

FRANKLIN TOWNSHIP SCHOOL DISTRICT

CODE OF CONDUCT



2016-2017

**EXCELLENCE, OPPORTUNITY, & AFFIRMATION
FOR EVERY CHILD!**

The information in the Franklin Township Public School District Student Code of Conduct may be updated during the course of the school year. The latest version is available on the School District's Website, www.franklinboe.org

FRANKLIN TOWNSHIP PUBLIC SCHOOLS

PARENT/STUDENT ACKNOWLEDGEMENT FORM
District Student Code of Conduct 2016 - 2017

This booklet lists the District's expectations and rules for the students attending the Franklin Township Public Schools. The rules apply to all activities occurring on school grounds, on other sites being used for school activities, and on any vehicles authorized to transport students. You will notice that we have added language from the District Policy on Electronic Communications by District Staff and added the section on electronic device offences. The District Student Code of Conduct includes a Harassment, Intimidation and Bullying section as well as the Attendance section. Also note the sections on Drugs, Alcohol, and Tobacco use as well as a section on Weapons and Firearms. Your signature below does not indicate that you agree or disagree with the rules, but rather, that you have received a copy of these rules. Please review this booklet with your child then sign this form and return it to the main office of the school where your child attends.

School

Grade

Student Name (Print)

Student Signature

Parent Signature

Date

Parent E-Mail Address

BOARD OF EDUCATION MEMBERS

Edward Potosnak III, President

Nancy LaCorte, Vice President

Christine Danielsen

Laurie Merris

Dr. Julia M. Presley

Richard Seamon

Patricia E. Stanley

Margaret E. Steele

Latee E. Walton-McCleod

CENTRAL OFFICE ADMINISTRATION

Dr. John A. Ravally, Superintendent of Schools

James H. Strimple, Jr., Interim Assistant Superintendent for Business/Board Secretary

Dr. Daniel Loughran, Assistant Superintendent for Curriculum & Instruction

Dr. Brenda Sofield, Director of Pupil Personnel Services

Orvyl Wilson, Director of School Management and Student Advocacy

Brian Bonanno, Manager of Human Resources and Personnel Services

Mary Clark, Coordinator of Policies, Regulations and Communications

MISSION STATEMENT OF THE FRANKLIN TOWNSHIP PUBLIC SCHOOLS

The mission of the Franklin Township Public Schools is to provide excellent educational opportunities that meet or exceed New Jersey Core Curriculum Content Standards for every student, maintain an environment that engenders an appreciation of the value of every student; develop every student to his/her highest potential; and instill the attitudes, skills, and knowledge necessary to become independent, contributing members of a democratic, multi-cultural society.

SCHOOL HOURS

Standard Session

<u>School</u>	<u>Start</u>	<u>Dismiss</u>
3 Year Old Pre-K Program	9:55 AM	2:15 PM
4 Year Old Pre-K Program at Early Child Dev. Center Program	9:05 AM	3:20 PM
Elementary Schools (K-4)	9:05 AM	3:20 PM
SGS Intermediate School (5-6)	7:50 AM	2:05 PM
Franklin Middle School (7-8)	7:25 AM	2:25 PM
Franklin High School (9-12)	7:27 AM	2:28 PM
Alternative Program – Road to Success (9-12)	3:00 PM	7:15 PM

Minimum Session

<u>School</u>	<u>Start</u>	<u>Dismiss</u>
3 Year Old Pre-K Program	9:55 AM	12:00 PM
4 Year Old Pre-K Program at Early Child Dev. Center Program	9:05 AM	1:40 PM
Elementary Schools (K-4)	9:05 AM	1:40 PM
SGS Intermediate School (5-6)	7:50 AM	12:25 PM
Franklin Middle School (7-8)	7:25 AM	12:30 PM
Franklin High School (9-12)	7:27 AM	12:00 PM
Alternative Program – Road to Success (9-12)	1:00 PM	5:00 PM

Delayed Opening

<u>School</u>	<u>Start</u>	<u>Dismiss</u>
AM C.A.R.E	~ No AM C.A.R.E~	
3 Year Old Pre-K Program	11:25 AM	2:15 PM
4 Year Old Pre-K Program at Early Child Dev. Center Program	10:35 AM	3:20 PM
Elementary Schools (K-4)	10:35AM	3:20 PM
SGS Intermediate School (5-6)	9:20 AM	2:05 PM
Franklin Middle School (7-8)	9:00 AM	2:25 PM
Franklin High School (9-12)	8:57 AM	2:28 PM
Road To Success (9-12)	3:00 PM	7:15 PM

Early Emergency Closing

<u>School</u>	<u>Start</u>	<u>Dismiss</u>
3 Year Old Pre-K Program	9:55 AM	12:00 PM
4 Year Old Pre-K Program at Early Child Dev. Center Program	9:05 AM	1:40 PM
Elementary Schools (K-4)	9:05 AM	1:40 PM
SGS Intermediate School (5-6)	7:50 AM	12:25 PM
Franklin Middle School (7-8)	7:25 AM	12:30 PM
Franklin High School (9-12)	7:27 AM	12:30 PM
Road to Success (9-12)	-No Sessions -	

Parents whose children are in the C.A.R.E. program must pick up their children as soon as possible **but no later than 3:00 PM**. If you are unable to pickup your child by this time, please arrange for an alternate pickup person to do so in your absence.

Franklin Township Public Schools have made available an emergency information number. In case of inclement weather and any other special announcements, residents may call (732) 873-2400, Ext. 555. School closings and delayed openings will be listed on the announcement. **This is an emergency telephone line only. Updated changes will be posted on our website, www.franklinboe.org and on our local television stations - Channel 27/34. The District's Automated Emergency Telephone System will also call with details about school closings, delayed openings or emergency closing schedules.** You may also listen to the following list of radio and television stations:

WCTC 1450 AM WMGQ 98.3 FM NJ 101.5 FM News 12 NJ WABC-TV
WCBS-TV WNBC-TV WNYW-TV WPIX-TV

Stations do not announce specific times, so please check the list below which shows the starting and dismissal times for all the schools. Included in this list are the hours for minimum day sessions, delayed openings and early closings.

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DISTRICT DIRECTORY

FREQUENTLY USED TELEPHONE NUMBERS

Conerly Road School	(732) 249-9362
Elizabeth Avenue School	(732) 356-0113
Franklin High School	(732) 302-4200
Franklin Middle School	(732) 249-6410
Franklin Park School	(732) 297-5666
Hillcrest School	(732) 246-0170
MacAfee Road School	(732) 249-9097
Pine Grove Manor School	(732) 246-2424
Sampson G. Smith School	(732) 873-2800

CENTRAL OFFICE ADMINISTRATION

(Main Number)	(732) 873-2400
Superintendent Dr. John A. Ravally	Ext. 312
Interim Assistant Superintendent for Business/Board Secretary James H. Strimple, Jr.	Ext. 308
Assistant Superintendent for Curriculum and Instruction Daniel Loughran	Ext. 297
Director of Pupil Personnel Services Dr. Brenda Sofield	Ext. 203
Director of School Management and Student Advocacy Orvyl Wilson	Ext. 408
Manager of Human Resources and Personnel Services Brian Bonanno	Ext. 281
Coordinator of Policies, Regulations and Communications Mary Clark	Ext. 206

PROGRAM DIRECTORS & SUPERVISORS

Athletics (7-12) Kenneth Margolin, Athletic Director	(732) 302-4200, ext 6403
Early Childhood Education Kathleen Damore, Supervisor	(732) 297-3427, ext 241
ESL/Bilingual (K-12) and World Language (K – 8) Julie Ochoa, Supervisor	(732) 873-2400 ext. 509
Fine, Visual and Performing Arts Roberta Mitchell, Director	(732) 873-2400 ext. 319
Guidance (K – 12) and World Language (9 – 12) Dana Karas, Director	(732) 302-4200 ext. 5206
Health/Physical Education Rebekah Y. Solomon, Supervisor	(732) 249-6410 ext. 266

Instructional Technology
Edward Ward, Supervisor (732) 873-2400 ext. 249

Language Arts Literacy (Elementary), Academic Support & Enrichment (K – 4)
David Heras, Supervisor (732) 873-2400 ext. 202

Language Arts Literacy (Intermediate), Social Studies Academic Support & Enrichment (5 – 8)
Dr. Carolyn Armstrong, Supervisor (732) 873-2400 ext. 407

Language Arts Literacy (Secondary 9 -12)
Dr. Karen Schubert-Ramirez, Director (732) 873-2400 ext. 274

Mathematics
Nubeja Allen, Supervisor (6-12) (732) 873-2400 ext. 501
Iris Blay, Supervisor (K-5) (732) 873-2400 ext. 316

Planning, Research, Assessment and Accountability
Ana Washington, Director (732) 873-2400 ext. 406

Science/Environmental Ed./Right to Know
Eric Siegal, Supervisor (732) 873-2400 ext. 241

Social Studies/Work Readiness/Technology Ed.
Phyllis Bruno, Director (732) 873-2400 ext. 240

DISTRICT ANTI BULLYING COORDINATOR

District Anti Bullying Coordinator:
Orvyl Wilson (732) 873-2400 ext. 408

SCHOOL LEVEL ANTI BULLYING SPECIALISTS

Conerly Road School
Amy Ruggirello (732) 249-9362 ext. 2229

Elizabeth Avenue School
Jackie DeFilippis (732) 356-0113 ext. 2238

Franklin Park School
Jennifer Chernoski (732) 297-5666 ext. 223

Hillcrest School
Jennifer Pasqua (732) 246-0170 ext. 3233

MacAfee Road School
Bonnie Kudwitt (732) 249-9097 ext. 4229

Pine Grove Manor
Lynn Schussel (732) 246-2424 ext.2240

Sampson G. Smith School
Lin Avellino (732) 873-2800 ext.113

Franklin Middle School
Juan Swist (732) 249-6410 ext. 322

Franklin High School
Rod Brundidge (732) 302-4200 ext. 6206

THE STUDENT CODE OF CONDUCT

Through the establishment of the Student Code of Conduct, the District seeks to: (1) create a consistent set of expectations for student behavior for the Franklin Township Public Schools; (2) teach positive behavioral expectations and recognize students for demonstrating expected behaviors, (3) outline the possible disciplinary actions for student misconduct dependent upon the severity of the incident, the frequency of incidents, and any special circumstances related to the incident, and (4) ensure an appropriate level of proactive behavioral support for students demonstrating higher rates of misconduct.

The Student Code of Conduct is not intended to address the entire spectrum of student behavior that may occur at school or on school property. Instead, the Student Code of Conduct addresses expectations for students related to consistent and timely attendance, respect for persons and property, appropriate dress, technology usage, and outlines a range of appropriate responses for certain types of inappropriate behaviors. The District is using a variety of behavior improvement strategies including counseling to help assure an appropriate school climate.

A clear and specific Student Code of Conduct is an essential element in developing and maintaining a rigorous academic environment. In addition, while the Code presupposes that the educational environment must be rigorous, it creates the positive, supportive, and inclusive learning environment that minimizes the behavioral issues addressed in the Code. The Student Code of Conduct provides a framework for excellence through guidelines for correction and discipline that are firm, fair, and consistent for all students in all schools. An effective Code must create and explain expectations, procedures and strategies so that all members of the school community can fully understand and utilize them. As the expectations for student achievement rise, the Student Code of Conduct becomes increasingly important as a central element in the creation of the safe and orderly environment necessary for student and school success.

This Student Code of Conduct was developed by a committee of parents, students, teachers, and administrators and reflects the desire to instruct, lead, and correct students in order to help them achieve at the highest levels of excellence. When discipline becomes necessary, the Code reflects the philosophy that the appropriate response is the least severe action that can reasonably be seen to correct the behavior and reduce the chances for recurrence.

The Student Code of Conduct includes information that is relevant to all students in the Franklin Township Public School District. Federal and State law provide additional disciplinary protections for students with disabilities under the IDEA (Special Education) and Section 504 of the Rehabilitation Act of 1973. Frequent changes in the law and/or regulations governing students with disabilities as defined in the IDEA or Section 504 of the Rehabilitation Act and which are specific to these students are included in separate documents that are provided to their parents. To receive current and additional information relative to IDEA or Section 504 laws and regulations, contact the Director of Pupil Personnel Services at (732) 873-2400, ext. 203.

The Student Code of Conduct is in effect during the regularly scheduled school hours as well as at other times and places, including but not limited to school-sponsored events, field trips, athletic functions, while students are being transported on school vehicles and at the bus stop. The Student Code of Conduct will also apply to behavior which occurs outside of these areas which causes a substantial disruption in, or substantial interference with, the orderly operation of the school.

