Inform parent(s) or legal guardian(s) of the progress children have made in school;
2. Apprise pupils of their progress in school;
3. Prompt teachers to make periodic, formal assessments of each pupil's progress;
4. Provide a cumulative record of a pupil's progress through the educational system; and
5. Enable each pupil to gain a positive sense of his/her intellectual, social, emotional, and physical abilities and growth toward effective citizenship.

B. Frequency

1. Report cards will be issued at the following intervals:

<u>Grade levels</u>	<u>Frequency</u>
Kindergarten	Twice a year
Grades 1-12	Four times per year

2. The schedule of dates on which report cards will be issued will be published in the parent and student handbooks distributed by each school so that parents or legal guardians can anticipate the receipt of a report card.
3. Parent(s) or legal guardian(s) and pupils will be notified in writing of the possibility of a failing grade at the mid point of the marking period.
4. Parent(s) or legal guardian(s) and pupils will be notified in writing of the possibility of a pupil's retention at grade level in accordance with Policy No. 5410.

5. Notices given pursuant to ¶B2 and ¶B3 will be sent home with the pupil in grades K-12 and will be mailed to the parent(s) or legal guardian(s) in grade 12 for the last marking period.
6. Nothing in this regulation should discourage teachers from implementing various forms of communication, as frequently as the circumstances dictate, to keep parent(s) or legal guardian(s) informed of the educational progress of their children.

C. Report Card Form

1. The form of report cards will be periodically reviewed by the Assistant Superintendent in order to ensure that report cards effectively and accurately report pupil progress.
2. Grades will be determined in accordance with Regulation No. 2624.
3. At the elementary level, report cards will report individual academic, personal, and social growth as well as work and study habits.
 - a. The kindergarten report card will stress the degree of mastery of skill achieved.
 - b. The primary grades K-3 report card will record a specific symbol for both effort and degree of mastery of specific skills.
 - c. The intermediate grades 4-6 report card will record both effort and degree of mastery of specific skills and will include the instructional level achieved by the pupil in reading, spelling, and mathematics.
4. At the middle school and high school levels, report cards will record pupil achievement in academic subjects, as well as the pupil's personal growth and development.
5. Report cards at all levels will record the pupil's absences and tardiness.
6. Report card forms will include space for the classroom or homeroom teacher's personal comments on the pupil's personal growth and development.

7. Report card forms will include space for the parent(s) or legal guardian(s) signature, comments, and request for a conference with the teacher.

D. Distribution and Return

1. Report cards will be sent home with pupils.
 - a. The report card of a pupil who is absent on the day report cards are issued may be held and sent home with the pupil on the following school day.
 - b. The report card of a pupil who is absent for an extended period of time will be mailed to the parent(s) or legal guardian(s).
2. The report card envelope must be signed by the pupil's parent(s) or legal guardian(s) and returned within ten school days of the date on which they were issued in grades K-8.
3. Teachers will maintain a check list to determine which report cards, if any, have not been returned within the allotted time. If a report card is overdue, the teacher will call the parent(s) or legal guardian(s).

E. Parent Teacher Conferences

Parent teacher conferences will be conducted in accordance with Policy No. 9280.

Adopted: 5 November 2001

R 5430 CLASS RANK/GRADE POINT AVERAGE

Class rank is based on overall Grade Point Average (GPA) as computed in the following steps. All subjects are included in class rank. Grades on the report card will be recorded in a numeric format each marking period.

1. Assign numerical values to the final letter grade as follows:

97-100	A+	=	4.3		77-79	C+	=	2.3
93-96	A	=	4.0		73-76	C	=	2.0
90-92	A-	=	3.7		70-72	C-	=	1.7
87-89	B+	=	3.3		67-69	D+	=	1.3
83-86	B	=	3.0		63-66	D	=	1.0
80-82	B-	=	2.7		60-62	D-	=	0.7
					50-59	F	=	0

2. If the class is an Honors level or an Advanced Placement level, the numerical grade must be adjusted. If the class is an Honors class, add .5 to the final numerical grade. If the class is an Advanced Placement course, add 1.0 to the final numerical grade.
3. Multiply the adjusted final numerical grade by the number of credits the course is worth to determine the number of Quality Points Earned.
4. Add the Quality Points Earned for each class to determine the Total Quality Points. Add the course credits for each class to determine Total Credits Carried.
5. Determine Course Load Weight Factor using Total Credits carried and the following table:

40 credits	=	.16 factor
39 credits	=	.14 factor
36-38 credits	=	.12 factor
35 credits	=	.10 factor
under 35 credits	=	0 factor

6. Multiply the Course Load Weight Factor by the total amount of credits attempted. Add that number of the Total Quality Points.

7. Divide total credits attempted into Total Quality Points Earned.
8. This will calculate the GPA for one school year.
9. To determine GPA for more than one school year follow Step 10.
10. Calculate the GPA for each school year as previously shown. Add the Total Quality Points for each of the previous years to the year just calculated and divide by the Total Credits Attempted.

Adopted: 19 November 2001
Revised: 4 November 2002

R 5440 HONORING PUPIL ACHIEVEMENT

A. Honor Rolls

Students will be listed on Roxbury's Honor Rolls provided they can meet the following requirements:

1. All students must carry a minimum of thirty-five credits each year.
2. To qualify for the High Honor Roll, a student should have all grades of "A" and no incomplete's.
3. To qualify for the Honor Roll, a student should have all grades of "A" or "B" and no incomplete's.
4. Subjects dropped with a passing grade (WP) before the end of the marking period should not be counted when determining eligibility for Honor Roll, provided a full schedule is still maintained.
5. Students on home instruction should be considered on an individual basis. Homebound students not carrying a full course load are not eligible for the Honor Roll.

B. Academic Awards

1. All students who have earned a 3.75 average or better for the first three marking periods of the current year are invited to attend the Renaissance Banquet held in the spring.
2. Seniors receive awards at the Senior Awards Ceremony and are recognized in the graduation program.

C. National Honor Society

1. The National Honor Society is a more difficult honor to achieve since it involves more than academic excellence.
2. To apply for membership into the National Honor Society, a student must have completed four semesters and one marking period. For consideration of membership to the National Honor Society, a student, during high school, must have:

a. Scholarship

- (1) Carried a full complement of subjects each year equaling at least thirty-five credits per year.
- (2) An average of 3.75 at the time of application.
- (3) Carried a full complement of subjects each year equaling at least thirty-five credits per year.
- (4) An average of 3.75 at the time of application.

b. Character

The student must meet all of the following requirements:

- (1) Meet responsibilities to the school promptly; e.g., library fines, book fines, etc.
- (2) Demonstrate the highest standards of honesty and reliability.
- (3) Cooperate with school and teacher regulations.
- (4) Have no suspensions during the current or past academic year.

c. Leadership

The student must meet at least one of the following requirements:

- (1) Demonstrate leadership in positions of authority in volunteer services; e.g., coaching a recreation team, officiating at a sports event, being in a position of management, or teaching a religious class. (Baby-sitting does not meet this criteria.)
- (2) Successfully hold school office(s) or positions of leadership and be dependable and responsible in that role; e.g., club officer, committee chairperson, or team captain.

d. Service

The student must be involved in at least two activities, one of which has to be school related:

- (1) Represent the school in various types of activities; e.g., an academic team, an athletic team, a music related organization.
- (2) Do committee or staff work.
- (3) Do volunteer work out of school.
- (4) Tutor.

Membership in good standing will be based on continued service, leadership, character, and scholarship. A form to verify continued participation in activities will need to be submitted annually.

3. Participation in the Induction Ceremony is a prerequisite for membership unless illness or family emergency prevents attendance. The circumstances must be explained in a written note from a parent or legal guardian and submitted to the National Honor Society advisor.

D. Graduation Speakers

1. The speakers at graduation will be the valedictorian and salutatorian, the President of the Student Council and President of the senior class. In the case of co-valedictorian and/or co-salutatorian, each student will be eligible to speak at the graduation ceremony.

Adopted: 5 November 2001
Revised: 13 September 2004

R 5450 ATHLETIC AWARDS

Frosh Awards

1st sport	Certificate and letter (4")
2nd sport	Certificate
3rd sport	Certificate

JV Awards

1st sport	Certificate and letter (6")
2nd sport	Certificate
3rd sport	Certificate
2nd year JV	Certificate and small bar

Varsity Awards

1st sport	Certificate, pin and letter (8")
2nd sport	Certificate and pin
3rd sport	Certificate and pin
2nd year Varsity	Certificate and large bar
3rd year Varsity	Certificate and large bar
4th year Varsity	Certificate and large bar

These awards shall be based on the following:

A. General Rules

1. Student-athletes must complete the season to be eligible for awards.
2. In the event of injury or illness where a student-athlete cannot complete the season, it is the coach's discretion whether or not to award a letter.
3. Seniors who have been a regular team member are eligible for a letter.
4. The term "participate" in the award requirements listed below is defined as active involvement in the actual competition for any period of time.

B. To earn a letter in the following sports, the student-athlete must:

Participate in one or more than half of the total regularly scheduled contests. This applies to all levels of that sport.

- | | |
|-----------------|--------------|
| 1. Football | 5. Wrestling |
| 2. Soccer | 6. Swimming |
| 3. Field Hockey | 7. Golf |
| 4. Tennis | |

- C. To earn a letter in the following sports, the student-athlete must:

Participate in one more than one-third of the total regularly scheduled contests.

Basketball Baseball Softball

- D. To earn a letter in Cross Country, the student-athlete must:
1. Participate in one more than half of the total regularly scheduled contests; and
 2. Score in the top ten team members in those contests.
- E. To earn a letter in Spring Track, the student-athlete must:
1. Participate in one more than half of the total regularly scheduled contests; and
 2. Score a minimum of seven points.

- F. Championships

A championship season by a varsity team, individual or award winning performances in the Fine Arts area shall be recognized by the issuance of awards described as follows:

1. Championship recognition shall be for any of the following:
 - a. Iron Hills Conference
 - b. Morris County
 - c. Districts (wrestling)
 - d. NJSIAA State Sectional
 - e. NJSIAA State Championship.
2. When multiple championships are earned by one team all championships will be listed on the single plaque awarded to each team member.
3. For an Iron Hills Conference, Morris County or District (wrestling) championship, a picture plaque will be issued to each team member.

4. For an NJSIAA State Sectional, State or individual championship each team member or individual shall be awarded a jacket not to exceed \$40.00 in cost to the Board of Education. Categories of such awards are listed below:

Overall State Championship

Baseball	Soccer - Boys' & Girls'
Basketball - Boys' & Girls'	Softball
Cross Country - Boys' & Girls'	Swimming - Boys' & Girls'
Field Hockey	Tennis - Boys' & Girls'
Golf	Track - Boys' & Girls'
Indoor Track - Boys' & Girls'	Wrestling

State Section Championships

Football

Individual State Championships

Cross Country - Boys' & Girls'	Tennis - Boys' & Girls'
Golf	Track - Boys' & Girls'
Indoor Track - Boys' & Girls'	Wrestling
Swimming - Boys' & Girls'	

For State Honors in the Fine Arts area, individuals will be awarded a jacket or another appropriate award, not to exceed \$40.00 in cost to the Board of Education. Categories for such awards are listed below:

All-State Band, Orchestra, Chorus, State Teen Arts Festival

When multiple championships are earned by one team, all championships will be listed on the single plaque awarded to each team member.

G. Trophies

Trophies will be awarded to team captains and players chosen as most valuable player.

The Board of Education will provide only those awards listed above.

Adopted: 5 November 2001

R 5460.1 HIGH SCHOOL TRANSCRIPTS

A transcript is defined as a document for all high school pupils exiting the school district that describes a pupil's progress toward achievement of the New Jersey Core Curriculum Content Standards and other relevant experiences and achievements.

Transcripts for pupils entering ninth grade or pupils planning to graduate from an adult high school in the 2003-04 and following academic years shall contain the following:

1. Applicable state assessments;
2. Applicable English Language assessments;
3. Other evidence of pupil achievement;
4. Evidence of instructional experience and performance in the New Jersey Core Curriculum Content Standards;
5. Evidence of employability skills and work habits, including punctuality, attendance and teamwork;
6. Any structured learning experiences;
7. Any employer/industry certification tests limited to industry based standards;
8. Other information approved by the Board of Education and permitted by the State of New Jersey.

Pupil transcripts shall be transmitted within ten calendar days of the time any pupil transfers to another school district or institution.

Adopted: 5 November 2001

R 5500 EXPECTATIONS FOR PUPIL CONDUCT

The following specific behaviors exemplify the conduct expected of pupils, in accordance with Policy No. 5500.

- A. Pupils will prepare themselves mentally and physically for the process of learning by:
 - 1. Being well-nourished, rested, clean, and properly dressed and groomed;
 - 2. Being free of drugs and alcohol and refraining from smoking; and
 - 3. Developing attitudes that will prepare them for listening, participating, and learning.

- B. Pupils will respect the person, property, and intellectual and creative products of others by:
 - 1. Being always honest, forthcoming, and courteous;
 - 2. Displaying care for the property of others;
 - 3. Acknowledging the intellectual work of others when it is incorporated into their work;
 - 4. Accepting the rights of others to their own opinions and beliefs;
 - 5. Resolving disputes and differences peacefully;
 - 6. Displaying loyalty and good sportsmanship; and
 - 7. Helping to maintain school facilities that are neat and clean.

- C. Pupils will take responsibility for their own behavior and learning by:
 - 1. Recognizing that academic endeavor is the primary purpose of school attendance;
 - 2. Completing all homework, classwork, and assigned projects on time;

3. Preparing for each class by bringing necessary supplies and equipment;
 4. Making personal choices that are based on sound reasoning and decision-making;
 5. Accepting constructive criticism; and
 6. Acknowledging and accepting the consequences of their own actions.
- D. Pupils will use time and other resources responsibly by:
1. Attending school regularly and promptly and striving for a perfect attendance record;
 2. Using study periods and library time for school work; and
 3. Using books and other equipment appropriately.
- E. Pupils will share responsibilities when working with others by:
1. Cooperating with others in the work of the group;
 2. Contributing talents and services as appropriate;
 3. Accepting leadership when appropriate; and
 4. Respecting the rights and opinions of others in a group setting.
- F. Pupils will meet the requirements of each course of study by:
1. Participating actively and appropriately in the scheduled class;
 2. Following the rules and procedures established for the class by the teacher;
 3. Bringing to class the textbook, clothing, and other materials necessary for participation; and
 4. Observing school rules for the safe handling of class equipment and materials.