Note: Any person, including but not limited to students, school employees, parents, other adults or juveniles, who enters on any school property, any school building, or school bus, may be video and/or audio taped as part of the measures taken by the District to provide a safe, secure, and orderly environment. Information recorded on school surveillance equipment may be used as evidence in disciplinary and/or legal proceedings.

This document cannot cover every set of circumstances that may be encountered in the diverse and complex social setting of public school. Therefore, administrators charged with the responsibility of creating and maintaining a safe and appropriate learning environment will determine appropriate action for behaviors not covered in this document.

This document contains references to Board policy and regulations which are subject to changes in law or code and by Board action. In the event of any differences between the information contained in this document and any policies or regulations, the policies and regulations, which are posted on the website and available in all school buildings, shall prevail.

GOAL OF THE STUDENT CODE OF CONDUCT

In keeping with the District's mission statement, we believe that everyone has the right to a quality education in a safe, secure, positive, and productive learning environment.

This Code recognizes that the Franklin Township Public Schools has the responsibility to ensure that the school environment is safe for all students and school personnel and that it is important to provide students with a consistent set of expectations for behavior. It is expected that all students respect the rights of fellow students, personnel and others, and behave in a manner that does not violate school rules, procedures, Board policy or the law. Students shall be encouraged to seek assistance from school personnel to prevent or resolve conflicts and to report incidents or activities that may threaten or disrupt the educational environment. The Student Code of Conduct requires all students enrolled in the Franklin Township Public Schools to accept responsibility and the appropriate consequences for their actions and behavior. In general, the Student Code of Conduct establishes expectations for student behavior in eight (8) areas:

STUDENT CODE OF CONDUCT – GENERAL EXPECTATIONS

1. **Regular Attendance** – Students are expected to attend school regularly and to attend all classes.
2. **Punctuality** – Students are expected to be on time for school and classes.
3. **Work Habits** – Students are expected to be prepared for and to participate in each class, to meet performance standards, to have the necessary class materials, to complete class work and homework accurately and on time, and to prepare for quizzes, tests and examinations.
4. **Academic Honesty** – Students are expected to maintain the highest standards of honesty in their work. A student violates this when he or she misrepresents him or herself by cheating, copying, plagiarizing, counterfeiting, using false identification, or making false reports by posing as a parent to excuse absences, tardiness, or to sign school related documents.
5. **Respect For Self And Others** – Students are expected to be honest, behave with dignity and treat others with respect and courtesy. Behavior of the individual should not interfere with the rights of others; this includes the use of appropriate language, actions and attire. Students are expected not to harass others verbally or physically. Students are expected to come to school free from the influence of tobacco products, alcohol or drugs. Students are expected to refrain from using or possessing such substances. Students should also refrain from any inappropriate touching and sexual contact.
6. **Respect For Authority** – Students are expected to comply with all school rules and to obey the laws. Students are expected to respond in a respectful manner to all adults while under the jurisdiction of the school and while participating in school-sponsored activities.
7. **Respect For Property** – Students are expected to treat all property belonging to the school and to others with care.
8. **Freedom From Fear** – Students are expected to contribute to a safe school environment free from fear. Acts of violence, HIB, weapons and contraband are never acceptable.

The disciplinary process set forth in the Student Code of Conduct is intended to be instructional and corrective, not punitive. All students shall be entitled to receive due process in the assignment of discipline such as administrative detention, in-school or out of school suspension or expulsion.

The COC cannot cover every incident of bad behavior for any situation that may arise which is not covered in the COC.

RIGHTS AND RESPONSIBILITIES

It has been said that, “It takes a village to raise a child.” We recognize that everyone has a role in creating and maintaining a productive and safe school climate that promotes learning.

The Franklin Township Public School District respects the rights of students to be treated equally and fairly. The District is committed to ensuring that no student is discriminated against based on race, color, religion, gender, age, a mental, physical or sensory disability, sexual orientation, gender identity or expression, national origin or ancestry in the areas of freedom of expression, procedural and due process, personal rights, and access to school programs.

STUDENT RIGHTS

Students have a right to:

- a free, public education subject to provisions of State law and the rules and regulations of the New Jersey Department of Education and the Franklin Township Board of Education;
- an education in a learning environment that is safe, drug free, and conducive to learning where high standards are stressed;
- due process for academic, attendance, and disciplinary measures, as well as other issues which could impact the student’s ability to receive a free and appropriate education;
- inspect and review their educational records in accordance to the Family Educational Right to Privacy Act.

STUDENT RESPONSIBILITIES

Students have the responsibility to:

- help to create and maintain a safe and orderly school environment that is conducive to teaching and learning;
- to be prepared for and to participate in each class, to meet performance standards, to have the necessary class materials, to complete class work and homework accurately and on time, and to prepare for quizzes, tests and examinations;
- know and comply with all school rules and regulations relating to student conduct and achievement;
- come to school each day on time and ready to learn;
- comply with all instructions from all school employees in a positive and respectful manner;
- dress in accordance with the dress code for school and school related functions;
- accept responsibility for their actions;
- utilize school resources to develop appropriate problem solving skills;
- reflect respect and consideration for the personal and property rights of others;
- understand the need for cooperation with all members of the school community;
- demonstrate academic honesty and integrity, whether completing individual or group educational assignments, and crediting sources when it is necessary to use words, ideas, or thoughts that are not their own.

PARENT/GUARDIAN RIGHTS

Parents have the right to:

- be treated with courtesy by all members of the school staff;
- request a conference to inspect their child’s cumulative record;
- be informed of school policies and administrative decisions in a timely manner;

- be informed of approved procedures for seeking changes in school policies and for appealing administrative procedures;
- expect that every attempt will be made by school personnel to distribute to students or otherwise seek to communicate with parents important news and messages from the District or the individual schools in a timely manner;
- participate in meaningful parent-teacher conferences to discuss their child’s school progress and welfare;
- expect reasonable protection for their child from physical harm while under school authority;
- seek information from school personnel to further the progress and improvement of their child, which includes, but is not limited to, counseling, tutorial, and remedial programs;
- expect timely responses to school/student-related inquiries.

PARENT/GUARDIAN RESPONSIBILITIES

Parents have the responsibility to:

- cooperate with school personnel by willing and timely response to requests for conferring on the behavior, health, and academic progress of their child(ren);
- discuss the Student Code of Conduct with their school aged children;
- provide proof of a bona fide residence in the Franklin Township School District;
- provide the District, at the time of registering their child, proof of the child’s age and proof that the child has received all immunizations;
- notify the school whenever their child will be absent;
- comply with compulsory school attendance law (New Jersey Statutes, Title 18A:38-25), which states that “Every parent, guardian or other person having custody and control of a child between the ages of six (6) and sixteen (16) years shall cause such child regularly to attend the public schools of the District ...;”
- attend conferences and meetings when scheduled to discuss/review the academic/school progress
- assume as parents the primary responsibility for the discipline of the child;
- acknowledge the child’s responsibilities and obligations in the school as well as in the community;
- model cooperation with school and transportation personnel;
- partner with teachers in ensuring that homework and assignments are completed on time.

TEACHER RIGHTS & SUPPORT STAFF RIGHTS

Teachers and Support Staff have the right to:

- physical, emotional, social, intellectual, and creative safety;
- respect from students, colleagues, leaders, and parents;
- work in an atmosphere of order and attention;
- fair, just, and effective leadership on the part of the school principal and vice-principal;
- express any need or grievance he/she may have.

RESPONSIBILITIES OF TEACHERS AND SUPPORT STAFF

Teachers and Support Staff, where applicable, have the responsibility to:

- be prepared to teach and provide quality instruction within the current curricular framework;
- maintain a classroom environment of mutual respect and dignity;
- demonstrate interest in teaching and concern for student achievement;
- remain knowledgeable about school policies and rules, and enforce them in a fair, impartial, and consistent manner for all students;

- be familiar with the special needs of students with I.E.P.'s, 504 plans, or other special accommodation and insure that lesson design and plans address the needs of those students;
- communicate policies and expectations to students and parents, including course objectives and requirements, homework, grading procedures, assignment deadlines, and classroom discipline plan;
- communicate information regarding student progress and achievement on a regular and timely basis to students, parents, and other involved professionals;
- exhibit an attitude of respect for students that has a positive influence in helping students develop good citizenship traits;
- maintain an atmosphere that contributes to positive student behavior;
- provide make-up work upon request for students with lawful absences, including those on suspension.

RESPONSIBILITIES OF ADMINISTRATORS

School administrators have the responsibility to:

- support teaching and learning by creating and maintaining a safe and orderly environment;
- promote communication with all members of the school community and present opportunities for students, staff, and parents to readdress grievances;
- evaluate instructional programs regularly and comprehensively;
- support the development of and participation in appropriate extracurricular activities by students;
- enforce the Student Code of Conduct and ensure the fair, consistent, and prompt resolution of concerns and infractions.

PROTOCOL FOR PARENT/GUARDIAN TO SCHOOL COMMUNICATION

During the course of the school year, situations may arise that require the parents/guardians of our students to contact someone for guidance. The following protocol has been established to provide guidance regarding to whom parents/guardians should address their questions and/or concerns to assure a prompt response. It is our hope that by following this process, the District will be able to best meet the needs of students, parents/guardians and staff. By encouraging a proactive communication, we endeavor to increase collaboration and understanding with the ultimate goal of supporting what best meets the students' needs, while also balancing the needs of the school and the District.

It is recommended that parents/guardians contact the individual closest to the source of the question. For example, the child's teacher is the most appropriate person with whom to speak regarding a question about his or her school progress, classroom behavior, and educational program as he/she is most familiar with the child. Parents/guardians may seek assistance from the building principal if further guidance is needed. Depending on the situation, the principal may refer parents/guardians to a specific department or person.

If additional assistance is required, the next step is for the parent/guardian to contact Orvyl Wilson, Director of School Management and Student Advocacy, (732) 873-2400, Ext. 408, owilson@franklinboe.org.

DRESS CODE

Appropriate dress and grooming can help to create a positive learning environment. Other attire may be allowed for special school activities with approval of the school administration. Possible consequences for violating the dress code are found in the Discipline Matrix on page 64. Change in clothing trends will not override the dress code regulations. Students have a right to wear stylish clothes of their choice as long as those clothes are appropriate for school, are not dangerous to health and safety, and do not create a substantial or material disruption of the school. Students have a responsibility to dress neatly and appropriately, to be clean, and well groomed.

Students in all grades will be prohibited from wearing:

1. clothing and accessories that promote alcohol, tobacco, or drug usage or that depict weapons or violence and that cause or are likely to cause a disruption within the school environment;
2. clothing and accessories that contain vulgar, derogatory or suggestive diagrams, pictures, slogans or words that may be interpreted as racially, religiously, ethnically, or sexually offensive and which cause or are likely to cause a disruption within the school environment;
3. clothing symbolic of gangs or disruptive groups associated with threatening behavior, harassment or discrimination and which cause or are likely to cause a disruption within the school environment;
4. clothing, accessories and/or any words, pictures, diagrams, etc., thereon that are lewd, vulgar, indecent, plainly offensive or that cause or are likely to cause a material disruption;
5. head coverings of any kind in the building (except for religious or medical reasons);
6. bandanas anywhere on one's person;
7. curlers, picks, combs, or hair rakes in the hair;
8. sunglasses or permanently tinted glasses (except for medical reasons);
9. dog collars, chains, wallet chains, safety pins, spike jewelry or fishhooks worn as jewelry, accessories or ornamentation;
10. tank tops, tube tops, mesh tops, sheer tops, halters, or bare midriff tops;
11. shirts with necklines that are lower than the straight line from top of underarm across to opposite underarm (display of cleavage is not permitted);
12. shirts that do not cover shoulders, and shirt-tails that do not overlap the pants/skirt beltline (tops may not expose the midriff);
13. gloves in the building;
14. pajamas, loungewear, and dorm pants;
15. leggings or tight fitting spandex type pants, pants with side slits or holes above the knees, see-through pants, tights, or leotards worn as outer garments;
16. sagging pants, pants worn low on the hips so as to reveal underwear or skin (pants must be worn with both legs down; not one leg rolled up);
17. pant legs that extend past the sole of the shoe;
18. clothing that does not cover undergarments at all times;
19. dresses, skirts, shorts, culottes, and skorts that are shorter than the extended tip of the longest finger with arms hanging naturally at the sides;
20. bedroom slippers, roller sneakers, or heels higher than three (3) inches (shoes must be worn at all times; athletic shoes or closed shoes with a rubber sole should be worn for Physical Education, Science and recess; high heels, loose fitting sandals and flip flops are discouraged for safety reasons);
21. fringed garments in shop areas or in Drama and Art areas which contain machinery;
22. items of clothing that would impair the health and safety of the student during normal school activities.