- G. Pupils will monitor their own progress toward school objectives by:
 - 1. Carefully planning courses of study and schedules;
 - 2. Promptly seeking staff assistance as required; and
 - 3. Maintaining records of progress.

- H. Pupils will communicate with parent(s) or legal guardian(s) and appropriate school staff members about school matters by:
 - 1. Discussing progress in school with parent(s) or legal guardian(s) and relaying necessary information to parent(s) or legal guardian(s);
 - 2. Transmitting school letters, forms, and notices to parent(s) or legal guardian(s) and returning required responses to school staff members;
 - 3. Conferring with appropriate staff members when a problem occurs; and
 - 4. Developing with parent(s) or legal guardian(s) a clear idea of their educational goals.

Adopted: 5 November 2001

R 5511 DRESS CODE

The following dress code has been developed in accordance with Policy No. 5511 and in consultation with staff members, parent(s) or legal guardian(s), and pupils of this district.

A. General Rules

1. Pupils are expected to be clean and well groomed in their appearance.
2. Pupils are expected to avoid dress and grooming that is likely to create a material and substantial disruption to the school environment.
3. Dress or grooming that jeopardizes the health or safety of the pupil or of other pupils or is injurious to school property will not be tolerated.

B. Prohibited Clothing and Articles

The following garments and articles are prohibited in school and at school-sponsored indoor events:

1. Extremely low-cut, tight fitting or transparent clothes, bare midriffs, and suggestive clothing;
2. Skirts, dresses, pants, and shorts that end higher than mid-thigh;
3. Short shorts (length may be measured at or below finger-tip length when arms are at the pupil's side);
4. Pin curlers and other hair curling aids;
5. Outdoor jackets, coats, or hats except when entering or leaving the building and when there is a defect in the heating system;
6. Bare feet, unsafe footwear, cleated shoes, and footwear intended for the beach;
7. Patches and decorations that are offensive or obscene;

8. Undershirts (underwear) worn without an outer shirt;
9. In the classroom, clothing required for physical education classes;
10. Clothing that is overly soiled, torn, worn, or defaced;
11. Nonprescription sunglasses, glazed, and tinted glasses, except as prescribed by the pupil's doctor;
12. Portable audio or video devices;
13. Beepers and other summoning devices, except as permitted in Policy No. 2360;
14. Clothing, apparel and/or accessories which indicate affiliation with any gang associated with criminal activity or have references to alcohol, controlled dangerous substances, or tobacco;
15. Clothing containing profanity or sexual references or innuendoes;
16. Clothing which includes racial or ethnic violence;
17. No platform shoes or sneakers on climbing apparatus;
18. Hats, hoods, visors, headbands and other headgear (Not to be worn during regular school hours in buildings); and
19. Any clothing that is likely to create a material and substantial disruption to the school environment.

C. Physical Education

1. Pupils shall wear the following types of clothing for physical education classes:
 - a. Athletic style shorts and/or sweatpants.
 - b. A shirt for indoor activities and a sweatshirt or appropriate outerwear for outdoor activities in cool weather.

2. Snug belts, cut-offs, jeans, loose jewelry, and dirty or torn clothing and accessories are prohibited.
3. Pupils must wear sneakers or rubber-soled athletic shoes; slip-on shoes, hard-soled shoes, and bare feet are prohibited in gym class.

D. Enforcement

1. Teaching staff members will report perceived violations of the dress code to the Building Principal or designee, who will interpret and apply the code.
2. Pupils who publicly represent the school or a school organization at an activity away from the school district are required to dress in full accordance with the reasonable expectations of the staff member in charge of the activity. Pupils unwilling to comply with this requirement will disqualify themselves from participation.
3. Pupils will not be permitted to attend a school-related function, such as a field trip, after-school activity unless they are attired and groomed in accordance with this dress code and the reasonable expectations of the staff member in charge.
4. The Principal may waive application of the dress code for special school activity days.
5. A pupil whose dress or grooming has been found by the Principal or designee to violate this Regulation may appeal the determination to the Superintendent, whose decision will be final.

R 5512 HARASSMENT, INTIMIDATION, OR BULLYING
INVESTIGATION PROCEDURE

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

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

1. An investigation shall be initiated by the Principal or the Principal's designee within one school day of the report of the incident and shall be conducted by a school's Anti-Bullying Specialist.
 - a. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist in the investigation.
2. The investigation shall be completed as soon as possible, but not later than ten school days from the date of the written report of the incident of harassment, intimidation, or bullying.
 - a. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the ten-day period, the school Anti-Bullying Specialist may amend the original report of the results of the investigation to reflect the information.
3. The results of the investigation shall be reported to the Superintendent of Schools within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act," P.L.1968,c.410 C.52:14B-1 et seq.).
4. The Superintendent of Schools may decide to provide intervention services, establish training programs to reduce harassment, intimidation, or bullying and

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Investigation Procedure
M

enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.

5. The results of each investigation shall be reported to the Board of Education no later than the date of the next Board of Education Meeting following the completion of the investigation, along with information on any services provided, training established, discipline imposed, or other action taken or recommended by the Superintendent.
6. Parents or legal guardians of the pupils who are parties to the investigation shall be entitled to receive information about the investigation, in accordance with Federal and State law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.
7. A parent or legal guardian may request a hearing before the Board of Education after receiving the information.
 - a. This hearing shall be held within ten days of the request;
 - b. The Board shall meet in executive session for the hearing to protect the confidentiality of the pupils; and
 - c. At the hearing the Board may hear from the school Anti-Bullying Specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

8. At the next Board of Education meeting following its receipt of the report, the Board of Education shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with the procedures set forth in law and regulation, no later than ninety days after the issuance of the Board's decision.
9. A parent, pupil, legal guardian, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

Adopted: 5 November 2001
Revised: 6 April 2009; 15 August 2011

R 5513 CARE OF SCHOOL PROPERTY

A. Teachers' Responsibilities

1. Teachers will exercise judgment in the entrustment of school property to pupils.
2. Teachers will impress upon all pupils the importance of the proper care of school property and instruct pupils in the proper use of school facilities, equipment, instructional materials, and textbooks.
3. Teachers will keep an accurate inventory of textbooks and other materials assigned to their classrooms.

B. General Rules Governing the Use of School Property

1. Pupils shall not deface the school building, furnishings, or equipment in any manner.
2. Pupils shall not use school furnishings or equipment for purposes other than those for which the furnishing or equipment was designed and intended.
3. Pupils will care for school textbooks in accordance with ¶D.

C. Distribution and Collection of Textbooks and Materials

1. Each textbook will be stamped as the property of the Board of Education and marked with a number unique to that book.
2. A label will be affixed to the front of each textbook and will include:
 - a. The name of the Board of Education,
 - b. The name of the school,
 - c. The year in which the book was purchased, and
 - d. The number assigned to the book.

3. The following information will also be entered on the label each time the book is issued to a pupil:
 - a. The name of the pupil to whom the book is issued,
 - b. The date on which the book is issued to the pupil,
 - c. The condition of the book when it is issued, and
 - d. The condition of the book when it is returned.
 4. Each classroom teacher will keep a permanent record of the textbooks used in his/her classroom. The record will include all the information listed in ¶C2 and ¶C3.
 5. A lost textbook must be promptly reported to the teacher who issued the book. A replacement textbook will be issued immediately.
 6. Textbooks will be collected and inspected before the end of the school year or marking period, as appropriate. Once inspected, a textbook will be returned to inventory until it is again distributed to a pupil.
 7. Pupils must remove covers, loose papers, and markings before returning any textbook.
 8. Fines will be assessed for lost and damaged textbooks in accordance with ¶E.
- D. Care of Textbooks by Pupils
1. Pupils shall take care not to lose or misplace a textbook or expose a textbook to conditions or circumstances likely to destroy, damage, or degrade it.
 2. All textbooks that will be taken home by pupils must be protected with an appropriate cover to be supplied by the pupil.
 3. Pupils should not:
 - a. Use pens, pencils, or other implements to mark a place in a textbook;

- b. Use a textbook to file bulky papers and notes;
- c. Write in textbooks; or
- d. Soil textbooks beyond normal use.

E. Fines and Penalties

1. Fines will be assessed as follows for any lost textbook or textbook damaged beyond normal wear.

<u>Loss or Damage</u>	<u>Fine</u>
Lost or damaged book issued in new condition	100% of list price
Lost book issued in good condition	80% of list price
Lost book issued in fair condition	60% of list price
Lost book issued in poor condition	40% of list price
Book so damaged as to be unusable	as for lost books (see above)

2. The teacher will inspect each textbook returned and will assess a fine for each lost or damaged book. The teacher will prepare a form in triplicate that includes:
 - a. The name and number of the textbook damaged or lost;
 - b. The name of the pupil;
 - c. The loss or damage to the textbook; and
 - d. The amount of the fine.
3. In setting fines the teacher may take into account verified extenuating circumstances.
4. The pupil will take the form to the school office and make payment of the fine assessed. The Principal or designee will sign the form when payment is made.

5. The Principal or designee will collect fines.
6. Copies of the form will be distributed as follows:
 - a. The school office will retain one copy for office records.
 - b. The pupil will be given one copy as receipt for the fine.
 - c. The teacher will be given one copy as evidence that the fine has been paid.
7. A pupil who finds their lost textbook will be reimbursed any fine paid for the lost textbook but will be assessed a fine for any damage done to the book.
8. A pupil who has not paid a fine owed will not receive a diploma, transcript, transfer card, or report card until the fine has been duly paid and acknowledged. A high school senior who has unpaid fines may not participate in the graduation ceremony.
9. If fines remain unpaid, the Principal or designee may request payment from the parent(s) or legal guardian(s), or take such other steps as may be appropriate to ensure that moneys due the district are paid and that the importance of taking responsibility for the consequence of one's acts is instilled.

Adopted: 5 November 2001

R 5514 PUPIL USE OF VEHICLES

A. Use of Bicycles

The use of bicycles for travel to and from school by pupils in grades one through twelve is permitted when principal approval is granted in accordance with Policy No. 5514 and the following rules.

1. Bicycles must be in sound condition and equipped with:
 - a. A rear reflector;
 - b. A bell or other signaling device other than a siren or whistle;
 - c. Brakes;
 - d. A lock and chain; and
 - e. If the bicycle will be used after dark, a white front lamp and red rear lamp, each visible from at least 500 feet.
2. The operator may not permit a second person to ride on the bicycle with him/her.
3. The operator will keep his/her hands on the handlebars and feet on the pedals while the bicycle is being operated on the street.
4. The operator will not "hitch" a ride on any moving vehicle.
5. The operator will walk the bicycle while on school premises.
6. The operator will store his/her bicycle in a rack provided at the school. Pupils are advised to keep bicycles locked when not in use.
7. The operator will wear a biker's helmet.

B. Permission to Ride a Bicycle

1. Pupils will obtain a permission slip from the school office.
2. Permission slips must be signed by a parent(s) or legal guardian(s) and returned to the school office.
3. Permission slips will be retained on file by the school office.

C. Use of Automobiles

The use of automobiles for travel to and from school by pupils who have attained the legal age to drive independently is permitted in accordance with Policy No. 5514. Every driver must comply with New Jersey Motor Vehicle laws and the following rules:

1. Automobiles must be registered and inspected by the State of New Jersey and properly insured.
2. Automobiles must be registered in the office of the Principal in accordance with ¶D.
3. No pupil may operate or park an automobile on school premises during the school day without a sticker issued and affixed in accordance with ¶D5.
4. Automobiles must be parked in the parking area provided at the school building; pupils' automobiles must not be parked or left standing in fire zones or in areas designated for staff and visitor parking.
5. Permission for the use of an automobile is granted only for travel to and from school. The use of the automobile by pupils participating in field trips, sports events, performances, and out-of-school instructional assignments is permitted only with the express permission of the Principal.
6. Once parked, an automobile may be visited during the school day only with the permission of the Principal.

7. Driving on school grounds must not exceed ten miles per hour. Automobiles must be driven with caution at all times.
8. Any accident involving an automobile registered with the Principal, occurring anywhere, must be promptly reported to the Principal or designee.

D. Permission to Operate an Automobile

1. The parent(s) or legal guardian(s) of the pupil or adult pupil seeking permission to drive an automobile to and from school must submit written application for permission to the Principal or designee. The application will include:
 - a. The pupil's name and driver's license number,
 - b. The reason for the necessity of driving to school,
 - c. The make, model, year, color, and registration number of the automobile,
 - d. The name of the insurance carrier and the insurance number, and
 - e. Evidence that the pupil has successfully completed a driver training course.
 - f. Evidence that at least one of the student's parents or guardians has attended a Board approved State driving program within four (4) calendar years prior to the date of the application.
2. The pupil intending to operate the automobile will review and sign a copy of the rules governing the use of automobiles for travel to and from school.
3. The Principal or his/her designee will make an independent determination, through the Department of Motor Vehicles (1-609-292-6500), that the pupil's driver's license has not been suspended.

4. The Principal or his/her designee will personally inspect the pupil's driver's license, the automobile registration card, and the automobile insurance certificate. Copies of these documents will be made and kept in the pupil's file along with the application form.
5. When an application has been approved, the Principal or his/her designee will issue the pupil a sticker to be affixed on the car window of the automobile.
6. The administration will assess a reasonable fee for parking permits.

E. Revocation of Permission

1. The permission to use a bicycle or automobile for travel to and from school is a privilege summarily revocable by school officials when the permittee:
 - a. Violates the rules set forth in this regulation or an express order of the Principal;
 - b. Has committed any violation of school rules that resulted in an in or out-of-school suspension.
 - c. Has been convicted of a moving vehicle driving practices;
 - d. Has engaged in any unsafe or careless driving practices;
 - e. Has committed an act of vandalism or theft; or
 - f. Has been truant from school.
2. Driving privileges may be reinstated by the Principal or designee no earlier than the following marking period after the suspension or revocation, on the parent(s) or legal guardian(s), or adult pupil's reapplication and on the Assistant Principal's finding that the pupil has maintained a satisfactory record of school citizenship.

Adopted: 5 November 2001
Revised: 15 September 2008

R 5520 STUDENT DEMONSTRATIONS AND STRIKES

The procedures for the prevention and handling of student unrest shall be based on the following premises:

1. Each and every student of school age has a right to attend the public schools and to receive a suitable education without disruption.
2. Neither violence, disruption, vandalism, nor seizure of school buildings can be permitted under any circumstances.
3. Procedures by which both students and parents may make known their concerns and have them considered and disposed of fairly are most significant in the prevention of student unrest.

A. Prevention of Student Unrest

In preventing student unrest, practices of the school district shall include:

1. Implementation of an educational philosophy which is:
 - a. Student-oriented;
 - b. Based on concern for the individual;
 - c. Develops mutual respect between students and staff.
2. Open channels of communication between students, Student Council, the administration, guidance department, and parents.
 - a. Through representatives elected from each homeroom all students shall be represented on the high school Student Council. Council meetings shall be held during school hours, and the minutes of meetings shall be posted for all students.
 - b. A Student Liaison Committee, elected by the student body or by the Student Council, shall meet with the administration when either party deems necessary. Any topic involving the schools may be brought up for discussion.

- c. Any student shall be privileged to discuss informally any topic or problem with any faculty member, Principal, the Superintendent, or any Board member. The administration and Board will honor requests for such discussion as soon as possible.
- d. Members of the guidance staff will discuss individual problems with students, keeping all discussions confidential. Evening conferences with guidance counselors may be scheduled by parents.
- e. The schools shall work actively with parents, seeking their advice and counsel, and explaining school objectives and programs through the medium of parent-teacher organizations, through newsletters, open houses, and individual conferences with parents. The open-door policy of the administration and Board also applies to parents and other citizens in the community.

B. Dealing with Threatened Disruptions and Disorders

In the event disruption of school is threatened, the administration is authorized and directed to proceed as follows:

1. Identify and recognize leaders of the dissenting group. This shall include leaders of participating groups, as well as the "organizing" group, and any spokesman for a group whether he is or is not a student or school-affiliated.
2. Determine the complaint. This will aid in determining the subsequent course of action. Accept any petition offered.
3. Open up discussion with the leaders, directing all other students to return to classes.
 - a. The following people will participate in the discussion; school officials and student leaders.
 - b. Others may participate: Any outside spokesman for either party, including any representative either side feels would be helpful.

4. Support the directive that other students return to classes as follows:
 - a. Announcing, and considering, any student who does not return to his scheduled class within reasonable time a trespasser.
 - b. If trespassing develops and persists, you are at liberty to take customary action pertaining to trespassing on school property. But police authority will be called and utilized to remove such trespassers only as a last resort or when persons and/or school property are in danger.
5. In reaching agreement with dissenting groups, listen and consider complaints and suggestions. Make it clear that you cannot change the law, and that you cannot change Board policy without Board approval. Assure them that you will carry out the terms that administratively you are at liberty to change and have agreed upon; and that you (or they) can refer to the Board other points of dissention. Assure the leaders that no individual recriminations will take place, but that you will comply with the law in:
 - a. Seeking prosecution for vandalism.
 - b. Holding individuals responsible for damages to school property.
6. Call on faculty members for assistance in reaching agreement with the dissenting group or groups. The demands of the specific situation will dictate individual roles.
7. Upon reaching agreement with the dissenters, call an information assembly for the school and explain terms of the agreement. Assure students that the agreed-upon terms will be acted upon.

Adopted: 5 November 2001

R 5530 SUBSTANCE ABUSE

The following procedures are established in implementation of Policy No. 5530, Substance Abuse.

Identification/Referral Procedures

Staff members are required by law (N.J.S.A. 18A:40A-12) to report any student suspected of being under the influence of or having problems related to substances in accordance with the district procedures. Staff members reporting students in "good faith" are immune from civil and criminal prosecution. Confidentiality of information obtained by Substance Awareness Coordinators (SAC's), Intervention and Referral Service (I&RS) Team members and administrators shall be protected under regulations set forth in CFR-42 Part 2. Students shall be informed annually of the regulations protecting the confidentiality of records pertaining to drug and alcohol interventions. They will also be notified annually of the District's procedures in regard to voluntary disclosures. Notification shall be through student/parent handbooks and the District Website.

A. Definitions

1. "Evaluation/Medical Screening" is a diagnostic substance screen and medical examination conducted by a licensed physician.
2. "Assessment" means those procedures used by school staff to make a preliminary determination of a student's need for educational programs. Supportive services or referral for outside services which extend beyond a general school program by virtue of learning, behavior or with difficulties of the student or student's family. It will include a comprehensive chemical dependency evaluation involving, but not limited to an interview, medical screen, and attitudinal survey. An assessment is conducted by a trained and licensed professional.
3. "Intervention and referral to treatment" means those programs and services offered to help a pupil because of the use of substances by the pupil or a member of the pupil's family.

4. "Involved with substances" means that the pupil is influenced and/or affected by the use of substances by the pupil or a member of his/her family, whether or not on school premises or during the school day. A suspicion or determination that a pupil is involved with substances does not depend on a finding that the pupil is immediately under the influence of a substance or possesses or distributes a substance on school premises.
5. "Parent" means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or surrogate(s) of a student. Where the parents are separated or divorce, "parent" means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.
6. "Substance" means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2, anabolic steroids, or any chemical or chemical compound that releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2A:170-25.9, and all non-prescription drugs.
7. "Substance abuse" means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.
8. "Under the influence" of substances means that the pupil is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the use of a substance.
9. "Paraphernalia" means any equipment, product and/or materials used in the manufacture, preparation, consumption or ingestion of substances, as described in N.J.S.A. 2C:36-1.

10. "SAC" means a person who holds certification as Substance Awareness Coordinator. SAC's are also called Student Assistance Counselor.
11. "Confidentiality" means information concerning a student or staff member's involvement in a school intervention or treatment program for substance abuse shall be kept strictly confidential, according to the requirements of 42 CFR Part 2 and N.J.S.A. 18A:40A-7.1 and 7.2.
12. "Treatment" means all procedures and programs recommended by the SAC and/or licensed assessment and treatment professionals or providers.
13. "I&RS Team" is an interdisciplinary committee which will include members that have been specially trained to identify, evaluate, and recommend strategies to help students who are at risk, affected by, or using substances. The I&RS Team consists of the building administrator, the SAC and others as needed.
14. "Trained and licensed professional" is an individual, group, or community agency not associated formally with the school district that is appropriately certified by the New Jersey Board of Examiners and trained to diagnose and treat alcohol and/or drug abuse.

B. Administrative Procedures for Substance Abuse

Any violation of Board rules prohibiting the use, possession and/or distribution of a substance is a serious offense, and the pupil who violates a substance abuse rule will be disciplined accordingly. Repeated violations are more severe offenses and warrant stricter disciplinary measures. Pupils who violate the substance abuse rules will be disciplined as follows:

1. Suspected of Being Under the Influence of a Substance

Any staff member to whom it appears that a pupil may be under the influence of a substance on school property or at a school sponsored or school related

activity shall immediately report this to the school nurse or medical inspector and the Principal or designee. In instances where the nurse or Principal are not in attendance, the staff member responsible for the school function shall be immediately notified. The administrator in charge will follow this procedure:

- a. The pupil shall be removed to a protective environment for observation and care by the nurse or responsible staff member. The Principal or designee shall request the assistance of the school nurse in assessing and monitoring the physical condition of the pupil. If a medical emergency exists, the police and/or rescue squad will be called and may transport the student to the hospital.
- b. A search of the student's person, locker, and/or belongings shall be conducted by an administrator.
- c. The administrator shall immediately notify the parent/guardian and the Superintendent. The administrator shall request that the parents come to the school immediately and shall advise them that the student must be taken for an immediate evaluation/medical screening. If the parent/guardian cannot be contacted, the administrator shall make arrangements for the medical evaluation and will continue efforts to contact the parent/guardian. "Immediate" shall be defined as no more than one hour following the initial report that a student may be under the influence of a substance.
- d. If the student leaves school property without a parent/guardian, this behavior constitutes an automatic positive urine test, therefore disciplinary action will be taken immediately. The student must leave from the school building and immediately go for medical screening. A verification of arrival at the doctor's office required. This also applies to students 18 years of age or older.

- e. In consultation with the parents/guardians, if available, the Principal or designee shall arrange for an immediate medical evaluation of the pupil. This evaluation/medical screening may be performed by:
- (1) The family's private physician,
 - (2) The school medical inspector,
 - (3) A facility approved by the Board of Education,
 - (4) The nearest hospital emergency room or clinic.
- This evaluation shall include:
- (1) Examination by a physician,
 - (2) Monitored urine screen, blood screen, and/or breath analysis,
 - (3) Any additional medical test deemed necessary by the physician.
- f. All costs of the medical examination and testing by a physician, other than the approved medical facility, shall become the sole responsibility of the student and his/her parent/guardian.
- g. A written report of the medical examination of the pupil shall be furnished by the examining physician to the pupil's parent, the Principal, SAC, and to the Superintendent within twenty-four hours stating when the student is or will be physically and mentally able to return to school.
- h. If the student or parent does not comply with the required medical evaluation, drug screen and/or breath analysis, or if the student provides a sample determined to be adulterated, diluted and/or if either the parent or the student refuses to release the results, this will be treated as a positive admission of use, and the pupil shall be immediately returned to the care of a parent/guardian and

suspended, as per the discipline policy. The student and parent must meet with the Principal and the SAC and must comply with the recommendations of the SAC prior to returning to school.

- i. If the result of the medical evaluation is negative, the original concerns of the school will be voiced to the parent/guardian and student. A referral may be made to the Intervention and Referral Service Committee (I & RS), guidance counselor, outside agency, etc. for follow-up.
 - j. If the result of the evaluation/medical screening determines that the pupil is under the influence, the pupil will be disciplined in accordance with the Board of Education policy and the pupil will be required to undergo an assessment by a certified substance abuse counselor in order to determine an appropriate treatment and recovery plan for the student. Refusal by a parent or student to comply with the scheduling of the assessment will result in the student not being able to access his/her current program at school. Refusal or failure by parent/guardian to comply with provisions of N.J.S.A. 18A:40A-12 shall be deemed a violation of compulsory education requirements (N.J.S.A. 18A:35-25 and 18A:38-31) and/or child neglect laws (N.J.S.A. 9:6-1 et seq.) Local authorities and the Division of Youth and Family Services will be notified.
2. An assessment consists of:
- a. Signed release forms permitting the school and evaluating agency to exchange information.
 - b. Substance use history.
 - c. Monitored drug screen urinalysis, blood screen and/or breath analysis.
 - d. Developmental, family, social, academic, and behavioral histories.

- e. Mental status evaluation.
- f. Psychiatric evaluation when recommended by the Chemical Dependency Evaluator and/or the I&RS Team.
- g. A treatment and recovery plan for the student.

Failure of the student or parent to comply with the terms of the treatment and recovery plan will result in the student not being able to access his/her current program at school. Refusal or failure by parent/guardian to comply with provisions of N.J.S.A. 18A:40A-12 shall be deemed a violation of compulsory education requirements (N.J.S.A. 18A:35-25 and 18A:38-31) and/or child neglect laws (N.J.S.A. 9:6-1 et seq.) Local authorities and the Division of Youth and Family Services will be notified.

- h. Additional evaluations may be required of a pupil once found to have been under the influence of a substance in order to determine the extent of the pupil's substance use and its effect on his/her school performance.
3. Possession of substances or paraphernalia on school property, or during school sponsored or school related activities.
- a. When any administrator or staff member has reasonable cause to believe that a student is in possession of substances or paraphernalia on school property, the Principal or designee shall inform the student on the basis of the belief. Also, the student shall be advised of the school's intention to inform the student's parents or guardian as soon as possible of this suspected activity.
 - b. The Principal or designee, in the presence of a staff member, may conduct a search of the student's locker, of the student's possessions, and/or of a student's person if the administrator suspects that substances are contained there.

- c. The parents or guardian will be apprised that the Principal will inform the Roxbury Township Police Department of the student's activity. In addition, the Board of Education may take further action, provided however, that before any such action is taken the student and/or the parents or guardian are afforded an opportunity to be heard before the Board.
 - d. Any student found in possession of substances or paraphernalia on school property or during a school sponsored or school related activity will be dealt with as follows:
 - (1) The student must undergo an immediate evaluation/medical screening. (In accordance with the provisions of B.1.a-f, listed above.)
 - (2) The student will be suspended out of school for ten (10) days.
 - (3) The student and parents must schedule a drug and alcohol assessment to be conducted by a certified substance abuse counselor and the student must comply with the recommended treatment program. In order to return to school, the student must be in compliance with the recommendations of the SAC and the school administration. (In accordance with the provisions of B.1.h, listed above.)
 - (4) A Superintendent's review and/or Board of Education hearing may be held to consider expulsion.
4. Sale or distribution of substances or paraphernalia on school property, or during school sponsored or school related activities.
- a. When any administrator or staff member has reasonable cause to believe that a student is selling or distributing substances or paraphernalia on school property, the Principal or designee shall inform the student on the basis of the belief.

Also, the student shall be advised of the school's intention to inform the student's parents or guardian as soon as possible of this suspected activity.