The administration will make the final determination as to whether clothing in question is in violation of the dress code. Parents/guardians have a responsibility to assist students in being compliant with the dress code before they leave home for school. Teachers are expected to model the behaviors that we expect from students. All staff are expected to dress professionally.

TRANSPORTATION RULES

Pupils transported on school busses are under the authority of, and directly responsible to, the driver of the bus. The purpose of bus discipline procedures is to provide measures for corrective action when a student's behavior is such that it constitutes a hazard. This would include any deliberate misbehavior that might interfere with the safe operation of the bus. For the purpose of this regulation, student transportation shall be defined as including the loading, en-route traveling, and unloading of students to or from school or a school-sponsored activity. In order to assure orderly and safe transportation of all passengers many of our busses are equipped with on board audio-video monitoring systems. All passengers are required to observe the following rules at all times.

1. Complying with the bus driver's instructions at all times is essential and expected.
2. Remaining seated when the bus is in motion is required. Fasten your seatbelt when seated and leave it fastened until you arrive at your final destination.
3. Using or opening the emergency exit unless authorized by the bus driver, school, or police official is strictly prohibited.
4. Smoking on a school bus is prohibited by law and, on the first offense, shall be cause for denial of transportation.
5. Hitting, fighting, harassing, scuffling, making loud and unnecessary noise, acting boisterous or participating in gang related activity, is distracting to the driver, and is not permitted.
6. Being disrespectful or abusive to the bus driver or any other staff or student in conduct or language is not permitted.
7. Showing your Student I.D., grades seven (7) through twelve (12), to the bus driver upon request is required.
8. Refusing to give your name to the bus driver or giving a false name indicates misrepresentation and insubordination to the authority of the driver and shall be sufficient cause for immediate denial of transportation by the school administrator.
9. Using profanity and other foul language or gestures towards the bus driver, staff, or other students is not permitted.
10. Throwing articles on or out of the bus is not permitted.
11. Placing head, arms, or legs outside the window of the bus is strictly prohibited.
12. Eating or drinking on the bus is not allowed. Keep the bus clean and free of paper or other litter.
13. Transporting animals on the school bus is not permitted.
14. Inflating or having inflated balloons on the school bus is not permitted.
15. Boarding or attempting to board a bus other than the student's arranged bus or attempting to leave the bus at other than the student's bus stop without permission is not allowed.
16. Seating arrangements are at the discretion of the bus driver unless otherwise assigned by the school administration. When designated seating is used, students must sit in their assigned seats. A mandatory seating chart will be submitted to the building principal and kept on file.
17. Showing issued bus passes when called upon to do so by the bus driver or other school authority is required. Failure to produce the bus pass upon request of the driver shall be reported to the appropriate school administrator. A student shall not allow the use of his or her bus pass by another student.
18. Behaving orderly on the bus and at the bus stop is required. In addition, any reported incidents occurring at, to, or from the bus stop will be investigated and could result in disciplinary action as well as in police action.
19. Carrying equipment unrelated to authorized school activities will not be permitted i.e., out of season sports equipment. Wearing of skates, roller blades, hee-lies and the possession of skateboards is not permitted on the bus.
20. **Parents are not permitted to board the bus.**

DISCIPLINARY ACTIONS FOR INAPPROPRIATE BUS BEHAVIOR

All students are expected to follow the standards for behavior outlined in the Student Code of Conduct regardless of whether they are in the school building, on school grounds, on the school bus or at the bus stop, or attending any school sponsored event. While on the school bus, students are expected to follow the directives of the bus driver the same as they would their teacher in the classroom.

Inappropriate student behavior on the school bus will be addressed in accordance with the Student Code of Conduct and administered by the child's building principal or vice principal similarly to other student misbehaviors that occur in the school building or classroom. However, to insure safe student transportation, the following conduct is specifically prohibited on the school bus and violations may result in revocation of school transportation privileges:

- Fighting
- Smoking
- Exiting the bus from the emergency exits without being directed to do so by the bus driver
- Throwing objects out of the bus window
- Purposely damaging the bus
- Any other behaviors that occur on the bus that may jeopardize the health, safety, or well-being of the other individuals that are either in or around the bus.

The sequence of disciplinary action for more serious infraction are outlined as follows:

First Offense - An administrative conference shall be held with the student. The student shall be given a minimum of three (3) and a maximum of five (5) days out of school suspension. The parent/guardian shall be advised of the action taken by the administration via telephone and by written notice. A personal re-entry conference shall be held with the parent/guardian prior to the student's return to school.

Second Offense - An administrative conference shall be held with the student. The student shall be given a minimum of five (5) and a maximum of seven (7) days out of school suspension. The parent/guardian shall be advised of the action taken by the administration via telephone and by written notice. A personal re-entry conference shall be held with the parent/guardian prior to the student's return to school.

Third Offense - An administrative conference shall be held with the student. The student shall be given a minimum of five (5) and a maximum of ten (10) days out of school suspension and a ten (10) day suspension of bus privileges. The parent/guardian shall be advised of the action taken by the administration via telephone and by written notice. A personal re-entry conference shall be held with the parent/guardian prior to the student's return to school.

Fourth and All Subsequent Offenses – An administrative consultation shall be held with the student, the parent/guardian, and when possible, the District Transportation Supervisor. The student shall be given a minimum of five (5) days of out of school suspension and a minimum of thirty (30) days of bus privilege suspension. Student may receive permanent denial of bus privileges at the discretion of the building principal.

Notes:

- 1. When a student's bus privileges have been suspended for misconduct, it is the parent/guardian's responsibility to provide the child with transportation to and from school.**
- 2. Any person, including but not limited to students, school employees, parents, other adults or juveniles, who enter on any school property, any school building, or any school bus, may be video and audio taped as part of the measures taken by the District to provide a safe, secure, and orderly environment. Information recorded on school surveillance equipment may be used as evidence in disciplinary and/or legal proceedings.**

ATTENDANCE REGULATIONS

School achievement begins with regular attendance. Parents/guardians must ensure that all school aged children in their care are in school on time daily. Additionally, school personnel must communicate any attendance problems or concerns to parents/guardians in a timely manner.

The most effective strategy to prevent unexcused and excessive absence is to be proactive, with the school, family, and the community working together. To this end, school personnel report to the building principal or his/her designee their concerns about student behaviors that may be precursors to attendance problems. The building administration along with other appropriate school staff will work to address continuing student attendance issues by meeting with the student and parent/guardian and through other appropriate interventions and referrals.

The New Jersey Administrative Code 6A:16-7.8 Attendance and BOE Policy # 5113 apply to attendance matters:

1. Each District Board of Education shall develop, adopt and implement policies and procedures regarding the attendance of students, pursuant to N.J.S.A. 18A:38-25 through 31 and N.J.A.C.6A:32-8 and 13.1, at the public schools of the District or day schools in which students are provided with equivalent instruction, according to the requirements of N.J.S.A. 18A:38-25.
2. Within 10 days of the start of the school year, a School District shall determine whether any re-entering student who has not attended school that year has an excused absence or has transferred, withdrawn or dropped out of the School District. N.J.A.C. 6A:32-8.2.
3. For up to four (4) cumulative unexcused absences, the District shall:
 - a. make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;
 - b. conduct an investigation of the cause of each unexcused absence, including contact with the student's parents;
 - c. develop an action plan in consultation with the student's parents designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance.
4. For between five (5) and nine (9) cumulative unexcused absences, the District shall:
 - a. make a reasonable attempt to notify the student's parents of each unexcused absence prior to the start of the following school day;
 - b. conduct a follow-up investigation, including contact with the student's parents, to determine the cause of each unexcused absence;
 - c. revise the action plan, as needed, to identify patterns of unexcused absences and establish outcomes based upon the student's needs and specify the interventions for achieving the outcomes, supporting the student's return to school and regular attendance and
 - d. refer the student to the building level Intervention & Referral Services Team (I&RS Team) or CST case manager for classified students.
5. Any student between the ages of 6 to 16 who accumulates ten (10) cumulative unexcused absences from school or who continues to exhibit a pattern of unexcused absence will be referred by the school administration to the District Attendance Officer. The District Attendance Officer is obligated to make a mandatory referral to the Family Crisis Intervention Unit which serves as the court program required by the New Jersey Office of the Court.
6. A continued pattern of unexcused absence will result in the District filing charges against the student's parent or guardian and/or the student being recommended to the building principal for removal from the District attendance register.

7. Residency requirements – Under N.J.S.A. 18A:38-1(a), a student who is under the age of 18 is “domiciled” in a School District, and thereby entitled to attend school in the District, if his or her parent or legal guardian is “domiciled” in that District. A student who has reached the age of 18 may establish his or her own domicile. Domicile is the place where a person lives in his or her fixed, permanent home. This home must be the place to which he or she intends to return when he or she goes away, and from which he or she has no intention of moving anytime soon. A person can have only one “domicile” at a time, even if he or she has more than one home.
8. All students must have their current address on record. Parents of students who move to a new address must go to Parent Information and submit proof of their new address.
9. It should be noted that all student absences, whether they are classified excused or unexcused, make up the total student absence count. Students who accumulate more than 18 days of total absences from school have not satisfied the State of New Jersey attendance requirement for promotion to the next grade level or graduation from high school. Parents/Guardians of students who have exceeded 18 days of absences from school can arrange a meeting with the building principal to review the child’s attendance and other school records to determine whether any special consideration is warranted.

A chronic pattern of unexcused student absence may also result in student retention in grade level or student ineligibility to earn a high school diploma or participate in high school graduation. Principals will notify parents/guardians in writing when their child has accumulated four (4), eight (8), and ten (10) days of unexcused absences. It is hoped that through communicating and working together, we will be able to develop and implement effective strategies that will result in improved student attendance and academic achievement.

The Board of Education believes that the regular attendance of students in school is critical to its educational mission. Regular attendance of students in the classroom allows for continuity in the instructional process which enables the students to complete the Core Curriculum Content Standards and District curriculum requirements. Therefore students are expected to be present, on time and prepared for each class and each day that the District schools are open for educational purposes, unless their absence or lateness is deemed “excused” as set forth in this student code of conduct.

Students are expected to make up any work they may have missed when they are absent from school or class.

DEFINITIONS PERTAINING TO ATTENDANCE

- “Attendance” is a student’s presence in school and in the classroom to which he or she is assigned at the times scheduled for instruction or other approved school activities.
- “Truancy” exist when a student is absent from school for all or part of the school day and the parents/guardians are unaware of the absence and have not provided the school with written verification to support the absence.
- A school day shall consist of not less than four hours of actual instruction. In order to be recorded as present for the full day, a student must be present for at least four hours during that school day.
- A student shall be considered absent from school if they participate in less than 4 instructional hours during the school day.
- When a student participates in an approved school activity such as a field trip, school related meeting, cooperative education assignment, independent study program or athletic competition, he/she may be considered to be in attendance even though he/she is not physically present in the school facility.
- "Excused absence" is a student’s absence from school for a full day or a portion of a day for a reason approved by the Board as an excused absence. Further, in order for a student’s absence to be recorded as excused, the student’s parent/guardian must submit a written reason for the absence. This written note must be submitted to the school’s attendance clerk within five (5) days of the student’s return to school.

EXCUSED/UNEXCUSED ABSENCES

Absences from school, including absence for any portion of the day, shall be considered excused under the following conditions:

- Student illness (physician's note will be required for continuous absences that exceed 3 consecutive days and will also be required for students who have been absent because of contagious or infectious diseases or conditions as designated by the New Jersey State Department of Health);
- Student recovery from an accident (as supported by a physician's note);
- Requirements of a student's individual health care plan;
- A death in the student's immediate family
- Quarantine;
- Observance of the student's religion on a day approved for that purpose by the State Board of Education. This specific information may be found on the New Jersey Board of Education website;
- The student's suspension from school (excluding a bus suspension);
- Requirements of the student's Individualized Education Program (IEP);
- Alternate short or long term accommodations for students with disabilities;
- The student's required attendance in court (copies of court papers should be submitted);
- Interviews with an admissions officer of an educational institution or other education opportunities such as college visitations (limit of three);
- Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;
- Participation in New Jersey's "Take Your Child To Work Day";
- Such other cause, that in the judgment of the building principal, constitutes a good and sufficient cause for absence from school

"Unexcused absence" is a student's absence for all or part of a school day for any reason which does not fall into one of the Board approved categories of excused absences.