- b. The Principal or designee, in the presence of a staff member, may conduct a search of the student's locker, of the student's possessions, and/or of a student's person if the administrator suspects that substances are contained there.
- c. The parents or guardian will be apprised that the Principal will inform the Roxbury Township Police Department of the student's activity. In addition, the Board of Education may take further action, provided however, that before any such action is taken the student and/or the parents or guardian are afforded an opportunity to be heard before the Board.
- d. Any student found to be distributing substances or paraphernalia on school property or during a school sponsored or school related activity will be dealt with as follows:
 - (1) The student must undergo an immediate evaluation/medical screening. (In accordance with the provisions of B.1.a-f, listed above.)
 - (2) The student will be suspended out of school for ten (10) days.
 - (3) The student and parents must schedule a drug and alcohol assessment to be conducted by a certified substance abuse counselor and the student must comply with the recommended treatment program. In order to return to school, the student must be in compliance with the recommendations of the SAC and the school administration. (In accordance with the provisions of B.1.h, listed above.)
 - (4) A Superintendent's review and/or Board of Education hearing will be held to consider expulsion.

5. In a continuing effort to provide students with assistance and support and in accordance with the New Jersey Code of Juvenile Justice 2A:4A-60 (Disclosure of Juvenile Information), law enforcement agencies can disclose various records to the Principal or his/her designee in planning programs relevant to a juvenile's education and social development. These records shall be safeguarded from public inspection and held in strict confidence.
 - a. If a student is charged with or convicted of use, possession or distribution of substances off of the school property, law enforcement officials will disclose pertinent information to school officials in accordance with the Memorandum of Agreement.
 - b. When a student is charged with or convicted of substance use, possession or distribution off of the school property, the student and parent must comply with the provisions of this regulation respective to scheduling an assessment with a certified substance abuse counselor within ten (10) days and comply with the treatment and recovery plan provided through that process. In addition, the student and parent must meet with the Principal and the SAC to review the requirements of this provision. Failure of the student or parent to comply with the terms of the treatment and recovery plan will result in the student not being able to access his/her current program at school. Refusal or failure by parent/guardian to comply with provisions of N.J.S.A. 18A:40A-12 shall be deemed a violation of compulsory education requirements (N.J.S.A. 18A:35-25 and 18A:38-31) and/or child neglect laws (N.J.S.A. 9:6-1 et seq.) Local authorities and the Division of Youth and Family Services will be notified.
- C. Discipline in Cases Involving Substance Abuse
1. First Offense
 - a. Ten days out of school suspension, exclusion from extra-curricular and co-curricular activities until the pupil is in compliance with and is actively engaged in recommended treatment

programs. Reinstatement to school activities is contingent upon I&RS Team/Administrative review and subject to continued monitoring.

- b. Prior to returning to school, student and parent must meet with SAC and administration and comply with recommended programs.
- c. Be denied participation in the junior and/or senior proms, senior trip, and other activities, including graduation, until all requirements stated in 1.a are satisfied.

2. Subsequent Offenses

- a. Out-of-school suspension, pending completion of Child Study Team review, consultation with SAC, and Board of Education review.
- b. A pupil who has been removed from school for his/her use, possession and/or distribution of substances, other than a pupil who has been expelled from school, shall be placed on home instruction.

D. Student Suspected of Having a Substance Abuse Problem

Any student exhibiting any repetitive or unusual behaviors, or manifesting changes in behavior, which might be an indication of substance abuse should be referred to the Student Assistance Counselor.

In situations like these, where the substance use of a student is of concern, and there is not evidence of a violation of the law or school regulations, the purpose of this section is to help resolve the student's difficulty.

A referral to the Student Assistance Program can be made by a peer, by a staff member, by a parent, or by the student. The student assistance counselor will process the referral by distributing "observable behavior forms" to the appropriate staff members. The SAC will collect the forms and compile relevant data respective to the student's academic, health, guidance, attendance, and discipline records in preparation for a presentation to the I&RS Team.

The I&RS Team reviews the data to make appropriate recommendations that will serve the best interests of the student. The I&RS Team may:

1. Determine that the problem behavior and suspected substance abuse should be referred to an outside source for assistance.
2. Determine that no further action is needed and the case will be de-activated.
3. Recommend to the Principal or designee that further steps are required and may request a meeting with the parent/guardian and student. At this meeting, the concerns of the school will be voiced. An assessment may be recommended. The school will assist the parent/guardian in arranging for the assessment at the expense of the parent/guardian.

- E. When a Student Confides to a staff member that he/she has a Substance Abuse Problem, the staff member should indicate concern for the student and suggest that a self-referral be made to the SAC or an I&RS Team member. The staff member must make a referral to the Core Team.

A student who voluntarily discloses his/her substance abuse to the SAC shall be encouraged to obtain an assessment and to pursue treatment. If the student resists the SAC's recommendations for referral and/or intervention, the SAC shall refer the student to the I&RS Team to determine an appropriate course of action.

Prior to any administrative and/or legal action, the SAC shall guarantee the student's right to confidentiality and protection under the law. (42 CFR Part 2, N.J.S.A. 18A:40-7.1 and 7.2 and N.J.A.C. 6A:16-6.5.) The term "voluntary" shall no longer apply when the student has been brought to the attention of administration or police for suspicion of use, possession, and/or distribution.

- F. When a pupil is returning to school from rehabilitation/treatment, the following procedures will be in effect: The Roxbury School District is committed not only to the prevention, intervention and treatment of substance abuse, but believes that for successful aftercare, the student and parent/guardian must work closely with the school to arrange for the most beneficial educational environment possible.

1. The SAC shall be involved with the exit contract and educational planning for the student prior to discharge from a treatment program. The SAC is to maintain contact with the facility throughout the process of treatment and rehabilitation and keep the I&RS Team informed of progress.
2. The student and parent/guardian shall meet with the SAC, Principal and Guidance Counselor to determine if modifications in the educational program will be needed when the student returns and to arrange for a contract specifying the conditions for re-entry.
3. The SAC shall monitor the student on a weekly basis for the first six months following return to assess progress and compliance with the re-entry. The SAC shall bring the student to the attention of the Principal and I&RS Team immediately in cases of noncompliance or adjustment problems.
4. The I&RS Team shall review students after re-entry on a regular basis and shall make recommendations to correct situations in which a student or parent/guardian fails to comply with the contract for re-entry. The Principal shall take appropriate disciplinary action in accordance with due process when there is noncompliance with the contract.
5. When a student has been hospitalized or was in treatment without the school's involvement, the SAC shall require the parent and student to share information and participate in planning a follow-up program. Any long-term absence of a student shall require a re-entry conference.

G. Outreach to Parents

1. An outreach program will be provided for the parent(s) or legal guardian(s) of pupils enrolled in the district. The program will be conducted at times, including evenings and weekends, convenient to parent(s) or legal guardian(s) and on school premises or at suitable facilities closer to pupil's residences or parents' workplaces.

2. The parents' outreach program will include:
 - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year;
 - b. Recommendations as to the ways in which parent(s) or legal guardian(s) may enhance, reinforce, and supplement substance abuse instruction;
 - c. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;
 - d. Instruction on the identification of the symptoms and behavioral patterns that might indicate a substance abuser;
 - e. Information on the state and local organizations available to assist in the prevention of substance abuse and the early intervention, treatment, and rehabilitation of substance abusers; and
 - f. Review of Board policy and administrative regulations on substance abuse with attention to the role of parents.

H. Records

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

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

Any disclosure made pursuant to a. and b. above shall be limited to that information which is necessary to carry out the purpose of the disclosure, and the person or entity to whom the information is disclosed shall be prohibited from making any further disclosure of that information without the pupil's written consent. The disclosure must be accompanied by a written statement from the Student Assistance Counselor or trained member of the Core Team advising the recipient that the information is being disclosed from the records the confidentiality of which is protected by P.L. 1997,362 (N.J.S.A. 18A:40A-7.1 et seq.) and that this law prohibits any further disclosure of this information without the written consent of the person from whom the information originated.

Nothing in this policy prevents the Division of Youth and Family Services or a law enforcement agency from using or disclosing the information in the course of conducting an investigation or prosecution. Nothing in this policy shall be construed as authorizing a violation of any federal law.

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

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

4. Each incident of substance abuse shall be reported to the Commissioner on the Violence, Vandalism and Substance Abuse Incident Report form.

Adopted: 5 August 2004
Revised: 13 September 2004; 18 August 2008;
10 September 2012

R 5533 SMOKING BY STUDENTS

Smoking by students is not permissible:

1. In school buildings or vehicles at any time.
2. On school grounds during the school day, which includes the time of arrival on school property in the morning through the time of departure from school property.
3. At school sponsored events held on school premises.
4. By participants in curricular and extracurricular events away from school.

Students caught smoking in school buildings, vehicles or on premises during the school day shall receive the following disciplinary action:

- | | |
|-------------------|-----------------------------|
| 1. First Offense | One day Saturday detention |
| 2. Second Offense | Two days Saturday detention |
| 3. Third Offense | Out-of-school suspension |

Additionally, all smoking offenders will be reported to the Roxbury Township Board of Health who will issue a summons for appearance in municipal court where a penalty will be assessed in accordance with applicable statutes and ordinances.

Students observed smoking at school sponsored events on school premises will be asked to stop by the observing staff member. Failure to do so will be considered insubordination and the student shall be disciplined accordingly.

Students smoking while participating in curricular and extracurricular activities away from school will be subject to the same disciplinary actions as if they were smoking in school and will additionally receive a warning after the first offense and be suspended from the extracurricular activity after the second offense.

Adopted: 5 November 2001

R 5550 DISAFFECTED PUPILS

A. Grades Kindergarten through 6

1. Each pupil's work habits, behavior, products, and records will be continually monitored for signs of disaffection by teaching staff members responsible for the pupil's instructional program. Such signs of disaffection might include, but need not be limited to, the pupil's:
 - a. Working below potential set by IQ indicators,
 - b. Depressed standard test scores,
 - c. Excessive absenteeism or truancy,
 - d. Change in personality or work habits,
 - e. Marked irritability, lassitude, or hypersensitivity.
2. The teacher or other professional staff member who observes signs that a pupil may be disaffected will confer with the Principal or designee. If it is determined that concern about the pupil's welfare is warranted, the pupil's parent(s) or legal guardian(s) will be called in and made aware of the problems, and steps to deal with the pupil's disabling attitude will be proposed.
3. Once a pupil is identified as disaffected, steps to offset the effects of disaffection may be initiated. Such steps may include:
 - a. Meeting with the school counselor and teacher consultant to help teachers shape classroom strategies that might reduce disaffection,
 - b. Building on the pupil's strengths to help bolster his/her sense of self-worth,
 - c. Providing instructional alternatives to stimulate the pupil's interest by utilizing such devices as calculators, computers, educational games, and teaching machines,
 - d. Referral to the IRT,

- e. Assigning the pupil to another teacher,
- f. Transferring the pupil to another school in the district, and/or
- g. Referring the pupil to the Child Study Team.

B. Grades 7 and 8

1. A disaffected pupil in the middle school may be identified by one or more of the following signs:
 - a. Argumentative behavior and truculence,
 - b. Willful disregard of school rules and lack of concern for others,
 - c. Disrespect for authority figures,
 - d. Excessive absenteeism or truancy,
 - e. Acting-out and/or aggressive behavior, and
 - f. Working below his/her potential.
2. The teacher or other professional staff member who observes signs that a pupil may be disaffected will confer with the Principal or designee. If it is determined that concern about the pupil's welfare is warranted, the pupil's parent(s) or legal guardian(s) will be called in and made aware of the problems, and steps to deal with the pupil's disabling attitude will be proposed.
3. Once a pupil is identified as disaffected, the following steps will be taken:
 - a. The pupil will be referred to the school counselor and IRT for counseling where:
 - (1) The parent(s) or legal guardian(s) may be asked to seek outside support services; and/or
 - (2) IRT may be ask that staff observe the pupil, formally monitor his/her progress, and report regularly to the school counselor and IRT.
 - b. The pupil's schedule may be modified as necessary,

- c. The learning disabilities teacher-consultant may be consulted, and
 - d. The pupil may be referred to the Child Study Team.
- C. Grades 9 - 12
 - 1. The disaffected high school pupil may be identified by the following signs:
 - a. A drop in school performance,
 - b. Decreased attentiveness and disinterest in school work,
 - c. Marked irritability, and hypersensitivity,
 - d. Evidence of class cutting, excessive absence, and/or truancy,
 - e. An inability to articulate occupational or educational goals, and
 - f. Hostility towards authority figures.
 - 2. The teaching staff member who observes a disaffected pupil will alert the guidance counselor to a possible problem.
 - 3. The school counselor will confer with the pupil's teacher, review the pupil's record, and meet with the pupil and his/her parent(s) or legal guardian(s).
 - 4. A referral to IRT will be recommended by the counselor and approved by the Principal or designee. The IRT will develop an intervention with the student and parent which may include a Child Study Team referral.

Adopted: 5 November 2001

R 5560 DISRUPTIVE PUPILS

A. Grades Kindergarten through 6

1. Any of the following signs may indicate a disruptive pupil in the elementary grades:
 - a. Unsatisfactory grades in classroom habits or work habits,
 - b. A worsening negative attitude,
 - c. Disobedience and willful disregard of rules,
 - d. Lack of concern for the rights of others,
 - e. Argumentative behavior and aggressively self assertive,
 - f. Disregard for authority, or
 - g. Fighting with classmates.
2. Any of the following steps may be followed, singly or in combination, to deal with the elementary pupil who has been identified as disruptive:
 - a. After-school detention,
 - b. Use of behavior modification as well as other techniques designed to change disruptive classroom displays,
 - c. Intervention by the Principal,
 - d. Parent-teacher conference,
 - e. Suspension, in accordance with Policy No. 5610, and
 - f. Referral to the Child Study Team.