Examples of student unexcused absences include, but are not limited to the following:

- Family travel or vacations;
- Performance of household or babysitting duties; and
- Other daytime activities unrelated to the school program.

POSSIBLE CONSEQUENCES FOR A STUDENT WHO REGULARLY MISSES SCHOOL

- Denial of participation in co-curricular activities and extra-curricular activities
- Negative impact on student grades
- after school detention
- in-school suspension
- loss of course credit (high school only)
- referral to Intervention & Referral Services (I&RS)
- referral to the County Family Crisis Intervention Unit
- referral to the Division of Child Protection and Permanency (DCP&P)
- retention in grade level
- failure to satisfy grade promotion or graduation requirements
- referral for outside interventions through the local courts
- referral for alternative school placement or other alternative education programs outside of the public school

It is important to remember that parents/guardians should submit a note or medical documentation explaining each student absence. Such notes must be submitted within five (5) days of the student's return to school in order to consider the period of absence as excused.

It is also important to note that absences that occurred for reasons not included in the Attendance Policy or absences which are not accompanied with a written explanation within (5) days for an excuse will result in the student absence being recorded as unexcused. Students who accumulate ten (10) unexcused absences or who show a pattern of truancy will be referred to the Family Crisis Intervention Unit. Additional unexcused absences or truancy will result in referral to the Franklin Township Municipal Court.

STUDENTS REPORTING LATE TO SCHOOL OR REQUESTING TO LEAVE SCHOOL EARLY

It is imperative for students to be on time at the beginning of the school day. Student attendance is recorded during this time.

Schools are required to admit students to school regardless of the time they arrive. However, students who arrive late to school must report first to the appropriate administrative office to be recorded and to obtain a pass before being admitted to any class. At the elementary school level, grades K – 4, it is appropriate for a parent/guardian to sign the late student into school with the attendance clerk.

Excessive unexcused lateness to school or class will result in the appropriate level of school discipline. (Refer to page 65 and 66 of the Discipline Matrix).

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

The following are acceptable reasons for a late arrival or early dismissal:

- Medical or dental appointments which cannot be scheduled outside of school hours;
- Requirements of a student's individual health care plan;
- Requirements of the student's Individual Education Program (IEP);
- Alternate short or long term accommodations for students with disabilities
- Medical disability;
- Motor vehicle driver's test;
- Interviews with an admissions officer of an educational institution or other education opportunities such a college visitations (limit of three);
- Family emergency;
- Court appearance;

Students are expected to make up any work they may have missed when they are absent from school or class.

(Also refer to "Class Cutting" and "Truancy" in the Discipline Matrix on pages 64 and 66.)

Note: If you know that your child will be absent from school, you should call the school to verify the absence.

USE OF TECHNOLOGY

GUIDELINES FOR THE USE OF TECHNOLOGY

The increasing availability of technology creates both opportunities and risks for students. Since the potential for harm from the misuse of technology is significant, the Franklin Township School District has established guidelines by which students can use technology in a legal, safe, productive, and ethical manner. All use of technology under these guidelines is for legitimate educational purposes under the guidance or direction of school staff. These guidelines cover the use of computers, scanners, digital cameras, video projectors, video cameras, cell phones, Nextel devices, PDA devices, and wireless e-mail devices and define the acceptable use of such technology by students. The following conduct is prohibited while using the school system network, accessing the school system network from home, or while involved in situations which this Code has jurisdiction.

Students shall not:

- utilize the School District computer network for any illegal activity, including, but not limited to, gaining or attempting to gain unauthorized resources, files, or devices on the network;
- access “social networking sites” or “chat lines” or enter “chat rooms” that are not part of a class activity under the supervision of a teacher or other school personnel;
- access or link to websites that contain material deemed vulgar, offensive, or otherwise inappropriate, including, but not limited to, websites promoting hatred, racial/religious/sexual discrimination, use of illegal drugs/alcohol/tobacco, gaming or gambling, criminal activities, or computer/network hacking;
- utilize the network for commercial purposes or display any logo of any commercial entity not directly related to the Franklin Township School District;
- post, use, or download any files which cause congestion or impede network operations;
- trespass in or vandalize another’s files, folders, data, or work;
- post anonymous messages or in any way misrepresent one’s own identity;
- use an account password of another user;
- use abusive or otherwise objectionable language in any message;
- use e-mail or text messaging or web postings on social networking sites to promote the annoyance, harassment, or attack of others.

PORTABLE COMMUNICATION DEVICES

It is not a violation of State law or of the Student Code of Conduct for a student to be in possession of a portable communication device such as an I Pad, tablet or a cell phone. However, it is a violation of the Student Code of Conduct to use such devices in a manner that will disrupt the school environment. All portable communication devices must be turned off while students are in school or participating in school-related activities during the regular school day, whether students are in class or not. If parents/guardians have an urgent need to get in touch with their children during the school day, they should call the main office of their child’s school. The main office staff will contact the child. Students who use these devices during the school day will be treated as any other student who disrupts class. If the portable communication device continues to be a disruption, it is subject to confiscation by the school administration until the student’s parent/guardian comes to the school to retrieve it.

**Note: The FTSD is NOT responsible for the personal electronic devices of a student.
Students who bring these devices are responsible for keeping them safe and secure.**

ELECTRIC COMMUNICATION BY DISTRICT STAFF

FRANKLIN TOWNSHIP BOARD OF EDUCATION
Somerset, New Jersey 08873

FILE CODE: 4119.24

Policy

ELECTRONIC COMMUNICATIONS BY DISTRICT TEACHING STAFF

The Board of Education recognizes electronic communications and the use of social media outlets create new options for extending and enhancing the educational program of the school district. Electronic communications and the use of social media can help students and teaching staff members communicate regarding: questions during non-school hours regarding homework or other assignments; scheduling issues for school-related co-curricular and interscholastic athletic activities; school work to be completed during a student's extended absence; distance learning opportunities; and other professional communications that can enhance teaching and learning opportunities between teaching staff members and students. However, the Board of Education recognizes teaching staff members can be vulnerable in electronic communications with students.

In accordance with the provisions of N.J.S.A. 18A:36-40, the Board of Education adopts this Policy to provide guidance and direction to teaching staff members to prevent improper electronic communications between teaching staff members and students. Additionally, this Policy will provide guidance to teaching staff members to prevent inappropriate communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

The Commissioner of Education and arbitrators, appointed by the Commissioner, have determined inappropriate conduct may determine a teaching staff member unfit to discharge the duties and functions of their position. Improper electronic communications by teaching staff members may be determined to be inappropriate conduct. Additionally, inappropriate electronic communications and/or publications using e-mails, text-messaging, social networking sites or any other medium that is directed and/or available to pupils or for public display, by a teaching staff member may result in appropriate disciplinary action.

For the purposes of this Policy, "electronic communication" means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. "Electronic communications" include, but are not limited to, e-mails, text messages, instant messages, and communications made by means of an Internet website, including social media and social networking websites.

For the purposes of this Policy, "professional responsibility" means a teaching staff member's responsibilities regarding co-curricular, athletic coaching, and any other instructional or non-instructional responsibilities assigned to the teaching staff member by the administration or Board of Education.

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a teaching staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or
2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for electronic communications between a teaching staff member and a student as defined in this Policy.

ELECTRONIC COMMUNICATIONS BY DISTRICT TEACHING STAFF (continued)

Inappropriate content of an electronic communication between a teaching staff member and a student includes, but is not limited to:

1. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone;
2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;
3. Communications regarding the teaching staff member's or student's past or current romantic relationships;
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
5. Communications that are harassing, intimidating, or bullying;
6. Communications requesting or trying to establish a personal relationship with a student beyond the teaching staff member's professional responsibilities;
7. Communications related to personal or confidential information regarding another school staff member or student; and
8. Communications between the teaching staff member and a student that the Commissioner of Education or an arbitrator would determine to be inappropriate in determining the teaching staff member is unfit to discharge the duties and functions of their position.

The following acceptable protocols for all electronic communications between a teaching staff member and a student shall be followed:

1. E-Mail Electronic Communications Between a Teaching Staff Member and a Student
 - a. All e-mails between a teaching staff member and a student must be sent or received through the school district's e-mail system. The content of all e-mails between a teaching staff member and a student shall be limited to the staff member's professional responsibilities regarding the student.
 - b. A teaching staff member shall not provide their personal e-mail address to any student. If a student sends an e-mail to a teaching staff member's personal e-mail address, the staff member shall respond to the e-mail through the school district e-mail system and inform the student his/her personal e-mail address shall not be used for any electronic communication between the teaching staff member and the student.
 - c. A teaching staff member's school district e-mail account is subject to review by authorized school district officials. Therefore, a teaching staff member shall have no expectation of privacy on the school district's e-mail system.

ELECTRONIC COMMUNICATIONS BY DISTRICT TEACHING STAFF (continued)

Cellular Telephone Electronic Communications Between a Teaching Staff Member and a Student

- a. Communications between a teaching staff member and a student via a personal cellular telephone shall be prohibited.
 - (1) However, a teaching staff member may, with prior approval of the Principal or designee, communicate with a student using their personal cellular telephone if the need to communicate is directly related to the teaching staff member's professional responsibilities for a specific purpose such as a field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific field trip, athletic event, co-curricular activity, etc. approved by the Principal or designee.

2. Text Messaging Electronic Communications Between Teaching Staff Members and Students

- a. Text messaging communications between a teaching staff member and an individual student are prohibited.
 - (1) However, a teaching staff member may, with prior approval of the Principal or designee, text message students provided the need to text message is directly related to the teaching staff member's professional responsibilities with a class or co-curricular activity. Any such text message must be sent to every student in the class or every member of the co-curricular activity. Any such approval for text messaging shall not extend beyond the class or activity approved by the Principal or designee.

3. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Teaching Staff Members and a Student

- a. A teaching staff member is prohibited from communicating with any student through the teaching staff member's personal social networking website or other Internet-based website. Communications on personal websites are not acceptable between a teaching staff member and a student.
- b. A teaching staff member shall not accept "friend" requests from any student on their personal social networking website or other Internet-based social media website. Any communication sent by a student to a teaching staff member's personal social networking website or other Internet-based social media website shall not be responded to by the teaching staff member and shall be reported to the Principal or designee by the teaching staff member.
- c. If a teaching staff member has a student(s) as a "friend" on their personal social networking website or other Internet-based social media website they must permanently remove them from their list of contacts upon Board adoption of this Policy.
- d. Communication between a teaching staff member and a student through social networking websites or other Internet-based social media websites is only permitted provided the website has been approved by the Principal or designee and

ELECTRONIC COMMUNICATIONS BY DISTRICT TEACHING STAFF (continued)

all communications or publications using such websites are available to: every student in the class; every member of the co-curricular activity and their parents; and the Principal or designee.

5. General Use of Social Networking Websites and other Internet- Based Social Media Electronic Communications

Inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

Electronic communications, including communications posted on social media/networking sites, outside of work hours and/or on personal devices, which are inappropriate and therefore prohibited, include but are not limited to:

- Items with sexual content and/or sexual connotation;
- Items exhibiting or advocating use of illegal activities, including illegal drugs;
- Items which exhibit or promote the excess use of alcohol;
- Items that pertain to students, including descriptions of students, student work or confidential information regarding students or other staff members;
- Any content that significantly affects the employee's ability to perform his/her job or disrupts the educational environment;
- Any content that would violate district policies and procedures;
- Any other conduct deemed by the Commissioner of Education, the State Board of Education, statute, administrative code, and/or the judicial case law to be inappropriate conduct and/or conduct unbecoming a school staff member.

The Superintendent/designees may periodically conduct internet searches to ensure that staff members have not posted inappropriate materials on-line. When inappropriate use of computers and the internet is discovered, the Superintendent/designee will seek to preserve the problematic or offensive material and will seek to maintain storage and chain of custody of the evidence.

Reporting Responsibilities

In the event a student sends an improper electronic communication, as defined in this Policy, to a teaching staff member, the teaching staff member shall report the improper communication to the Principal or designee by the next school day. The Principal or designee will take appropriate action to have the student discontinue such

improper electronic communications. Improper electronic communications by a teaching staff member or a student may result in appropriate disciplinary action.

Additionally, inappropriate electronic communications and/or publications using e-mails, text-messaging, social networking sites or any other medium that is directed and/or available to pupils or for public display, by a teaching staff member may result in appropriate disciplinary action.

A teaching staff member and student may be exempt from the provisions outlined in this Policy, as it applies to electronic communication between the teaching staff member and a student, if a teaching staff member and student are relatives. The teaching staff member and the student's parent shall submit

ELECTRONIC COMMUNICATIONS BY DISTRICT TEACHING STAFF (continued)

notification to the Principal of the student's school of their family relationship and their exemption from the provisions outlined in this Policy.