B. Grades 7 and 8

1. Any of the following signs may indicate a disruptive pupil in the middle school:
 - a. Argumentative behavior and aggressively self assertive,

- b. Willful disregard of school rules and lack of concern for others,
 - c. Disrespect for authority figures,
 - d. Excessive absence or truancy,
 - e. Acting-out and/or aggressive behavior, or
 - f. Difficulty with community or law enforcement agencies.
2. Any of the following steps may be used singly or in combination to deal with the disruptive pupil in the middle school:
- a. Detention after school during which time the pupil may be admonished about his/her conduct in the classroom,
 - b. Referral to the school's counselor for counseling,
 - c. Conference among the teacher, school counselor, and parent(s) or legal guardian(s),
 - d. Referral to the Vice Principal when the pupil is constantly disruptive or causes major infractions of the school rules,
 - e. Referral to IRT,
 - f. In-school suspension during which the pupil is placed under the supervision of a teacher, isolated from the mainstream, and assigned school work to complete,
 - g. Home suspension, in accordance with Policy No. 5610, when other alternatives fail to curb the pupil's disruptiveness, and
 - h. Referral to the Child Study Team.
- C. Grades 9 - 12
1. Any of the following signs may indicate a disruptive pupil in the high school:
- a. Argumentative behavior and aggressively self assertive,

- b. Willful disregard of school rules and lack of concern for others,
 - c. Disrespect for authority figures,
 - d. Excessive absence or truancy,
 - e. Acting-out and/or aggressive behavior, and
 - f. Difficulty with community or law enforcement agencies.
2. Any of the following steps may be used singly or in combination to deal with the disruptive pupil in high school:
- a. Detention after school during which time the pupil may be admonished about his/her conduct in the classroom,
 - b. Referral to the school counselor for counseling,
 - c. Conference among the teacher, school counselor, and parent(s) or legal guardian(s),
 - d. Referral to the Vice Principal when the pupil is constantly disruptive or causes major infractions of the school rules,
 - e. Referral to CRT, IRT, SAC or Core Team,
 - f. In-school suspension during which the pupil is placed under the supervision of a teacher, isolated from the mainstream, and assigned school work to complete,
 - g. Suspension from school, in accordance with Policy No. 5610, when other alternatives fail to curb the pupil's disruptiveness, and
 - h. Referral to the Child Study Team.

Adopted: 5 November 2001

R 5570 SPORTSMANSHIP

Individuals who violate Policy No. 5570, Sportsmanship shall be subject to the following disciplinary actions to be imposed by the Principal or designee.

- A. Violations shall be dealt with in the following manner:
 - 1. First Offense - warning by the Principal or designee.
 - 2. Second Offense - short term suspension from the athletic or intramural program - duration to be determined by the Principal or designee, but not to exceed ten school days.
 - 3. Third Offense - long term suspension - up to one school year from the athletic or intramural program.
 - 4. Fourth Offense - permanent expulsion from participation in the athletic or intramural program by the Principal or designee.
- B. The determination of the Principal or designee may be appealed to the Superintendent who shall make a determination within ten working days.
- C. A determination by the Superintendent resulting in a long term suspension or expulsion from the athletic or intramural program may be appealed to the Board which may hold a hearing on the matter and render a determination of the matter within thirty calendar days.

Adopted: 5 November 2001

R 5600 PUPIL DISCIPLINE/CODE OF CONDUCT

A. Purpose

The purpose of these regulations is to achieve the following:

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

B. Rules of Conduct

1. All pupils are bound by law, policies of the Board of Education, and the administrative regulations of this school district.
2. In addition, pupils shall not:
 - a. Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority;

- b. Create disorder or disruptions on school premises;
- c. Use, threaten, or incite the use of physical force against other pupils, staff members, or visitors to the school;
- d. Steal, damage, or deface the property of other pupils, staff members, or the district;
- e. Engage in the sexual harassment of pupils or staff members;
- f. Violate codes of conduct adopted for organizations of pupils;
- g. Possess or use weapons or any implement intended to harm others;
- h. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;
- i. Convey information about other pupils or staff members known to be false;
- j. Act so recklessly as to endanger the safety of others;
- k. Procure the property of others by threat or intimidation;
- l. Enter school premises or any specific portion of the premises without permission and without authority;
- m. Vandalize school property, real or personal;
- n. Create litter on school property;
- o. Be truant from school or class;
- p. Cheat or otherwise engage in academic dishonesty;
- q. Persistently refuse to complete homework and other assignments;

- r. Engage in illegal gambling;
 - s. Smoke, use or possess tobacco products on school premises;
 - t. Falsify an excuse or any school document;
 - u. Set fire to or cause a fire in any way on school premises;
 - v. Possess or explode a firecracker or other explosive device on school premises;
 - w. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
 - x. Possess, use, or distribute a substance in violation of Policy No. 5530;
 - y. Join a secret society prohibited by law; or
 - z. Engage in any other activity expressly prohibited by a school staff member in authority.
 - aa. Engage in any other activity expressly prohibited by a school staff member in authority.
3. Pupils assigned to a school bus must obey all school rules and
- a. Show respect for the driver and each other at all times;
 - b. Enter and leave the bus in an orderly manner;
 - c. Ride only the bus to which they have been assigned;
 - d. Be and remain seated while the bus is in motion;
 - e. Avoid reckless and boisterous activity at all times, including during waits at pickup points;

- f. Talk in a reasonable tone of voice and avoid loud noises;
 - g. Extend no portion of the body or other object out a bus window;
 - h. Keep aisles clear at all times;
 - i. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;
 - j. Refrain from smoking, using, or possessing any tobacco products, eating, and drinking on the bus; and
 - k. Will not possess, use, or distribute any substance in violation of Policy No. 5530.
 - l. Must wear seat belts if they are available on the bus.
4. The Building Principal or designee has the right to impose a consequence on a pupil for conduct away from school grounds pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2 or when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

C. Disciplinary Measures

The following disciplinary measures may be included at the discretion of the building administrator applied as appropriate to the pupil's violation of school rules.

1. Admonishment

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

2. Temporary Removal from Classroom

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

3. Deprivation of Privileges

The pupil may be deprived of the privilege of

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

4. Detention

- a. The pupil may be required by a teacher or administrator to report before or after the school day, or during a lunch period to detention for a period of supervised study.

- b. Transportation will be the responsibility of the pupil's parent(s) or legal guardian(s).
- c. The pupil may be excused from detention only for an unavailable commitment previously made; any such excused detention must be made up on another day.

5. Grading

A pupil who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence (paragraph ¶ B.2.p. and paragraph ¶B.2.q.) will receive a zero grade by virtue of the disqualified work. In no other instance may a pupil's grade be lowered as a direct penalty for misconduct. Students will be ineligible for Honor Roll in the marking period they are found cheating/plagiarizing.

6. Saturday Detention

- a. Students must report with textbooks and other working materials and be prepared to study the entire Saturday detention period.
- b. Students who are disruptive and/or uncooperative during Saturday detention will be referred to the Administration for reassignment and/or in-school suspension.
- c. Failure to attend Saturday detention will result in the assignment of in-school suspension and the rescheduling of Saturday detention.
- d. Transportation to and from Saturday detention is the responsibility of the student and/or parents. No visitors or early dismissal will be permitted.

7. In-school Suspension

- a. The pupil may be removed from his/her regular classes and required to report to an in-school suspension program for supervised study.

b. In-school suspension is a deprivation of the pupil's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy and Regulation 5610.

8. Suspension from School

a. The pupil may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2, and 6A:16-7.3, and Policy 5610.

b. Suspension from school is a deprivation of the pupil's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy and Regulation No. 5610.

9. Expulsion

a. The Board may expel a general education pupil from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.5, and Policy 5620.

b. Expulsion is an extremely serious disciplinary measure; it deprives the pupil of his or her right to a thorough and efficient education and will not be imposed without the due process set forth in Policies 5610 and 5620.

D. Remedial Measures

The following remedial measures may be taken to aid in correcting pupil conduct and to ensure that the pupil is properly placed in an appropriate educational environment and is not in need of special education and/or related services.

1. Restitution and Restoration

a. The pupil may be required to:

- (1) Make restitution, in kind or cost or labor, for any loss he or she has caused; or

- (2) Restore to its former condition, by his or her own labor, any property the pupil has damaged or defaced.
 - a. A pupil who refuses to make restitution or restoration as directed may be disciplined by one or more of the measures included at paragraph ¶C.
2. Counseling
 - a. The pupil may be required to consult with school counselors to explore the causes of his or her misconduct and to assess the need for a change in educational placement.
 - b. The administrator will explain:
 - (1) Why the pupil's conduct is unacceptable to the school and damaging to the pupil,
 - (2) What the consequences of continued misconduct are likely to be, and
 - (3) Appropriate alternate behaviors.
 - c. The counselor may refer the pupil, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:
 - (1) The Child Study Team,
 - (2) Intervention and Referral Team (Grades 5-12) and Pupil Assistance Committee (Grades K-4),
 - (3) A public or private social agency, or
 - (4) A legal agency.
3. Parent Conferences

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

4. Alternate Educational Program

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

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

1. Consequences

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

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

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

2. Remedial Measures

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

F. Consequences and Remedial Measures for Acts or Incidents of Dating Violence at School

Consequences and remedial measures specific to acts or incidents of dating violence at school shall be used to address the act or incident and to serve as remediation, intervention, education, and prevention for all individuals involved. Responses shall be tiered with consideration given to the seriousness and number of previous occurrences of acts or incidents in which the victim and aggressor have been involved.

1. Consequences

a. Consequences may include, but are not limited to, the following:

- (1) Admonishment;
- (2) Temporary removal from the classroom;
- (3) Classroom or administrative detention;
- (4) In-school suspension;
- (5) Out-of-school suspension;
- (6) Reports to law enforcement; and/or
- (7) Expulsion.

2. Remedial Measures/Interventions

a. Remedial measures/interventions may include, but are not limited to, the following:

- (1) Parent conferences;

- (2) Pupil counseling (all pupils involved in the act or incident);
- (3) Peer support group;
- (4) Corrective instruction or other relevant learning or service experiences;
- (5) Supportive pupil intervention (Intervention and Referral Services - I&RS);
- (6) Behavioral management plan; and/or
- (7) Alternative placements.

G. Chart of Discipline - Grades 7-12

Progressive Discipline - Disciplinary actions include:

Administrative warning - verbal or written
 Lunch Detention - 35 minutes assigned during lunch period
 Saturday Detention - 3 hours on assigned Saturday morning
 In-School Suspension - 2 days of social exclusion
 Out-of-School Suspension - mandatory parent conference
 Other actions as deemed appropriate by the administration

Penalty noted is minimum discipline to be implemented.
 Infractions not noted will be left to the discretion of the administration.

Below is a listing of pupil behaviors that are subject to pupil discipline including suspension or expulsion pursuant to N.J.A.C. 18A:37-2. The behaviors include, but are not limited to:

Student Attendance Infractions:

1. Excessive Tardiness to school

- 1st Offense - Warning
- 2nd Offense - Written Warning
- 3rd Offense - Saturday Detention

- 4th Offense - Warning
- 5th Offense - Written Warning
- 6th Offense - Saturday Detention

- 7th Offense - Warning
- 8th Offense - Written Warning
- 9th Offense - In-School Suspension

- 10th Offense - Warning
- 11th Offense - Written Warning
- 12th Offense - In-School Suspension

- 13th Offense - Warning
- 14th Offense - Written Warning
- 15th Offense - Out-of-School Suspension

2. Excessive Tardiness to class

- 1st Referral by Teacher - Warning
- 2nd Referral by Teacher - Saturday Detention
- 3rd Referral by Teacher - In-School Suspension

Note: 2 Tardies = 1 Cumulative Absence

3. Cutting class:

- 1st Cut - Saturday detention
- 2nd Cut - In-School Suspension
- 3rd Cut - Out-of School Suspension. Loss of credit in class that was cut

4. Unauthorized Departure from School

- 1st Offense - 2 Saturday Detentions
- 2nd Offense - In-School Suspension
- 3rd Offense - Out-of-School Suspension

Note: Seniors lose parking privilege on 1st Offense
Juniors put at end of parking waiting list

5. Truancy

- 1st Offense - 2 Saturday detentions
- 2nd Offense - In-School Suspension
- 3rd Offense - Out-of-School Suspension

Student Management Infractions:

- 1. Disruptive behavior in class or bus/creating a disturbance

- 1st Offense - Administrative Warning
- 2nd Offense - Saturday Detention
- 3rd Offense - In School Suspension
- 4th Offense - Out of School Suspension

Note: Continued disruptions in the same class will result in removal from the class and loss of credit. A 4th offense for disruptive behavior on the bus will result in removal from bus.

2. Smoking, using or possessing tobacco products in school or on school grounds:

- 1st Offense - Saturday detention (remedial packet)
- 2nd Offense - In-School Suspension
- 3rd Offense - Out-of-School suspension

On all offenses, smokers will be reported to the Roxbury Township Board of Health who will issue a summons for appearance in municipal court where a penalty will be assessed in accordance with applicable statutes and ordinances.

3. Insubordination (refusal to follow directions of any school personnel):

- 1st Offense - Administrative warning
- 2nd Offense - Saturday detention
- 3rd Offense - In-School Suspension
- 4th Offense - Out-of-School Suspension

4. Verbal confrontation with a staff member, Intimidation/Threat Students/Staff

- 1st Offense - Saturday detention
- 2nd Offense - In School Suspension
- 3rd Offense - Out of School Suspension

5. Use of vulgar language:

- 1st Offense - Saturday detention
- 2nd Offense - In-School Suspension
- 3rd Offense - Out-of-School Suspension

6. Dress Code Violation:
 - 1st Offense - Administrative Warning/change clothes
 - 2nd Offense - Saturday detention/change clothes
 - 3rd Offense - In-School Suspension/change clothes

7. Radio, CD Player, MP3 Player, Portable Devices, Cell Phone, Pagers
 - 1st Offense - Administrative warning/confiscation day
 - 2nd Offense - Saturday detention/confiscation week; return to parent/guardian only
 - 3rd Offense - In-School Suspension/confiscation year; return to parent/guardian only. Cell phone will need to be picked up at police station

8. Forgery/Cheating/Plagiarism
 - 1st Offense - Saturday detention
 - 2nd Offense - In-School Suspension
 - 3rd Offense - Out-of-School Suspension

Note: Students will be ineligible for Honor Roll in the marking period they are found cheating/plagiarizing

9. Theft/Gambling/Extortion
 - 1st Offense - In-School Suspension
 - 2nd Offense - Out-of-School Suspension
 - 3rd Offense - Principal Referral

10. Verbal abuse of a staff member
 - 1st Offense - Out-of-School Suspension up to ten days

11. Physical Scuffle
 - 1st Offense - In-School Suspension
 - 2nd Offense - Out-of-School Suspension

12. Fighting in school or on school property
- 1st Offense - Out-of-School suspension, 1 to 3 days
 - 2nd Offense - Out-of-School suspension, 3 to 5 days
 - 3rd Offense - Out-of-School suspension, 10 days
- In all instances of fighting, a report will be filed with the Roxbury Police Department.
13. Physical Assault Staff/Student
- 1st Offense - Out-of-School suspension, 5 days minimum
- Police contact, charges filed.
14. Bias Incident/Harassment/Bullying/Hazing/Cyber Bullying
- 1st Offense - Saturday Detention, parental/police notification
 - 2nd Offense - In-School Suspension, parental/police notification
 - 3rd Offense - Out-of-School Suspension, parental/police notification
- Administrative action will be determined by the severity of the incident
15. Sexual Harassment/Sexual Contact Pupil/Staff
- 1st Offense - Out-of-School Suspension, 10 days, Principal referral, Board of Education hearing, Police contact, charges filed
16. Failure to attend assigned (reassigned) detention or improper conduct at the assigned discipline will result in original discipline being served plus:
- 1st Offense - In-School suspension
 - 2nd Offense - Out-of-School suspension
 - 3rd Offense - Out-of-School suspension

17. Drug and/or alcohol possession, use, sale, or under the influence on school premises or at any school function - Out-of-School Suspension: 10 days. It is the administration's policy to file charges with the police in all cases involving drugs or alcohol.
18. False Alarm/Bomb Threat
1st Offense - Out-of-School Suspension, 10 days, Principal hearing, Board of Education hearing, Police contact, charges filed
19. Destruction of School Property, willful, malicious vandalism - Out-of-School Suspension: Up to 10 days, restitution, report filed with police.
20. A violation of the weapons policy - up to ten days out-of-school suspension. Notification of police.
21. Continued willful violations of school rules and regulations. Out-of-School Suspension: 10 days.
22. Any actions not listed above as determined by the administration are justifiable causes for assigning detention, Saturday detention, in-school suspension or out-of-school suspension.
23. Administration reserves the right to handle situations accordingly.

When an out-of-school suspension is assigned, a mandatory parent conference must occur before a student is readmitted to school.

F. Disciplinary Procedures

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

3. The staff member who disciplines a pupil for conduct shall, however minimal the offense or the discipline,
 - a. Orally inform the pupil of the conduct for which he or she is being disciplined; and
 - b. Offer the pupil an opportunity to deny the charge or to present extenuating circumstances.
4. Where the discipline is greater than an admonishment, the pupil's parent or legal guardian will be notified of the offense and of the discipline imposed and will be offered an opportunity to confer with the Principal or his/her designee.
5. Where the offense is serious and the discipline greater than detention, every effort will be made to notify the parent(s) prior to the informal hearing conducted in accordance with paragraph ¶F.3.
6. An in-school suspension, suspension from school, or expulsion will be conducted in strict accordance with law and Policies 5610 and 5620.
7. Violations of the rules regarding pupil conduct on school buses will be handled as follows:
 - a. The driver will report the offensive conduct to the Principal of the school in which the pupil is enrolled by submission of a completed written form that includes the name of the pupil, the school, and the specific offensive conduct.
 - b. The parent(s) or legal guardian(s) will be notified, by copy of the form, of the pupil's conduct.
 - c. The Principal or designee will determine the discipline to be administered, in accordance with the severity of the infraction. In general, when the offense is not severe:
 - (1) On the first notice of misconduct, the pupil will be counseled, the parent(s) or legal guardian(s) notified, and the pupil may be suspended from the bus for up to 10 school day(s);

(2) On the second notice of misconduct, the pupil and parent(s) or legal guardian(s) will attend a conference, and the pupil may be suspended from the bus for up to 30 school day(s); and

(3) On the third notice of misconduct, the Principal will confer with the parent(s) or legal guardian(s) and the pupil may be suspended from the bus for a period not less than up to 60 school days or more than one semester or the balance of the school year, whichever is less.

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

G. Pupils with Disabilities

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

H. Pupil Rights

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

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;
2. Education that supports pupils' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of pupils' marriage, pregnancy, or parenthood;

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5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3; and
7. Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Pupil Rights Amendment; N.J.A.C. 6:3-6, Pupil Records; 45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. § 6301, Title IV(A)IV § 4155 of the Elementary and Secondary

Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of pupil alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Pupil Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Student Records; as well as other existing Federal and State laws pertaining to pupil protections.

I. Records

1. Instances of pupil discipline will be recorded in the pupil's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330.
2. When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil by the school district and any information the school district has obtained pursuant to N.J.S.A.2A:4A-60, disclosure of juvenile information; penalties for disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32-7.5(e)10.iv., and N.J.A.C. 6A:16-7.10.

- a. The record shall be provided within two weeks of the date that the pupil enrolls in the receiving district.
- b. Written consent of the parent or adult pupil shall not be required as a condition of the transfer of this information, however, written notice of the transfer shall be provided to the parent or the adult pupil.
- c. When a pupil transfers to a private school, which includes all sectarian or nonsectarian nonprofit institutional day or residential schools that provide education for pupils placed by their parents and that are controlled by other than public authority, all pupil disciplinary records, with respect to suspensions or expulsions, shall be provided by the public school district of residence to the private school upon written request from the private school, in the same manner as such records would be provided by a public school district of residence to another public school district, pursuant to N.J.A.C. 6A:16-7.10(b).
- d. The Board shall not use a pupil's past offenses on record to discriminate against that pupil.
- e. All pupil disciplinary records maintained in the district shall conform with the requirements set forth in N.J.A.C. 6A:16-7.10(d).

J. Annual Report

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

1. A numerical inventory of all violations of the pupil behavioral expectations in the Pupil Discipline/Code of Conduct Policy and Regulation;
2. Associated school responses to the violations of the pupil behavioral expectations;

3. An explanation and evidence of the effectiveness of the Pupil Discipline/Code of Conduct Policy and Regulation. The explanation and evidence, at a minimum, shall address:
 - a. The degree of effectiveness of the school district's activities in achieving the purposes of the Pupil Discipline/Code of Conduct Policy and Regulation, pursuant to the purposes as outlined in A. above; and
 - b. The degree and effectiveness of the implementation of the contents of the Pupil Discipline/Code of Conduct Policy and Regulation.
4. Any proposed changes to the school district's current policies, procedures, programs or initiatives, based on the annual report.

Adopted: 5 November 2001
Revised: 13 September 2004; 4 June 2007;
10 September 2012

R 5610 SUSPENSION PROCEDURES

A. Short-Term Suspensions

1. In each instance of a short-term suspension, the Building Principal or designee, shall assure the rights of a pupil suspended for ten or fewer consecutive school days by providing for the following:

a. As soon as practicable, oral or written notice of charges to the pupil.

(1) When charges are denied, an explanation of the evidence forming the basis of the charges shall also be provided.

b. An informal hearing prior to the suspension in which the pupil is given the opportunity to present the pupil's side of the story regarding the actions leading to the short-term suspension and the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2. and 5.

(1) The informal hearing shall be conducted by the Building Principal or designee;

(2) To the extent that a pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the pupil may be immediately removed from the pupil's educational program and the informal hearing shall be held as soon as practical after the suspension;

The informal hearing should take place even when a school staff member has witnessed the conduct forming the basis of the charge; and

The informal hearing and the notice given may take place at the same time.

c. Oral or written notification to the pupil's parent(s) or legal guardian(s) of the removal from the pupil's educational program prior to the end of the school day on which the Building

Principal or designee makes the decision to suspend the pupil, which shall include an explanation of:

- (1) The specific charges;
 - (2) The facts on which the charges are based;
 - (3) The provision(s) of the pupil code of conduct the pupil is accused of violating;
 - (4) The pupil's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
 - (5) The terms and conditions of the suspension.
- d. Appropriate supervision of the pupil while waiting for the pupil's parent(s) or legal guardian(s) to remove the pupil from school during the school day; and
- e. Academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards, pursuant to N.J.A.C. 6A:8-3.1, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.
- (1) Services shall be provided within ten school days of the suspension.
 - (2) Educational services provided to a pupil with a disability shall be provided consistent with the pupil's Individualized Education Program in accordance with N.J.A.C. 6A:14.
 - (3) At the completion of a short-term suspension, the district Board of Education shall return the general education pupil to the general education program.
2. The suspending Building Principal shall immediately report the suspension to the Superintendent, who is required to report it to Board of Education at its next regular meeting, pursuant to N.J.S.A. 18A:37-4.

3. A Board may deny the pupil participation in extracurricular activities, school functions, sports, or graduation exercises as disciplinary sanctions, where such measures are designed to maintain the order and integrity of the school environment.
 4. For a pupil with a disability, the provisions set forth in this section shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.
- B. Long-Term Suspensions
1. In each instance of a long-term suspension, the Building Principal or designee shall assure the rights of a pupil suspended for more than ten consecutive school days by providing the following:
 - a. Immediate notification to the pupil of the charges, prior to the pupil's removal from school;
 - b. An informal hearing prior to the suspension in which the pupil is given the opportunity to present the pupil's side of the story regarding the pupil's actions leading to the long-term suspension and the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
 - c. Immediate notification to the pupil's parent(s) or legal guardian(s) of the pupil's removal from school;
 - d. Appropriate supervision of the pupil while waiting for the pupil's parent(s) or legal guardian(s) to remove the pupil from school during the school day;
 - e. Written notification to the parent(s) or legal guardian(s) by the Superintendent or designee within two school days of the initiation of the suspension, stating:
 - (1) The specific charges;
 - (2) The facts on which the charges are based;

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- (3) The pupil's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
 - (4) That further engagement by the pupil in conduct warranting expulsion, pursuant to N.J.S.A. 18A:37-2, shall amount to a knowing and voluntary waiver of the pupil's right to a free public education, in the event that a decision to expel the pupil is made by the Board, pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.5.
 - (a) The Board shall request written acknowledgement of the notification of the provisions of B.1.e.(4) above from the parent(s) or legal guardian(s) and the pupil subsequent to the removal from the pupil's educational program, pursuant to N.J.A.C. 6A:16-7.3.
- f. A list of witnesses and their statements or affidavits, if any, no later than five days prior to the formal hearing, pursuant to B.1.j. below;
 - g. A pupil with a disability, a manifestation determination, pursuant to N.J.A.C. 6A:14-2.8 and the Federal regulations;
 - h. Information on the right of the pupil to secure an attorney and legal resources available in the community identified pursuant to N.J.A.C. 6A:16-7.1(c)8;
 - i. Educational services, either in school or out of school, that are comparable to those provided in the public schools for pupils of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.
 - (1) The services shall be provided within ten school days of the suspension.

- (2) The Board shall make decisions regarding the appropriate educational program and support services for the suspended general education pupil, at a minimum, based on the following criteria:
 - (a) A behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team, as appropriate;
 - (b) The results of any relevant testing, assessments or evaluations of the pupil;
 - (c) The pupil's academic, health, and behavioral records;
 - (d) The recommendation of the Superintendent, Building Principal, or other relevant school or community resource;
 - (e) Considerations of parental input; or
 - (f) Consultation with the Intervention and Referral Services Team, in accordance with N.J.A.C. 6A:16-8, as appropriate.
 - (3) Educational services provided to a pupil with a disability shall be provided consistent with the pupil's Individualized Education Program, in accordance with N.J.A.C. 6A:14.
- j. A formal hearing before the Board, which, at a minimum, shall:
- (1) Be conducted by the Board or delegated by the Board to a Board committee, a school administrator or an impartial hearing officer for the purpose of determining facts or making recommendations.
 - (a) The Board as a whole shall receive and consider either a transcript or detailed report on such hearing before taking final action.

- (2) Include the opportunity for the pupil to:
 - (a) Confront and cross-examine witnesses, when there is a question of fact; and
 - (b) Present his or her own defense and produce oral testimony or written supporting affidavits.
 - (3) Take place no later than thirty calendar days following the day the pupil is suspended from the general education program;
 - (4) Not be subject to the provisions of the "Open Public Meetings Act," pursuant to N.J.S.A. 10:4-6; and
 - (5) Result in a decision by the Board, which at a minimum, shall be based on the preponderance of competent and credible evidence.
- k. A written statement to the pupil's parent(s) or legal guardian(s) of the Board's decision within five school days after the close of the hearing that includes, at a minimum:
- (1) The charges considered;
 - (2) A summary of the documentary or testimonial evidence from both the pupil and the administration that was brought before the district Board of Education at the hearing;
 - (3) Factual findings relative to each charge and the Board's determination of each charge;
 - (4) Identification of the educational services to be provided to the pupil pursuant to B.1.i. above;
 - (5) The terms and conditions of the suspension; and

- (6) The right to appeal the Board's decision regarding the pupil's general education program 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. Immediate return to the general education program if at any time it is found that the general education pupil did not commit the offense;
 - m. For a pupil with a disability found not to have committed the offense, the pupil's program shall be determined in accordance with the provisions of N.J.A.C. 6A:14.; and
 - n. At the completion of a long-term suspension, the Board shall return the general education pupil to the general education program.
 2. Any appeal of the Board's decision regarding the general education pupil's 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.
 3. Suspension of general education pupils shall not be continued beyond the Board's second regular meeting following the suspension, unless the Board so determines, pursuant to N.J.S.A. 18A:37-5.
 - a. The Board shall determine whether to continue the suspension, pursuant to B. above, based on the following criteria:
 - (1) The nature and severity of the offense;
 - (2) The Board's removal decision;
 - (3) The results of any relevant testing, assessments or evaluations of the pupil; and
 - (4) The recommendation of the Superintendent, Principal or Director of the alternative education program or home or other out-of-school instruction program in which the pupil has been placed.

6. The Board shall provide a general education pupil suspended under N.J.A.C. 6A:16-7.3 with an appropriate educational program or appropriate educational services, based on the criteria set forth under B.1.i.(2) above, until the pupil graduates from high school or reaches the age of twenty, whichever comes first.
 - a. 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 is applicable; or
 - b. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for pupils of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.