This familial exemption does not pertain to the inappropriate electronic communications and/or publications as described in Paragraph 5 above, as these types of communication are not between the teaching staff member and the student relative but are more public in nature.

The provisions of this Policy shall be applicable at all times while the teaching staff member is employed in the school district and at all times the student is enrolled in the school district, including holiday and summer breaks.

A copy of this Policy will be made available on an annual basis, to all parents, students, and school employees either electronically or in school handbooks.

Adopted: September 24, 2015

Legal References:	<u>N.J.S.A.</u> 2A:38A-1 <u>et seq.</u>	Computer System
	<u>N.J.S.A.</u> 18A:6-10	Dismissal and reduction in compensation of persons under tenure in public school system
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.
	<u>N.J.S.A.</u> 18A:36-35	Disclosure of certain student information on Internet prohibited without parental consent
	<u>N.J.S.A.</u> 18A:37-13 <u>et seq.</u>	Anti-Bullying Bill of Rights Act
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 47:3-15 <u>et seq.</u>	Destruction of Public Records Law
	<u>N.J.A.C.</u> 6A:9-3.3	Professional standards for teachers
	<u>N.J.A.C.</u> 6A:9-17.5	Grounds for revocation and suspension of certification

In the Matter of Certificate of Weidemoyer, Exam 2010 April 29.

In the Matter of Certificates of Stenz, Exam 2010: March 25.

In the Matter of the Certificates of Alan Chadrijan, Exam 2011: July 28.

In the Matter of Rhaney, Exam 2011: June 16.

In the Matter of Young, Exam: 2011: Sept 22.

In Re Cluggish, Exam 2011, Dec 16.

Cross References:

2224	Nondiscrimination /affirmative action
3570	District records
4111.1/	Nondiscrimination/affirmative action
4211.1	

ELECTRONIC COMMUNICATIONS BY DISTRICT TEACHING STAFF (continued)

- 4117.50 Standards for staff discipline
- 4119.22 Conduct and dress
- 4119.23/ Employee substance abuse
- 4219.23
- 5125 Student records
- 5131 Conduct and discipline
- 5131.1 Harassment, intimidation and bullying
- 6121 Nondiscrimination/affirmative action
- 6142.10 Technology
- 6144 Controversial issues
- 6173 Home instruction

Key Words

Text message, Social media, Networking websites, Cell phones, E-mail

Historical Note: Formerly Policy 4119.24/4219.24 Electronic Communication by District Staff, revised, renamed and renumbered 9/24/15

Policy

ELECTRONIC COMMUNICATIONS BY DISTRICT SUPPORT STAFF

In accordance with the provisions of N.J.S.A. 18A:36-40, the Board of Education adopts this Policy to provide guidance and direction to support staff members to prevent improper electronic communications between support staff members and students. The Board of Education recognizes support staff members can be vulnerable in electronic communications with students. Additionally, this Policy will provide guidance to support staff members to prevent inappropriate communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

The Board prohibits all electronic communications between a support staff member and a student. However, based on a support staff member's professional responsibilities electronic communications between a support staff member and a student may be permitted with written approval of the Superintendent or designee. The approval is only for the school year in which the approval is granted. If the Superintendent or designee approves electronic communications between a support staff member and a student, the support staff member shall be required to comply with all the provisions of this Policy.

The Commissioner of Education has determined inappropriate conduct may determine a school staff member unfit to discharge the duties and functions of their position. Improper electronic communications by school staff members may be determined to be inappropriate conduct.

Additionally, inappropriate electronic communications and/or publications using e-mails, text-messaging, social networking sites or any other medium that is directed and/or available to pupils or for public display, by a support staff member may result in appropriate disciplinary action.

For the purposes of this Policy, "electronic communication" means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. "Electronic communications" include, but are not limited to, e-mails, text messages, instant messages, and communications made by means of an Internet website, including social media and social networking websites.

For the purposes of this Policy, "professional responsibility" means a support staff member's responsibilities assigned to the support staff member by the administration or Board of Education.

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a support staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or
2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for electronic communications between a support staff member and a student as defined in this Policy.

Inappropriate content of an electronic communication between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student includes, but is not limited to:

9. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone;

ELECTRONIC COMMUNICATIONS BY DISTRICT SUPPORT STAFF (continued)

10. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;
11. Communications regarding the support staff member's or student's past or current romantic relationships;
12. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
13. Communications that are harassing, intimidating, or bullying;
14. Communications requesting or trying to establish a personal relationship with a student beyond the support staff member's professional responsibilities;
15. Communications related to personal or confidential information regarding another school staff member or student; and
16. Communications between the support staff member and a student that the Commissioner of Education would determine to be inappropriate in determining the support staff member is unfit to discharge the duties and functions of their position.

The following acceptable protocols for all electronic communications between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student shall be followed:

4. E-Mail Electronic Communications Between a Support Staff Member and a Student
 - a. All e-mails between a support staff member and a student must be sent or received through the school district's e-mail system. The content of all e-mails between a support staff member and a student shall be limited to the staff member's professional responsibilities regarding the student.
 - b. A support staff member shall not provide their personal e-mail address to any student. If a student sends an e-mail to a support staff member's personal e-mail address, the staff member shall respond to the e-mail through the school district e-mail system and inform the student his/her personal e-mail address shall not be used for any electronic communication between the support staff member and the student.
 - c. A support staff member's school district e-mail account is subject to review by authorized school district officials. Therefore, a support staff member shall have no expectation of privacy on the school district's e-mail system.
5. Cellular Telephone Electronic Communications Between a Support Staff Member and a Student
 - a. Communications between a support staff member and a student via a personal cellular telephone shall be prohibited.

ELECTRONIC COMMUNICATIONS BY DISTRICT SUPPORT STAFF (continued)

- (1) However, a support staff member may, with prior approval of the Principal or designee, communicate with a student using their personal cellular telephone if the need to communicate is directly related to the support staff member's professional responsibilities for a specific purpose such as a field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific field trip, athletic event, co-curricular activity, etc. approved by the Principal or designee.
6. Text Messaging Electronic Communications Between Support Staff Members and Students
 - a. Text messaging communications between a support staff member and an individual student are prohibited.
 - (1) However, a support staff member may, with prior approval of the Principal or designee, text message students provided the need to text message is directly related to the support staff member's professional responsibilities regarding the student. Any such text message must be sent to every student in the class or every member of the co-curricular activity. Any such approval for text messaging shall not extend beyond the activity approved by the Principal or designee.
7. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Support Staff Members and a Student
 - a. A support staff member is prohibited from communicating with any student through the support staff member's personal social networking website or other Internet-based website. Communications on personal websites are not acceptable between a support staff member and a student.
 - b. A support staff member shall not accept "friend" requests from any student on their personal social networking website or other Internet-based social media website. Any communication sent by a student to a support staff member's personal social networking website or other Internet-based social media website shall not be responded to by the support staff member and shall be reported to the Principal or designee by the support staff member.
 - c. If a support staff member has a student(s) as a "friend" on their personal social networking website or other Internet-based social media website they must permanently remove them from their list of contacts upon Board adoption of this Policy.
 - d. Communication between a support staff member and a student through social networking websites or other Internet-based social media websites is only permitted provided the website has been approved by the Principal or designee and all communications or publications using such websites are available to: every student in the class; every member of the co-curricular activity and their parents; and the Principal or designee.

ELECTRONIC COMMUNICATIONS BY DISTRICT SUPPORT STAFF (continued)

5. General Use of Social Networking Websites and other Internet- Based Social Media Electronic Communications

Inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to pupils or for public display.

Electronic communications, including communications posted on social media/networking sites, outside of work hours and/or on personal devices, which are inappropriate and therefore prohibited, include but are not limited to:

- Items with sexual content and/or sexual connotation;
- Items exhibiting or advocating use of illegal activities, including illegal drugs;
- Items which exhibit or promote the excess use of alcohol;
- Items that pertain to students, including descriptions of students, student work or confidential information regarding students or other staff members;
- Any content that significantly affects the employee's ability to perform his/her job or disrupts the educational environment;
- Any content that would violate district policies and procedures;
- Any other conduct deemed by the Commissioner of Education, the State Board of Education, statute, administrative code, and/or the judicial case law to be inappropriate conduct and/or conduct unbecoming a school staff member.

The Superintendent/designees may periodically conduct internet searches to ensure that staff members have not posted inappropriate materials on-line. When inappropriate use of computers and the internet is discovered, the Superintendent/designee will seek to preserve the problematic or offensive material and will seek to maintain storage and chain of custody of the evidence.

Reporting Responsibilities

1. In the event a student sends an electronic communication to a support staff member who has not been approved by the Superintendent or designee to have electronic communications, the support staff member shall report the communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such electronic communications. Electronic communications by a support staff member or a student where such communications are not approved by the Superintendent or designee may result in appropriate disciplinary action.
2. In the event a student sends an improper electronic communication, as defined in this Policy, to a support staff member who has been approved by the Superintendent or designee to receive electronic communications, the support staff member shall report the improper electronic communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such improper electronic communications. Improper electronic communications by a support staff member or a student may result in appropriate disciplinary action. Additionally, inappropriate electronic communications and/or publications using e-mails, text-

ELECTRONIC COMMUNICATIONS BY DISTRICT SUPPORT STAFF (continued)

messaging, social networking sites or any other medium that is directed and/or available to pupils or for public display, by a support staff member may result in appropriate disciplinary action.

A support staff member and student may be exempt from the provisions outlined in this Policy, as it applies to electronic communication between the support staff member and a student, if a support staff member and student are relatives. The support staff member and the student's parent shall submit notification to the Principal of the student's school of their family relationship and their exemption from the provisions outlined in this Policy.

This familial exemption does not pertain to the inappropriate electronic communications and/or publications, as described in Paragraph 5 above, as these types of communication are not between the support staff member and the student relative but are more public in nature.

The provisions of this Policy shall be applicable at all times while the support staff member is employed in the school district and at all times the student is enrolled in the school district, including holiday and summer breaks.

A copy of this Policy will be made available on an annual basis, to all parents, students, and school employees either electronically or in school handbooks.

Adopted: September 24, 2015

Legal References:	<u>N.J.S.A. 2A:38A-1 et seq.</u>	Computer System
	<u>N.J.S.A. 18A:6-10</u>	Dismissal and reduction in compensation of persons under tenure in public school system
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:27-4</u>	Power of boards of education to make rules governing employment of teacher, etc.
	<u>N.J.S.A. 18A:36-35</u>	Disclosure of certain student information on Internet prohibited without parental consent
	<u>N.J.S.A. 18A:37-13 et seq.</u>	Anti-Bullying Bill of Rights Act
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.S.A. 47:3-15 et seq.</u>	Destruction of Public Records Law
	<u>N.J.A.C. 6A:9-3.3</u>	Professional standards for teachers
	<u>N.J.A.C. 6A:9-17.5</u>	Grounds for revocation and suspension of certification

In the Matter of Certificate of Weidemoyer, Exam 2010 April 29.

In the Matter of Certificates of Stenz, Exam 2010: March 25.

In the Matter of the Certificates of Alan Chadrijan, Exam 2011: July 28.

In the Matter of Rhaney, Exam 2011: June 16.

In the Matter of Young, Exam: 2011: Sept 22.

In Re Cluggish, Exam 2011, Dec 16.

ELECTRONIC COMMUNICATIONS BY DISTRICT SUPPORT STAFF (continued)

Cross References:

- 2224 Nondiscrimination /affirmative action
- 3570 District records
- 4111.1/ Nondiscrimination/affirmative action
- 4211.1
- 4117.50 Standards for staff discipline
- 4119.22 Conduct and dress
- 4119.23/ Employee substance abuse
- 4219.23
- 5125 Student records
- 5131 Conduct and discipline
- 5131.1 Harassment, intimidation and bullying
- 6121 Nondiscrimination/affirmative action
- 6142.10 Technology
- 6144 Controversial issues
- 6173 Home instruction

Key Words

Text message, Social media, Networking websites, Cell phones, E-mail

Historical Note: Formerly Policy 4119.24/4219.24 Electronic Communication by District Staff, revised, renamed and renumbered 9/24/15

HARASSMENT - INTIMIDATION - BULLYING

FRANKLIN TOWNSHIP BOARD OF EDUCATION
Somerset, New Jersey 08873

FILE CODE: 5131.1

Policy

HARASSMENT, INTIMIDATION OR BULLYING

I. Purpose of Policy/Expectation of Behavior/Prohibition

The Board expects all pupils and employees to treat each other with civility and respect and provides programs to promote these virtues. Disruptive or violent behavior interferes with a pupil's ability to learn and a school's ability to educate its pupils in a safe environment. The Board recognizes its duty to ensure a safe school climate and has adopted policies and programs governing acceptable student conduct. The State has mandated that the Board further address this duty by the adoption of a specific policy addressing incidents of harassment, intimidation or bullying. Hence, the Board prohibits acts of harassment, intimidation or bullying against any pupil.