7. For a pupil with a disability who receives a long-term suspension, the Board shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the pupil's educational placement to an interim or alternate educational setting.
 - a. All procedural protections set forth in N.J.A.C. 6A:14 and N.J.A.C. 6A:16-7.3 shall be afforded to each pupil with a disability who is subjected to a long-term suspension.
 - b. All decisions concerning the pupil's educational program or placement shall be made by the pupil's Individualized Education Program team.
 - c. The provisions of B.2. through B.6. above shall not apply to pupils with disabilities.

Adopted: 5 November 2001
Revised: 21 May 2007

R 5611 REMOVAL OF PUPILS FROM THE REGULAR EDUCATION
PROGRAM FOR WEAPONS/FIREARMS VIOLATIONS

A. Definitions for the Purposes of This Regulation are:

1. Removal - The exclusion of a pupil from the regular education program in the school in which the pupil was assigned and the assignment of the pupil to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.
2. Suspension - A temporary exclusion from school, following due process procedures.
3. Expulsion - A permanent exclusion from school which denies a pupil the free, thorough and efficient public education provided by the public school district in which the pupil resides, based on specific conditions and following due process procedures, including a hearing conducted by the Board of Education.

B. Procedures - Removal of Pupils From Regular Education

1. Any pupil convicted or found to be delinquent for the following offenses shall be immediately removed from the school's regular educational program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil:
 - a. Possessing a firearm on any school property, on a school bus, or at a school-sponsored function; or
 - b. Convicted or adjudicated delinquent for possession of a firearm or crime while armed with a firearm.
2. Any pupil who assaults a pupil, teacher, administrator, Board member, or other school district employee, with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the Board of Education.

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3. The Principal is responsible for the removal of the pupil and the Principal must immediately report the removal to the Superintendent of Schools and the local law enforcement agency.
4. The Principal will notify the pupil's parent(s) or legal guardian(s) if the pupil is possessing a firearm on school property or assaults a member of the school community with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function.
5. If placement in an approved alternative education school or program is not available, the pupil must be provided home instruction or instruction in other suitable facilities or program until the alternative educational placement is available.
6. The school district may consider other alternative education programs, such as an Individualized Program Plan (IPP) developed in accordance with the graduation requirement standards set forth in N.J.A.C. 6:8-7.1(d)ii.
7. Any pupil removed for a weapons offense is entitled to a hearing before the Board of Education to determine if the pupil is guilty of the offense.
 - a. The hearing shall take place no longer than thirty calendar days following the day the pupil is removed from the regular education program. The hearing is not subject to the provisions of the Open Public Meetings Act, P.L. 1975, c.231 (C. 10:4-6 et seq.).
 - b. The decision of the Board of Education must be made within five calendar days after the close of the hearing. Any appeal to the Commissioner of Education must be made within ninety calendar days of the Board's decision.
 - c. If the Board finds the pupil is not guilty of the offense(s), the pupil must be immediately returned to the regular education program.

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- d. The Superintendent of Schools may modify the decision to remove the pupil on a case by case basis.

C. Return of Pupils to Regular Education

The Superintendent determines whether the pupil is prepared to return to the regular education program or whether the pupil remains in the alternative education program or other educational placement. The Superintendent's decision must be made in accordance with school district policy and New Jersey Administrative Code. If the pupil is disabled, the pupil's placement is determined by the Child Study Team and the pupil's parent(s) or legal guardian(s) in accordance with N.J.A.C. 6A:14-1.1 et seq., Special Education.

D. Expulsion

The Board of Education is not prohibited from expelling a pupil and none of the above procedures in this regulation or within the law prohibit expulsion.

E. Superintendent's Permission for Firearm

The Superintendent may grant permission to written requests from pupils to possess, handle, or use weapons as part of their participation in school-sponsored functions, military classes, or for recreational activities such as hunting clubs and rifle clubs. The Superintendent must not grant such permission to any pupil who has been convicted or found delinquent for possession of a firearm or for a crime involving the use of a firearm.

F. Alternative Education Settings

If a pupil is removed from the regular education program and a placement in an approved alternative education program is not available, or if the Superintendent determines that it is not in the best interest of the pupil and the school to modify the conditions for the removal and placement of the pupil, the following alternatives are available:

- 1. Home Instruction - Home instruction may be provided in accordance with Policy No. 2412. If instruction cannot reasonably be provided at the pupil's place of confinement, a suitable alternative location such as a municipal building, state government facility or county facility may be considered;

2. Home Schooling - Parent(s) or legal guardian(s) with children removed from the regular education program have the right to educate a child at home. The parent(s) or legal guardian(s) must demonstrate to the school district that the instruction provided at home is academically equivalent to that provided in public school for a child of similar grade and attainment. If a child is educated at home, the school district will evaluate the child before returning to the public school to determine placement;
3. Distance Learning - Video/audio bridges providing local access to school-based or home sites used to deliver instruction; or
4. Another Program Completion Option - An Individualized Program Plan (IPP) may be developed in accordance with graduation standards set forth in N.J.A.C. 6:8-7.1(d)ii. The IPP may be used in conjunction with home instruction, or as the basis for organizing the provision of other tutorial and supervised learning experiences.

G. Special Education

Pupils with disabilities shall be disciplined in accordance with Policy No. 2460 and Regulation No. 2460.6.

R 5721 DISTRIBUTION OF INDEPENDENT PUBLICATIONS

A. Definition

"Independent publications" are written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and other documents prepared and distributed by pupils, independent of any curricular or co-curricular activity sponsored by the Board of Education.

B. Distribution

1. Independent publications may be distributed on school premises only by the pupils enrolled in that school.
2. Distribution may be conducted during periods of time when the activity will not interrupt the instructional program or interfere with an exercise necessary for pupil safety, such as a fire drill.
3. Distribution may be conducted in places in which the activity will not obstruct the passage of persons, cause a safety hazard, or interfere with the orderly operation of the school.
4. The Principal will establish, in consultation with recognized pupil organizations, rules setting specific times and places for the distribution of independent publications on the school premises.

C. Littering

1. Distribution will be conducted in a manner that reduces the possibility of litter.
2. Pupils who distribute independent publications are responsible for policing the area in which the distribution takes place and assuring that all litter is promptly removed.

D. Enforcement

1. The Principal will enforce these regulations and will determine whether distribution violates the standards set forth in ¶B2 and ¶B3.
2. A decision of the Principal may be appealed to the Superintendent.

Adopted: 5 November 2001

R 5750 EQUAL EDUCATIONAL OPPORTUNITY COMPLAINT PROCEDURE

A. Purpose and Application

1. The purpose of this procedure is to give any pupil or the parent of a pupil the opportunity to appeal an allegedly discriminatory practice in the program of this district or an alleged denial of equal educational opportunity.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual pupils.

B. Definitions

1. "Board of Education" means the Board of Education of the Roxbury Township School District.
2. "Complaint" means an unresolved problem concerning the interpretation or application by an officer or employee of the school district relating to compliance with law, regulations, or policies regarding equal educational opportunities.
3. "Complainant" means a pupil or a parent of a pupil who alleges a complaint.
4. "Day" means a working or calendar day as identified.
5. "Pupil" means an individual enrolled in any formal educational program provided by the school district.
6. "School district" means the Roxbury Township School District.

C. Procedure

1. A complainant shall discuss his/her complaint with the staff member most closely involved, in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within ten working days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will include:
 - a. The pupil's name and, in the complaint of a person acting on behalf of the pupil, the name and address of the complainant;
 - b. The specific act or practice that the complainant complains of;
 - c. The school employee, if any, responsible for the allegedly discriminatory act;
 - d. The results of discussions conducted in accordance with ¶C1; and
 - e. The reasons why those results are not satisfactory.
3. The Affirmative Action Officer will investigate the matter informally and will respond to the complainant in writing no later than ten working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within ten working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.
5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than ten

working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of.

6. The Superintendent will render a written decision in the matter no later than ten working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board of Education.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than ten working days after receipt of the Superintendent's decision. The appeal will include:
 - a. The original complaint,
 - b. The response to the complaint,
 - c. The Superintendent's decision,
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than thirty calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.

11. The complainant will be informed of his/her right to appeal the Board's decision to the Commissioner of Education or to the New Jersey Division on Civil Rights.

D. Record

The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the pupil's cumulative file. A notation shall be made in the pupil's file of the existence of the record in the separate file.

Adopted: 5 November 2001

R 5751 SEXUAL HARASSMENT OF PUPILS

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

A. Definitions

1. Quid Pro Quo Harassment - When a school employee explicitly or implicitly conditions a pupil's participation in an educational program or activity or bases an educational decision on the pupil's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the pupil resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. Hostile Environment Sexual Harassment - Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another pupil, or by a third party that is sufficiently severe, persistent, or pervasive to limit a pupil's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.
3. Notice - The school district has notice if it actually "knew, or in the exercise of reasonable care, should have known" about the harassment. If an agent or responsible employee of the school district received notice, the school district is deemed to have notice. The school district may receive notice in many different ways:
 - a. A pupil may have filed a grievance or complained to a teacher about fellow pupils harassing him/her.
 - b. A pupil, parent, or other pupil may have contacted other appropriate school personnel.

- c. An agent or a responsible employee of the school district may have witnessed the harassment.
 - d. The school district may obtain information in an indirect manner such as staff, community members, newspapers, etc.
4. Constructive Notice - A school district will be in violation if the school district has "constructive notice" of a sexually hostile environment and fails to take immediate and appropriate corrective action. Constructive notice exists if the school district "should have" known about the harassment and if the school district would have found out about the harassment through a "reasonable diligent inquiry."
5. Gender-based Harassment - Gender-based harassment that includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.
6. Title IX of the Education Amendments of 1972 - Title IX applies to all public school districts that receive federal funds and protects pupils in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school at another location, or elsewhere. Title IX protects any "person" from sex discrimination; accordingly both male and female pupils are protected from sexual harassment engaged in by school district employees, other pupils, or third parties. Title IX prohibits sexual harassment regardless of the gender of the harasser even if the harasser and the pupil being harassed are members of the same gender. Although Title IX does not specifically prohibit discrimination on the basis of sexual orientation, sexual harassment directed at gay or lesbian pupils may constitute sexual harassment as prohibited by Title IX. Harassing conduct of a sexual nature directed toward gay or lesbian pupils may create a sexually hostile environment and therefore be prohibited under Title IX.

7. Grievance Procedure - The grievance procedure provides for prompt and equitable resolution of discrimination complaints, including complaints of sexual harassment. The grievance procedure provides the school district with a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.
8. Office Of Civil Rights (OCR) - The OCR of the United States Department of Education has federal government's enforcement authority of Title IX.
9. Unwelcomeness - In order to be actionable as harassment, sexual conduct must be unwelcomed. Conduct is unwelcomed if the pupil did not request or invite it and "regarded the conduct as undesirable or offensive." The school district will be concerned about the issue of welcomeness if the harasser is in a position of authority.
10. Acquiescence - Acquiescence in the conduct or the failure to complain does not always mean the conduct was welcome. The fact that a pupil may have accepted the conduct does not mean that he/she welcomed it. The fact the a pupil willingly participated in conduct on one occasion does not prevent him/her from indicating that the same conduct has become unwelcome on a subsequent occasion. On the other hand, if a pupil actively participates in sexual banter and discussions and gives no indication he/she objects, then the evidence generally will not support a conclusion that the conduct was unwelcomed.
11. Sufficiently Severe, Persistent, or Pervasive Conduct - In determining whether conduct is sufficiently severe, persistent, or pervasive, the conduct should be considered from a subjective and objective perspective. In making this determination, all relevant circumstances should be considered:
 - a. The degree to which the conduct affected one or more pupils' behavior. The conduct must have limited a pupil's ability to participate in or benefit from his/her education or altered the conditions of the pupils educational environment.

- b. The type, frequency, and duration of the conduct.
- c. The identity of and relationship between the alleged harasser and the subject or subjects of the harassment.
- d. The number of individuals involved.
- e. The age and gender of the alleged harasser and the subject or subjects of the harassment.
- f. The size of the school, location of the incidents, and context in which they occurred.
- g. Other incidents at the school.
- h. Incidents of gender-based, but non-sexual harassment.

B. Grievance Procedure

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

1. Reporting of Sexual Harassment Conduct

- a. Any person with any information regarding actual and/or potential sexual harassment of a pupil by any school employee, other pupils, or third parties must report the information to the school building principal, their immediate supervisor or the Affirmative Action Officer.
 - (1) If the building principal deems it appropriate, he/she may immediately notify the parent(s) or legal guardian(s) of the alleged harasser(s) or alleged victim(s) upon receipt of any information prior to notifying the Affirmative Action Officer.
 - (2) The building principal will not disclose the name(s) of the alleged harasser(s) or alleged victim(s) to the other party.

- b. The school district can learn of sexual harassment through other means such as from a witness to an incident, a letter or telephone call.
 - c. Nothing in the Policy and Regulation on Pupil Sexual Harassment shall preclude the building principal, or designee, from complying with the provisions of Policy No. 5600 - Pupil Discipline in order to maintain the health, safety and welfare of staff and/or pupils.
 - d. A report from the school building principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school building principal or immediate supervisor feels sexual harassment conduct was not present.
 - e. Upon receipt of an allegation and/or report, the Affirmative Action Officer shall immediately notify the parent(s) or legal guardian(s) of any alleged harasser(s) and victim(s) for which a report has been filed even if the building principal has previously notified the parent(s) or legal guardian(s).
 - f. The Affirmative Action Officer shall notify the parent(s) or legal guardian(s) of all involved pupils and any other involved individuals of the process to be followed in investigating a report or complaint.
2. Affirmative Action Officer's Investigation
- a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.