The Board also recognizes that there are rights and freedoms accorded to students enrolled in the public education system and that it has a responsibility to protect those rights and freedoms. Amongst these are a student's right to be treated with respect and their freedom from the fear of being threatened by another individual, whether it is on school grounds, at any school-sponsored function, or on a school bus.

II. Definitions and Examples of Acts of Harassment, Intimidation or Bullying

A. State Definition of Harassment, Intimidation or Bullying

Generally, the State defines harassment, intimidation or bullying as follows:

"Harassment, intimidation or bullying" is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived difference or characteristic, such as race, color, religion, gender, a mental, physical or sensory disability, sexual orientation, gender identity or expression, national origin or ancestry, or by any other distinguishing characteristic, that takes place on school property at any school-sponsored function, on a school bus or off school grounds as provided for in section 16 of P.L. 2010, Chapter 122, that substantially disrupts or interferes with the orderly operation of the school or the rights of the other students and that:

1. a reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property;
2. has the effect of insulting or demeaning any pupil or group of pupils; or
3. creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

B. Definition of Electronic Communication

"Electronic communication" means a communication that is transmitted or received by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager, on school property, at any school-sponsored function or on a school bus. For the purposes of this policy electronic communication also includes communication by means of electronic device, regardless of its place of origin that substantially disrupts or interferes with the orderly operation of the school or the rights of the other students.

C. Additional District Definition of Harassment, Intimidation or Bullying

In fitting with the above noted recognition of a student’s rights and freedoms, the Board would extend the definition of harassment, intimidation or bullying to include any act by a student toward another student which may be reasonably perceived as, or as having the effect of, one student attempting to exercise power or control over another student so as to deprive that student of his/her freedom from fear, or right to have his/her individual dignity respected.

D. Examples of Harassment, Intimidation or Bullying

For the purposes of this policy, the following may serve as some examples of harassment, intimidation or bullying. Please note that neither the State nor the District define these terms separately. Incidents may be categorized as one term or the other, but the same consequences and remedial actions outlined in this policy apply to all.

1. Harassment - Harassing behaviors are unwelcome, unwanted, and uncomfortable in the view of the recipient. They have the effect of creating a hostile environment for the victim and/or a third party. These may include, but are not limited to a pattern of teasing, name calling, delivering threatening messages (verbal, gestural, or textual), stalking, or spreading rumors. The building Anti-Bullying Specialist, in conjunction with the building principal, Anti-Bullying Coordinator and the Superintendent shall determine whether a behavior constitutes an act of harassment.

Individuals subject to discipline or remedial measures under this policy for acts of harassment include not only those who overtly perform the behavior, but also those who enable the aggressor. For example, a pupil who encourages, supports or eggs on another member of his/her group while he/she publicly ostracizes another student.

2. Intimidation – Intimidating behaviors are those which intentionally try to make another person afraid or try to make another behave in a way that they do not wish to by use of an implied threat of physical or emotional harm. Examples may include extortion for lunch money or one student forcing another to give up their seat, possessions or answers to an exam. The building Anti-Bullying Specialist, in conjunction with the building principal, Anti-Bullying Coordinator and the Superintendent shall determine whether a behavior constitutes an act of intimidation.

Individuals subject to discipline or remedial measures under this policy for acts of intimidation include not only those who overtly perform the behavior, but also those who passively take part in the act. For example, a pupil who encourages, supports or eggs on another while he/she threatens the victim in order to copy their homework.

3. Bullying-Bullying behaviors are similar to those which fall under harassment, but, unlike harassment, bullying does not require a pattern of behavior. Examples of bullying may include threats of physical violence after school or a verbal attack pertaining to the victim or victim’s family concerning the above noted categories, i.e. race, sexual orientation, religion or national origin. The building Anti-Bullying Specialist, in conjunction with the building principal, Anti-Bullying Coordinator and the Superintendent shall determine whether a behavior constitutes an act of bullying.

Individuals subject to discipline or remedial measures under this policy for acts of bullying include not only those who overtly perform the aggressive behavior, but also those who encourage the aggressive behavior. For example, pupils who encourage, support or egg on a pupil to use physical force upon another.

III. Consequences and Remedial Measures for Acts of Harassment, Intimidation or Bullying By Pupils, Classified Students and Staff

A. Pupils

Consequences and appropriate remedial actions for a pupil who commits an act of harassment, intimidation or bullying may include and range from positive behavioral interventions, restitution, restoration, corrective instruction or other relevant learning or service experience, student counseling and parent conferences up to and including short and long-term suspension or expulsion, as permitted by law.

Both the consequences and remedial measures shall be designed to address and rectify the problem behavior; prevent another occurrence of the problem; and protect and provide support for the victim of the act.

The following should be considered when determining the remedial action and/or disciplinary consequence for a student who has committed an act of harassment, intimidation and bullying: the developmental age of the student as indicated by his or her grade or age equivalent; whether this is a first offense of the aggressor; whether this is the first report by the victim; any applicable history between the students and any pertinent family issues.

As noted above, a student may be found to have committed an act of harassment, intimidation or bullying without being the individual who performed the overt act.

In order to create a climate where acts of harassment, intimidation and bullying are not accepted, bystanders to acts of harassment, intimidation and bullying are encouraged not to participate in the act or give the aggressor an audience. Instead these bystanders are encouraged to report the act to the appropriate personnel. Further, a bystander may be considered an enabler at the discretion of the building principal designees, and may be subject to the same level of consequence/remedial action as the aggressor.

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 student and the student's history of problem behaviors and performance. Consequences shall be consistent with the Board approved Code of Student Conduct and all applicable law.

Consequences for acts of harassment, intimidation or bullying are identified in the Code of Student Conduct and range from the minimum level of a conference to a level five offense which allows for the expulsion of the student.

- Level 1 – School personnel will enforce appropriate disciplinary consequences for violations of the Student Code of Conduct that involve the students, parents/guardians, school personnel, and legal law enforcement as is appropriate.
- Level 2 – Consequences will include conferencing and the assignment of detentions or other disciplinary remedies, but not out-of-school suspension.
- Level 3 – Out of school suspension shall be given. At this level the student shall be removed from the school for a short time in accordance with School Board Policies and State Law per the following steps:

- a suspension of one to three (1-3) days requires a parent conference to return to school;
- a suspension of three to five (3-5) days requires a referral to SAC (Student Assistant Coordinator) and parent conference with principal;
- a suspension of five to ten (5-10) days requires referral to I&RS team and parent conference with principal.

Note – For Levels 1, 2 and 3 excessive cumulative suspensions at any level in a single year may result in:

- referral to guidance counselor, SAC, I&RS (Intervention & Referral Service) or Child Study Team (CST);
- change in academic placement;
- additional behavioral intervention;
- movement to Level 4.

- Level 4 – Mandatory suspension shall be given and a mandatory assessment shall be conducted. At this level there will be a mandatory ten (10) day suspension of the student accompanied by an assessment for future placement. The student’s records will be reviewed by the building administration to determine if the discipline infraction requires program modification. If the modification includes Out-of-District placement in a non-classified situation approval of the Director of School Management and Student Advocacy is required.

A written summary of the building administration’s assessment, along with recommendations and/or actions taken by the Director of School Management and Student Advocacy will be presented to the Superintendent of Schools before the student is readmitted to school or is placed in any educational program. The Superintendent may refer to the Board of Education for consideration of Level 5 adjudication.

- Level 5 – This level may result in expulsion. Level 5 provides for long-term suspension or permanent separation of the student from the school system:
 - ten (10) day suspension pending Board hearing;
 - home instruction pending Board hearing;
 - Board hearing pending expulsion.

At all Levels repeated violations may increase the severity of the consequences. Administrators charged with the responsibility of creating and maintaining a safe and drug free environment may find it necessary to use options and procedures not covered in these action levels.

2. Remedial Measures-Remedial measures for a pupil who commits an act of harassment, intimidation or bullying shall be tailored to the nature of the behavior, sensitive to the developmental age of the student, and cognizant of the student’s history of problem behaviors and performance.

The following remedial measures may be considered for the aggressor:

- counseling;
- restitution and restoration;
- mediation;

- behavioral assessment or evaluation, including, but not limited to, a referral to the child study team as appropriate;
- and/or the development of a behavioral management plan.

B. Classified Pupils

Classified pupils are subject to the same disciplinary procedures as nondisabled pupils and may be disciplined in accordance with their Individual Educational Program (IEP).

However, before disciplining a classified pupil, it must be determined that:

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

Further, nothing in this policy should be construed as altering or reducing the rights of a pupil with a disability with regard to disciplinary actions or to general or special educational services and supports.

C. Staff

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from behavioral interventions up to disciplinary charges that could result in suspension or termination.

1. Consequences- Consequences for a staff member who has been found to have committed an act of harassment, intimidation or bullying include admonishment, temporary removal from the classroom (re-assignment), deprivation of privileges, withholding of increment, suspension, termination and where warranted, legal action against the individual. All disciplinary sanctions must be implemented with consideration of the individual's due process rights.
2. Remedial Action-Remedial action for a staff member who has been found to have committed an act of harassment, intimidation or bullying include restitution and restoration; mediation; and any counseling or treatment options available through the individual's health insurance plan. Where applicable, treatment options may be available under other District policies, i.e. substance abuse.

IV. District Staff Roles in Addressing Incidents of Harassment, Intimidation or Bullying

In order to effectively respond and limit further incidents of harassment, intimidation and bullying in the District, a combined effort of all stakeholders will be needed. This includes central administration, teachers, guidance counselors, student assistance coordinators, other staff members, students, parents, volunteers, visitors and Board members. While the Superintendent, building principals and/or their designees shall bear the primary responsibility with regard to reported incidents of harassment, intimidation and bullying, the following outlines the duties of other specific staff members and their roles in the response to incidents of harassment, intimidation or bullying.

A. District Anti-Bullying Coordinator

The Superintendent shall appoint a District Anti-Bullying Coordinator. S/he shall make every effort to appoint an employee of the School District to this position.

The District Anti-Bullying Coordinator shall:

- Be responsible for coordinating and strengthening the School District's policies to prevent, identify, and address harassment, intimidation, and bullying of students;
- Collaborate with school Anti-Bullying Specialists in the District, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, and bullying of students in the District;
- Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, and bullying of students; and
- Execute such other duties related to school harassment, intimidation, and bullying as requested by the Superintendent.

The District Anti-Bullying Coordinator shall meet at least twice a school year with the school Anti-Bullying Specialists in the District to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the District.

B. School Anti-Bullying Specialist

The principal in each school shall appoint a school Anti-Bullying Specialist.

When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the principal shall appoint that individual to be the school Anti-Bullying Specialist.

If no individual meeting these criteria is currently employed in the school, the principal shall appoint a school Anti-Bullying Specialist from currently employed school personnel.

The school Anti-Bullying Specialist shall:

- Chair the School Safety Team;
- Lead the investigation of incidents of harassment, intimidation, and bullying in the school; and
- Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

C. School Safety Team

The District shall form a School Safety Team in each school to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying.

The School Safety Team shall meet at least two times per school year.

The School Safety Team shall be appointed by the principal and consist of

- the principal or his or her designee, who, if possible, shall be a senior administrator;
- a teacher in the school;
- the school Anti-Bullying Specialist (who shall serve as the chair of the School Safety Team);
- a parent/guardian of a student in the school;
- and other members to be determined by the principal.

The School Safety Team shall:

- receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;
- receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- identify and address patterns of harassment, intimidation, or bullying of students in the school;
- review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- participate in the training required pursuant to the provisions of (N.J.S.A.18A:37-13 et seq.) and other training which the principal or the District Anti-Bullying Coordinator may request;
- collaborate with the District Anti-Bullying Coordinator in the collection of District-wide data and in the development of District policies to prevent and address harassment, intimidation, and bullying of students; and
- execute such other duties related to harassment, intimidation, or bullying as requested by the principal or District Anti-Bullying Coordinator.

No parent/guardian who is a member of the School Safety Team shall:

- receive complaints of harassment, intimidation or bullying of students that have been reported to the principal;
- receive copies of reports prepared after an investigation of a harassment, intimidation or bullying incident;
- identify and address patterns of harassment, intimidation or bullying of students; or
- participate in any other activities of the team which may compromise the confidentiality of a student.

Any member of the School Safety Team with personal knowledge of or involvement with any case that comes before the committee must recuse themselves.

V. Reporting Harassment, Intimidation or Bullying

The Superintendent, principal and/or their designee shall be responsible for receiving complaints of harassment, intimidation or bullying as outlined in this policy.

Victims and parents are encouraged to report acts of harassment, intimidation or bullying to the building principal or his/her designee. The Board recognizes that some acts of harassment, intimidation or bullying may not always be easily articulated and as such encourages victims and parents to consult with the building principal or his/her designee whenever they have a question about whether student conduct qualifies as harassment, intimidation or bullying.

Reports of harassment, intimidation or bullying may be made in any form, including but not limited to, oral reports, written reports or electronic reports. The Board shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report.

A. Duties and Timelines for Reporting Acts of Harassment, Intimidation or Bullying

All school employees, Board members, contracted service providers, pupils, visitors or volunteers who have witnessed, or have reliable information that a pupil has been subject to harassment, intimidation or bullying, have a duty and must report the incident as outlined below.

The following procedures shall apply to the reporting of incidents of harassment, intimidation or bullying.

- All acts of harassment, intimidation, or bullying shall be reported *verbally* to the school principal/designee *on the same day* when the school employee or contracted service provider witnessed or received reliable information regarding any such incident.
- The principal/designee shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services. All applicable laws regarding student confidentiality must be protected.
- All acts of harassment, intimidation, or bullying shall be reported *in writing* to the school principal/designee *within two school days* of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying.
- A Board member who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the building principal/designee (if known) and forward an email relating the incident to the Superintendent, the Anti-Bullying Coordinator and the Director of School Management/Student Advocacy.
- If the Board member who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying is unable to contact the building principal/designee, he/she may report the incident to any school administrator or safe schools resource officer, who shall immediately initiate the District's procedures concerning school bullying. The Board member should also forward an email relating the incident to the Superintendent, the Anti-Bullying Coordinator and the Director of School Management/Student Advocacy.

- A pupil, visitor or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the building principal/designee.
- If a employee, contracted service provider, pupil, visitor or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying is unable to contact the building principal/designee, he/she may report the incident to any school administrator or safe schools resource officer, who shall immediately initiate the District's procedures concerning school bullying.
- If a pupil, visitor or volunteer has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying he/she may chose to report the incident anonymously. The District shall establish mechanisms for the reporting of anonymous tips, i.e. a dedicated email address and/or a tip hot line and publicize these mechanisms on the District web-site.

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

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

VI. Investigating Reported Incidents of Harassment, Intimidation or Bullying Committed by a Student

A. Investigation

The Board requires that all violations and complaints of harassment, intimidation or bullying be investigated promptly and in accordance with law and the following procedures:

- All investigations shall be thorough, complete, documented in writing and shall include, but not be limited to:
 - taking of statements from victim, witnesses and accused;
 - careful examination of facts;
 - support for the victim (the victim and aggressor of an alleged incident of harassment, intimidation or bullying should be seen by a guidance counselor initially to discuss the incident) additional counseling sessions may be given as needed; and
 - a determination if the alleged act constitutes a violation of this policy.
- The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident and shall be conducted by a school Anti-Bullying Specialist. The principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist in the investigation.

- The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school Anti-Bullying Specialist may amend the original report of the results of the investigation to reflect the information.
- The results of the investigation shall be reported to the Superintendent within two school days of the completion of the investigation, and in accordance with law and Board policy. The Superintendent may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
- The building principal is the person primarily charged with maintaining the safety of his/her school building. Nothing in this policy should be construed as prohibiting a building principal from following the Student Code of Conduct and in dispensing any disciplinary consequence or remedial action for the behavior under investigation, before the harassment, intimidation or bullying investigation is completed.

The School Anti-Bullying Specialist, in conjunction with the building principal, shall maintain all reports and records of the investigation on file.

The Superintendent/designee shall report incidents of harassment, intimidation or bullying to the Department of Education through the Electronic Violence and Vandalism Reporting System (EVVRS).

B. Reporting Results of Investigation

The results of each investigation shall be reported to the Board of Education no later than the date of the next Board meeting following the completion of the investigation, and include:

- any services provided;
- training established;
- discipline imposed; or
- other action taken or recommended by the Superintendent.

All applicable laws and regulations regarding pupil and/or employee confidentiality shall be enforced.

The Superintendent or his or her designee shall ensure that parents or guardians of the students who are parties to the investigation shall receive information about the investigation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the Board and include:

- 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.

All applicable laws and regulations regarding pupil and/or employee confidentiality shall be enforced.

C. Appeal Process

The parent or guardian may request a hearing before the Board after receiving the information from the Superintendent regarding the completed investigation.

The hearing shall be held within 10 days of the request. The Board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the Board may hear from the school Anti-Bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

At the next Board of Education meeting following its receipt of the report, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision.

The Board's decision may be appealed to the Commissioner of Education, in accordance with law, no later than the 90 days after the issuance of the Board's decision.

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

VII. Investigating Reported Incidents of Harassment, Intimidation or Bullying Committed By A Staff Member or Other Adult

The investigation, reporting of results and appeal process for reported incidents of harassment, intimidation or bullying by a staff member or other adult shall be governed by all applicable laws, policies and negotiated contracts. These policies include but are not limited to Policy 1312 Community Complaints and Inquiries and Policy 5141.1 Child Abuse.

As with incidents of harassment, intimidation and bullying committed by a student, a parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180 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."

VIII. Range of Responses to Harassment, Intimidation or Bullying

The Board of Education recognizes that some acts of harassment, intimidation or bullying are isolated incidents which require that the school officials respond appropriately to the individuals committing the acts and provide support programs for the victim(s). Other acts are either so serious or represent part of a larger pattern of harassment, intimidation or bullying that they require a broader institutional response, at the classroom, school building and/or School District levels and/or through referral to law enforcement officials. In fashioning an appropriate response, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred.

A. Individual Responses

For every incident of harassment, intimidation or bullying, the District shall respond to the individual who committed the act and provide support for the victim. Remedial measures and disciplinary consequences available to administrators are listed above at III above.

B. Institutional Responses

Institutional responses are those which address harassment, intimidation or bullying on a classroom, school or District-wide level, for example the use of surveys, workshops or staff training.

School level institutional responses will be formulated by the school principal in conjunction with the school Anti-Bullying Specialist, and may include input from the other members of the School Safety Team, staff members, the guidance counselor and/or the student assistance coordinators.

District level institutional responses will be formulated by the Superintendent/designee, in conjunction with the District Anti-Bully Coordinator and may include input from the principals, other administrators, the school anti-bullying specialists, and/or the student assistance coordinators.

IX. Retaliation and Reprisal, Prohibition and Consequences

A. Prohibition

The Board prohibits reprisal or retaliation against any person who witnesses and/or reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Superintendent and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and Board policies and procedures. The Board further prohibits false accusation of an act of harassment, intimidation or bullying.

B. Consequences

Any act of retaliation or reprisal against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, Board member, contracted service provider, volunteer or visitor who engages in the act of retaliation or reprisal or who falsely accuses another shall be subjected to consequence and where applicable appropriate remedial action, in accordance with applicable law, this policy and other Board policies. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

- A person who commits an act of retaliation or reprisal against the individual who witnessed and/or reported the original act of harassment, intimidation or bullying, or an individual who intentionally falsely accuses someone of harassment, intimidation or bullying, is subject to the same disciplinary consequences as the original aggressor.
- However, a person who in good faith reports an act that he or she believes to be an incident of harassment, intimidation or bullying, which, upon investigation, is deemed not to be a incident of harassment, intimidation or bullying, will not be subject to disciplinary measures for reporting the incident.
- The level of disciplinary consequence may match the level of the original consequences given to the aggressor or may, in the case of a student, increase to the next level of consequence as outlined in the Code of Student Conduct.
- All disciplinary sanctions must be implemented with consideration of the individual's due process rights.

X. Prevention, Dissemination, Publication and Review

A. Prevention

The Board of Education recognizes that the prevention of acts of harassment, intimidation and bullying may be supported by specialized instruction for pupils; staff, Board member, and volunteer training; and other workshops/programs involving pupils and the community at large in this area.

As such, and in accordance with state mandates, the Board directs the Superintendent to establish the following:

- Week of Respect - The week beginning with the first Monday in October of each year is designated as a “Week of Respect” in the State of New Jersey. The District, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation, or bullying as defined by law (N.J.S.A. 18A:37-14).
- Throughout the school year the District shall provide ongoing age-appropriate instruction for students focusing on preventing harassment, intimidation, and bullying in accordance with the Core Curriculum Content Standards.
- Training
 - School Leaders - any school leader who holds a position that requires the possession of a chief school administrator, principal, or supervisor endorsement shall complete training on issues of school ethics, school law, and school governance as part of the professional development for school leaders required in accordance with State Board of Education regulations. This training shall also include information on the prevention of harassment, intimidation, and bullying (N.J.S.A. 18A:26-8.2).
 - Teaching Staff Development - each public school teaching staff member shall complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide (N.J.S.A. 18A:6-112).
 - Board Members - within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board member shall complete a training program on harassment, intimidation, and bullying in schools, including a School District’s responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). A Board member shall be required to complete the program only once (N.J.S.A. 18A:12-33).
 - Staff, Student and Volunteer Training - the school District shall:
 - provide training on the school District's harassment, intimidation, or bullying policy to school employees and volunteers who have significant contact with students;
 - provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements;

- ensure that the training includes instruction on preventing bullying on the basis of the protected categories as required by law (N.J.S.A.18A:37-14) and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying; and
- develop a process for discussing the District's harassment, intimidation or bullying policy with students.

B. Dissemination

The Board of Education believes that the dissemination of information regarding reported incidents of harassment, intimidation and bullying and the District's response, is an important way to keep the community aware of the District's on-going commitment to investigate and appropriately respond to reports harassment, intimidation or bullying.

- Reporting to the Board of Education – HIB Grade
 - Information regarding specific investigations of harassment, intimidation and bullying claims will be reported to the Board of Education by the Superintendent no later than the date of the Board meeting following the completion of the investigation. Please refer to Section VI B.
 - Information on reported incidents of harassment, intimidation and bullying will also be provided to the Board of Education and the public at a public hearing which will be held twice a year, between September 1 and January 1 and between January 1 and June 30. At this meeting the Superintendent will report to the Board of Education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law including:
 - The number of reports of harassment, intimidation, or bullying;
 - The status of all investigations;
 - The nature of the bullying based on one of the protected categories identified in N.J.S.A. 18A:37-14 such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
 - The names of the investigators;
 - The type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying; and
 - Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

- Reporting to the Department of Education
 - The information, including but not limited to, oral reports, written reports or electronic reports shall also be reported once during each reporting period between September 1 and January 1 and between January 1 and June 30, to the Department of Education.
 - The report shall include:
 - data broken down by the enumerated categories including the protected categories as listed above and the type of harassment, intimidation or bullying (any gesture; any written, verbal or physical act; or any electronic communication, whether it be a single or series of incidents); and
 - data broken down by each school in the District, in addition to District-wide data.
- HIB Grade
 - The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with law (N.J.S.A. 18A:37-13 et seq.). The District shall receive a grade determined by averaging the grades of all the schools in the District.
 - Each school shall post the grade received by the school and the overall District grade on the homepage of the school's website. The District shall post all the grades for each school of the District and the overall District grade on the homepage of the District's website. A link to the report shall be available on the District's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and District.
 - It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.
 - The Superintendent will annually submit the report to the Department of Education utilizing the Electronic Violence and Vandalism Reporting system (EVVRS).
 - The Superintendent shall accurately report on each incident of violence, vandalism, alcohol and other drug abuse, and incident of harassment intimidation or bullying within the School District. Any allegations of falsification of data will be reviewed by the Board of Education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g).
 - The State Board of Education shall impose penalties on any school employee who knowingly falsifies the report. Therefore, the Superintendent shall make a reasonable effort to verify reports of violence, vandalism, and harassment, intimidation, or bullying.
 - The Board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

C. Publication

To prevent acts of harassment, intimidation and bullying and to promote widespread awareness of and knowledge of this policy, the Superintendent shall assure that this policy is publicized in the following ways:

- Distributed annually to all staff, students and parents/guardians;
- Referenced in school handbooks and the Student Code of Conduct and included in its entirety in the Student Code of Conduct beginning with school year 2012-2013;
- Made available in each school building in a way consistent with this policy.
- Information regarding the School District policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program and provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the District to provide services to students. These individuals shall submit a signed acknowledgement of receipt of training materials and are familiar with the reporting protocols.
- The policy will be made available via a link on the District website and the websites of the individual schools in the District.
- Students and parents/guardians will be notified that the policy is available on the District's website.
- The name, school phone number, school address and school email address of the District Anti-Bullying Coordinator will be published on the home page of the District website.
- The name, school phone number, school address and school email address of the District Anti-Bullying Coordinator and the school specific school Anti-Bullying Specialist will be published on the home page of the each school's website.
- Information concerning the District Anti-Bullying Coordinator and the school Anti-Bullying Specialists will be provided to the Department of Education so that this information may be maintained on the Department of Education's website.
- The Department of Education's guidance document for the use by parent/guardians, students and District staff to assist in resolving complaints concerning student harassment, intimidation or bullying shall be made available, in an easily accessible location of the District's website.