- b. When a pupil or the parent(s) or legal guardian(s) of a pupil provides information or complains about sexual harassment of the pupil, the Affirmative Action Officer will initially discuss what actions the pupil or parent(s) or legal guardian(s) is seeking in response to the harassment.
- c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any pupils who may have been sexually harassed by any school employee, other pupils, or third parties and any other reasonable methods to determine if sexual harassment conduct existed.
- d. The Affirmative Action Officer will request, if relevant to an investigation, the parent(s) or legal guardian(s) of any pupil involved in the investigation to assist in the investigation to determine if sexual harassment conduct exist(ed).
- e. The Affirmative Action Officer will provide a copy of the Board Policy and Regulation to all persons who are interviewed with potential knowledge and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
- f. The Affirmative Action Officer will explain the avenues for formal and informal action, including a description of the grievance procedure that is available for sexual harassment complaints and an explanation on how the procedure works.
- g. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
- h. The Affirmative Action Officer and/or Superintendent may contact law enforcement agencies if there is potential criminal conduct by any party.

- i. The school district administrators may take interim measures during an Affirmative Action Officer's investigation of a complaint in order to alleviate any conditions which prohibits the pupil from assisting in the investigation.
- j. If elementary or middle school pupils are involved, it may become necessary to determine the degree to which they are able to recognize that certain sexual conduct is conduct to which they can or should reasonably object and the degree to which they can articulate an objection. The Affirmative Action Officer will consider the age of the pupil, the nature of the conduct involved, and other relevant factors in determining whether a pupil had the capacity to welcome sexual conduct.
- k. The Affirmative Action Officer will consider particular issues of welcomeness if the alleged harassment relates to alleged "consensual" sexual relationships between a school employee and a pupil.
 - (1) If elementary or middle school (grades K-8) pupils are involved, welcomeness will not be an issue. Sexual conduct between a school employee and an elementary pupil will not be viewed as consensual.
 - (2) If secondary (grades 9-12) pupils are involved, there is a strong presumption that sexual conduct between a school employee and a secondary pupil is not consensual.
 - (3) In cases involving older secondary and post-secondary pupils and older secondary and post-secondary special education pupils, the Affirmative Action Officer will consider the following to determine whether a school employee's sexual advances or other sexual conduct could be considered welcome:
 - (a) The nature of the conduct and the relationship of the school employee to the pupil, including the degree of influence, authority, or control the employee has over the pupil.

- (b) Whether the pupil was legally or practically unable to consent to the sexual conduct in question.
- l. If there is a dispute about whether harassment occurred or whether it was welcome (in a case which it is appropriate to consider whether the conduct could be welcome) determinations should be based on the totality of the circumstances. The following types of information may be helpful in resolving the dispute:
- (1) Statements made by any witnesses to the alleged incident.
 - (2) Evidence about the relative credibility of the alleged harassed pupil and the alleged harasser.
 - (3) Evidence that the alleged harasser has been found to have harassed others may support the credibility of the pupil claiming harassment.
 - (4) Evidence of the allegedly harassed pupil's reaction or behavior after the alleged harassment.
 - (5) Evidence about whether the pupil claiming harassment filed a complaint or took other action to protest the conduct soon after the alleged incident occurred.
 - (6) Other contemporaneous evidence such as did the pupil write about the conduct and his/her reaction to it soon after it happened in diary or letter and/or tell friends or relatives.
- m. The scope of a reasonable response also may depend upon whether a pupil, or parent(s) or legal guardian(s) reporting harassment asks that the pupil's name not be disclosed to the harasser or that nothing be done about the harassment. The Affirmative Action Officer:
- (1) Will provide an overview of harassment policy [and Title IX if applicable] to the pupil, parent(s) or legal guardian(s) guardian which shall include the prohibition of

retaliation. In the event the pupil, parent(s) or legal guardian(s) request the pupil's name remain confidential, the Affirmative Action Officer will inform the pupil, parent(s) or legal guardian(s) that the request may limit the school district's ability to respond.

- (2) Will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all pupils. The factors to be considered shall be the seriousness of the alleged harassment, the age of the pupil harassed, whether there have been any other complaints or reports against the alleged harasser. And the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result.
- (3) May use other means available to address the harassment. Steps that may be taken to limit the effects of the alleged harassment and prevent its reoccurrence without initiating a formal complaint and revealing the identity of the complainant. These steps may require sexual harassment training at the site where the problem occurred, taking a pupil survey concerning any harassment problems that may exist, or other systematic measures where the alleged harassment occurred.
- (4) By conducting a limited investigation without revealing the name of the pupil sexually harassed, may be able to learn about or confirm a pattern of harassment based on claims of different pupils that were harassed by the same individual. The Affirmative Action Officer may place an individual on notice of allegation of harassing behavior and counsel appropriately without revealing, even indirectly, the identity of the pupil who notified the school district.

3. Investigation Results

- a. Upon the conclusion of the investigation, but not later than ten working days after reported, the Affirmative Action Officer will prepare a summary of findings to the parties. At the least this shall include the person(s) providing notice to the school district and the pupil(s) who were alleged to be sexually harassed.
- b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
- c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.
- d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administrators and staff shall take reasonable, age-appropriate, and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action, as specified in pupil and/or staff discipline policies and regulations. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.
- e. In the event the Affirmative Action Officer determines a hostile environment exists, the school district administrators and staff shall take steps to eliminate the hostile environment. The school district administrators may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed pupil, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any pupil that reports such conduct.

- f. In some situations, the school district administrators may need to provide other services to the pupil that was harassed if necessary to address the effects of the harassment on that pupil. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed pupil's work, re-taking a course with a different instructor, tutoring and/or other measures that are appropriate to the situation.
 - g. The school district administrators will take steps to avoid any further sexual harassment and to prevent any retaliation against the pupil who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed pupil and his/her parent how to report any subsequent problems and make follow-up inquiries to see if there has been any new incidents or retaliation.
 - h. All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.
4. Affirmative Action Officer's Investigation Appeal Process
- a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any pupil who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.
 - b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.

C. Office Of Civil Rights (OCR) Case Resolution

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

1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).
2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of pupils, including incidents caused by employees, other pupils, or third parties, OCR will consider whether:
 - a. The school district has a policy prohibiting sex discrimination under Title IX and an effective Title IX grievance procedure;
 - b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and
 - c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.
3. If the school district officials have taken the steps described in 2 above, the OCR will consider the case against the school district resolved and take no further action other than monitoring compliance with any agreement between the school district and the OCR. This shall apply in cases in which the school district was in violation of Title IX, as well as those in which there has been no violation of Title IX.

Adopted: 5 November 2001

R 5770 PUPIL RIGHT OF PRIVACY

The Board recognizes that the privacy of students may not be violated by unreasonable searches and seizures and directs that there be no searches of students or their lockers and possessions except in accord with the terms of this regulation.

Although students are provided with the use of a locker, etc. in which they may store clothing, school materials and other personal property, all lockers, etc. are and shall remain the property of the Board. Students must keep their assigned locker secured against incursion by other students. No student may use his/her locker as a depository for a substance or object which is prohibited by law or school rules; or constitutes a threat to the health, safety and welfare of the occupants of the school building.

Students will be informed annually that all lockers are school property and that lockers, etc. are subject to inspection by the Superintendent or designee.

Pursuant to the U.S. Supreme Court decision in State in the Interest of T.L.O., the Board acknowledges that students' rights to privacy must be balanced with the need to maintain safety, legality, and order in the school. A school official may conduct searches of students or their lockers, etc. and possessions only when the official has a reasonable suspicion that the search will uncover evidence of illegal activity or infraction of school rules.

The following regulations will be followed when it is necessary to conduct a student search:

1. All requests or suggestions for the search of a student, or his/her locker, etc. or other possessions must be directed to the school building principal or designee.
2. The Principal or designee will conduct a student search on the request of a law enforcement officer only on the presentation of a duly authorized search warrant unless the request for the search arises from an emergency situation and the time required to secure a warrant would substantially increase the threat of danger. Such situations as would constitute emergencies include, but are not limited to: suspected presence of weapons, explosives or poisonous materials.

3. Whenever possible, before conducting a search, the Principal will notify the Superintendent of Schools or designee.
4. The Superintendent may also direct a search, which the Principal will conduct.
5. Whenever possible, the student must be informed that his/her locker, etc. or other possessions are to be searched be permitted to telephone a parent (or other person of his/her choice) and be present at the search.
6. Under all circumstances, the Principal or designee must be present during the search.
7. Whenever possible, another school employee (other than the Principal or his/her representative) should be present during the search.
8. Pertinent law enforcement authorities or the school building principal or designee will be responsible for the custody, control and disposition of any illegal or dangerous substance or object taken from a student, whether during a student search or otherwise.
9. The Principal shall (after first notifying the Superintendent) notify local police authorities of the result of the search if the search reveals that criminal activities have occurred.
10. The school building principal or designee must be responsible for the prompt recording in writing of each student search, which records shall include the reasons for the search, persons present, objects found and the disposition made of them.
11. Considered alone, an anonymous tip is not sufficient evidence of illegality or other wrongdoing to permit a student search under the terms of this regulation unless that tip has been independently corroborated by school officials.
12. Board of Education approved use of equipment, trained animals or undercover investigation by law enforcement personnel to locate and identify controlled or dangerous substances from the proximity of lockers and all other school facilities and grounds is expressly permitted. Information gained from such activities shall constitute sufficient evidence to permit a search under the terms of this regulation.

Nothing in this regulation will be construed to limit or restrict school officials in exercising their responsibility for the health, safety, and educational welfare of the students in their care. School officials retain the right to open and search school lockers, etc. or make other reasonable student searches with or without the knowledge or presence of the student or parent involved when the circumstances are such that the protection of life, safety, and property demand such action.

Adopted: 5 November 2001

R 5830 PUPIL FUND RAISING

A. Approval of Fund Raising Activities

1. Requests for approval of fund raising activities must be submitted in writing to the Principal or designee designated by Policy No. 5830 no later than seven working days prior to the scheduled beginning of the activity.
2. The request must include the name of the requestor, the name of the organization that will receive the funds collected, the purpose of the collection, and the name of a responsible adult member of the collecting organization.
3. Approval will not ordinarily be granted for the collection of funds for essential supplies or equipment to be used in regularly scheduled curricular or co-curricular activities. Such activities should be funded through regular district budgeting and purchasing procedures.
4. Approval will be granted only for fund raising that is carefully planned and dedicated to specific objectives.
5. Approval will not be granted for the collection of funds:
 - a. Without a specified purpose;
 - b. For the purpose of qualifying pupils for membership in an organization;
 - c. For the purpose of selling raffle tickets or conducting any activity that is based upon gain by chance;
 - d. When the activity requires pupils in grades Kindergarten through 6 to collect funds or conduct sales door-to-door;
 - e. When the activity involves incentives for students in grades K-6.

B. Time and Place of Fund Raising

1. The Principal or designee of each school will determine the times and places in which fund raising may take place, in accordance with these regulations.

2. Fund raising activities cannot interfere with the orderly operation of the instructional program. A class should not be interrupted for the sale of items.
3. No food, candy, soft drinks, or the like may be sold while classes are in session. All vending machines on school grounds should remain out of operation during school hours.
4. Fund raising activities should be coordinated to the greatest extent possible in order to control and limit the potential disruption to school operations.

C. Accounting for Funds

1. All funds collected by pupils must be promptly turned over to the adult responsible for the fund raising activity.
2. Funds collected for school organizations must be promptly deposited and reported to the custodian of the General Activities Fund. The report must include any New Jersey sales tax collected.
3. Neither the Board of Education nor any of its employees is responsible for the protection of or the accounting for funds collected by pupils for organizations not affiliated with the school district.

D. Infractions

A pupil who collects money for an organization without having first secured approval in accordance with Policy No. 5830 or who misrepresents a fund raising activity in order to gain approval or who collects money for his/her own benefit must be reported to the Principal and will be subject to discipline in accordance with Policy No. 5600.

Adopted: 5 November 2001

R 5850 SOCIAL EVENTS AND CLASS TRIPS

Classroom Parties, K-6

Upon the approval of the building principal, classroom parties may be planned by a teacher and pupils.

Principals are directed to see that classroom parties do not infringe on the instructional program and that they are generally uniform in frequency and festivity for each class at a particular level.

High School Dances

1. Rules for Students

After studying the matter with Student Council, the administration declares the following to be official regulations governing high school dances:

- a. Anyone who is not a Roxbury High School student must be accompanied by a currently enrolled student who must register and be approved by an administrator at the high school at least one day prior to the dance. The currently enrolled student may bring one guest.
- b. All applicable district policies regarding student behavior and responsibility will be followed.

2. Supervision

All teachers are expected to take their share of turns chaperoning dances. Effective chaperoning means being alert to what is going on:

- a. In the dancing area;
- b. In the corridors;
- c. At the entrance;

- d. On the parking lot;
- e. In the rest rooms.

Chaperones should conduct themselves in a professional manner.

Two police officers must be present at each dance. Their assignments are determined by the administrator in charge.

Students are not permitted to leave the building. Anyone who leaves for any reason will not be permitted to return.

One teacher will be in the corridor near the ticket table to see that no outsiders enter unless they have been registered in advance. Students will not be admitted to dances after 9:00 p.m.

School Parties

Kindergarten - Grade 4

1. Parties should be planned and administered by the teacher and pupils exclusively; outside assistance is optional. Any questions should be clarified by the Principal.
2. Presentation of gifts by teacher to pupils and pupils to teachers is not permitted at any time.
3. Parties may be a celebration of a holiday in a traditional sense. Approval of the Principal is required.
4. Party refreshments should be optional and limited to nutritional snacks. The event should be scheduled not to interfere with normal school lunch routine.
5. All parties are optional. Uniformity of events is expected to be the same for each grade level.
6. Kindergarten may celebrate birthdays as a means of implementing some of the curriculum goals. These parties should be as uniform as possible.

7. The school cannot undertake birthday parties above Kindergarten.

Grades 5 - 6

1. Parties should be planned and administered by the teacher and pupils exclusively; outside assistance is optional. Any questions should be clarified by the Principal.
2. Presentation of gifts by teacher to pupils and pupils to teachers is not permitted at any time.
3. The party menu should be limited to nutritional snacks.
4. All parties are optional; approval of the Principal is required. Please note that the school cannot undertake birthday parties.

Adopted: 5 November 2001
Revised: 22 January 2007