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

D. Review

The Board of Education believes that review of this policy and the District programs concerning harassment, intimidation or bullying will allow the District to better respond to complaints of harassment, intimidation or bullying.

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

To assess the effectiveness of its prevention and implementation efforts the Board shall annually review the extent and characteristics of harassment, intimidation and bullying behavior in the school buildings of the School District. The Board shall implement and fund locally determined programmatic or other responses as appropriate. These programs or other services shall be planned in consultation with parents, students and other community members, including appropriate community-based social and health provider agencies, law enforcement officials, school employees, school volunteers, students and school administrators, as appropriate.

The Board shall annually review the training needs of the District staff for the effective implementation of the harassment, intimidation or bullying policies, procedures, programs and initiatives. The Board shall implement and fund locally determined staff training programs consistent with the annual review of training needs, the findings of the annual review and update of the Code of Student Conduct.

The District Harassment, Intimidation or Bullying Policy shall be adopted through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

The District shall annually conduct a re-evaluation, reassessment, and review of this policy, making any necessary revisions and additions. The Board shall include input from the school Anti-Bullying Specialists in conducting its re-evaluation, reassessment, and review. The District shall transmit a copy of the revised policy to the appropriate Executive County Superintendent within 30 school days of the revision (beginning September 1, 2011).

The Superintendent shall ensure that the rules for this policy are applied consistently with the District’s Code of Student Conduct N.J.A.C. 6A:16-7 and all applicable laws and regulations and that all disciplinary sanctions are carried out with necessary due process.

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

Adopted: March 11, 2010

Revised: August 25, 2011

Legal References:	<u>N.J.S.A. 2A:4A-60</u> et al	Disclosure of juvenile information; penalties for disclosure
	<u>N.J.S.A. 2C:33-19</u>	Paging devices
	<u>N.J.S.A. 18A:6-1</u>	Corporal punishment of pupils
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:37-13.2</u>	Anti-Bullying Bill of Rights Act
	<u>N.J.S.A. 18A:25-2</u>	Authority over pupils
	<u>N.J.S.A. 18A:37-1, et seq</u>	Discipline of pupils
	<u>N.J.S.A. 18A:37-15</u>	HIB Policy required
	P.L. 2007, c 129	“Electronic Communication” required
	<u>N.J.S.A. 18A:37-15.2</u>	Website posting and notification
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsions

<u>N.J.A.C.</u> 6A:16-1,.1 et seq.	Programs to support student See particularly: development
<u>N.J.A.C.</u> 6A:16-1.4,-2.4, -4.1, -5.1, -6.1, -6.2, -7.1, -7.9	
<u>N.J.A.C.</u> 6A:16-1.4(a)16	Code of Student Conduct
<u>N.J.A.C.</u> 6A:16-1.4(a)19	Confidentiality
<u>N.J.A.C.</u> 6A:16-5.4	Confidentiality
<u>N.J.A.C.</u> 6A:16-7.1(a-d)	Code of Student Conduct
<u>N.J.A.C.</u> 6A:16-7.6	Conduct away from school grounds
<u>N.J.A.C.</u> 6A:16-7.9	HIB Policy requirements
<u>N.J.A.C.</u> 6A:32-12.1	Reporting requirements
<u>N.J.A.C.</u> 6A:32-12.2	School-level planning

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

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

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

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

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

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

L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (*Feb. 22, 2007*), 2007 *N.J. LEXIS 184*

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

Cross References:

1220	Ad Hoc advisory committees
1312	Community complaints and inquires
1410	Local Units
3517	Security
3541.33	Transportation safety
4111.1/4211/1	Non-Discrimination/Affirmative Action
4117.5/4217.5	Standards for Staff Discipline
4131/4131.1	Staff development: in service education/visitations/conferences
4231/4231.1	Staff development: in service education/visitations/conferences
5020	Role of parents/guardians
5114	Suspension and expulsion
5124	Reporting to parents/guardians
5125	Student Records
5131	Conduct and Discipline
5131.5	Vandalism/violence
5131.7	Weapons and dangerous instruments
5141.4	Child abuse and neglect

5145	Rights
5145.4	Equal educational opportunity
5145.6	Pupil grievance procedure
5145.11	Questioning and apprehension
5145.12	Search and seizure
6145	Extracurricular activities
6164.4	Child study team
6171.4	Special education
6172	Alternative educational programs
9010.1	Indemnification of Board Member

Key Words: Harassment; Intimidation; Bullying; Conduct; Discipline; Retaliation; Reprisal; Harassment, Intimidation, Bullying Grade; Anti-Bullying Coordinator; Anti Bullying Specialist; School Safety Team; Electronic Violence and Vandalism Report

Historical Note: formerly incorporated in Policy 5131 Conduct and Discipline; Regulation 5131.1R Harassment, Intimidation or Bullying, reincorporated into this policy, August 25, 2011.

DRUGS, ALCOHOL, TOBACCO, STEROIDS (SUBSTANCE ABUSE)

Board Policy 5131.6 and its accompanying regulation pertain to the education of our students with regard to the use of drugs, alcohol, tobacco and steroids. This policy and regulation also govern the identification, remediation, examination, treatment, discipline and, where applicable, the readmission to school, of those students who use, possess, distribute or been suspected of being under the influence of drugs, alcohol, tobacco or steroids.

The following summarizes some important points in this policy, regulation and the applicable law in this area. Parents/Guardians and students are encouraged to review the entire policy and regulation available through the District website. This is intended only as a summary and this does not revise or amend applicable policies/regulations in any way. In the event of any differences between this summary and any policies or regulations, the policies and regulations shall control.

EDUCATION PROGRAM

The District has developed a comprehensive program of drug, alcohol, tobacco and steroid education. Pursuant to N.J. S. A. 18A:40A-1 *et seq.*, a Board approved comprehensive drug, alcohol, tobacco and steroid education has been infused in the health curriculum, grades 7-12 offering a minimum of 10 clock hours per school year.

IDENTIFICATION AND REMEDIATION OF STUDENTS

The District has developed a process to identify and remediate students involved with drugs, alcohol, tobacco and steroids. If a teacher, administrator, guidance counselor or other staff member believes that the student may be a substance abuser, that is that he or she may be involved with drugs, alcohol, tobacco or steroids, *but that the student is not presently under the influence of these substances*, the teacher, administrator, guidance counselor must notify the Student Assistance Counselor [SAC]. Additionally students and parents/guardians may also seek the advice of the SAC's. The SAC will then set up an interview with the student to assess the extent of the student's involvement with these substances and, where appropriate, refer pupils and their families to organizations and agencies approved by the Department of Health to offer competent professional treatment. Treatment will *not* be at the expense of the District.

EXAMINATION OF STUDENTS

The District has developed the following procedure for the examination and treatment of students suspected of being under the influence of drugs, alcohol, tobacco, or steroids to determine the extent of the student's drug or alcohol use or dependency.

- When it appears to any teaching staff member, school nurse or other educational personnel that a student may be under the influence of substances, as defined in law, including but are not limited to, alcohol, controlled dangerous substances and anabolic steroids, the teaching staff member, school nurse or other educational personnel shall report the matter as soon as possible to the school nurse, the Student Assistance Coordinator and the principal or designee in addition to completing the Referral for Medical Evaluation and Drug/Alcohol Screen Form.¹

¹ The procedures detailed in this section refer to suspected use of alcohol or drugs. Similar procedures will be used for the suspected use of anabolic steroids. Those procedures may be found in Board Regulation 5131.6.

- The principal or designee shall immediately notify the parents/guardians and the Superintendent/designee.
- The student will receive a preliminary screen conducted by the school nurse and the principal/designee shall arrange for an **immediate examination of the student**, including alcohol/drug screen. This examination may be performed by a physician selected by the family or by the Board of Education Medical Inspector at no cost to the family. However it is the parent's responsibility to immediately take the student for the medical testing.
- While the student is waiting for the examination (examination must be completed within 2 hours), whether it is to be performed by a physician selected by the family, the Medical Inspector or an emergency room physician, the student must be supervised by a District staff member or parent/guardian. The student is not allowed to smoke, eat or drink anything with the exception of water until the examination is complete.
- If a physician is selected by the family, the family will bear the cost of the examination. Since time is of the essence in these types of examinations, the parent/guardian must pick up their child and arrange for an examination within two hours of being notified by the school that their child is suspected of being under the influence. The parent/guardian must accompany their child to the examination, submit the appropriate District form to the doctor, and arrange for any necessary authorizations to be executed so that the District may receive the results of the examination.
- If the parent/guardian is unreachable or is unable to accompany the student to the examination within the two hour period, the principal/designee will act in loco parentis and transport the student to the Board of Education Medical Inspector for the medical examination including the drug/alcohol screen. The parent/guardian may also consent to use of the Board of Education Medical Inspector at no charge and accompany their child to the examination. Once again, the appropriate District form will be submitted to the physician.
- If the physician chosen by the family or the Board of Education Medical Inspector is not available to conduct an examination within a two hour period, the law permits the principal/designee to accompany the student to the emergency room for the examination including a drug/alcohol screen. The parent/guardian may accompany the student, if available, and the appropriate District form will be submitted to the emergency room physician. The District will bear the cost of this emergency room examination.
- If the parent/guardian refuses to allow the student to be examined and to undergo a drug/alcohol screen, all treatment/disciplinary procedures outlined in District policy, regulation and the Student Code of Conduct will be implemented as if the student tested positive for drugs or alcohol. Additionally, violations of the Compulsory Education Act may result and child neglect laws may apply.
- Within 24 hours, and often times much sooner, the examining physician will return a written report of the examination on the District form to the parent/guardian. This form basically clears the student to return to school as the medical examination verifies that alcohol or other drugs do not interfere with the student's physical and mental ability to perform in school. This "OK to Return" to school may be provisional upon the results of the drug/alcohol screen.
- If the parent/guardian does not receive the written report within 24 hours the student may return to school pending the results of the report and the drug/alcohol screen.

TREATMENT AND DISCIPLINE OF STUDENTS

The District has developed the following procedures for the treatment and discipline of students who use, possess, or distribute drugs, alcohol, tobacco, and steroids in violation of law or District policy and regulation in this area. These include referral to an appropriate drug/alcohol abuse program as recommended by the Department of Health where applicable.

Treatment - Students Who Test Positive for Alcohol, Drugs or Steroids

- If there is a positive finding for alcohol or other drugs, the student and parent will be required to meet with the Student Assistance Coordinator or other appropriately trained teaching staff member upon the student's return to school. The purpose of this meeting is to determine the extent of involvement and possible need for treatment. The SAC or other staff member may conduct a reasonable investigation including interviews with the student's teachers as well as his/her parents. The SAC or other staff member may consult with experts in the field of substance abuse as may be necessary and appropriate. The student will continue to meet with the SAC or other staff member for a minimum of five sessions and if deemed clinically appropriate accept a referral for additional outpatient substance abuse counseling. Additionally the student/parent/guardian may be asked to consent to random drug testing of the student.
- If it is determined that the student's involvement with one of these substances represents a danger to the student's health and well-being, the SAC or other staff member shall refer the pupil to an appropriate treatment program, which has been approved by the Department of Health.
- These treatment options also apply to a student who is found in possession or who distributes drugs, alcohol, or steroids. Treatment options for those students who are found to use, possess or distribute tobacco products are cited below.

Discipline - Students Who Test Positive for Alcohol, Drugs or Steroids

- 1st offense: Two days OSS (out of school suspension) and 3 days ISS (in school suspension);
Hearing with student, parent, SAC and grade level administrator to review the treatment plan and expectations of the student and parent or guardian.
- 2nd offense and subsequent offenses: Five to Ten days OSS; Possible hearing before the Board of Education to consider expulsion.

Discipline for students who are found to use, possess or distribute tobacco products are cited below.

READMISSION OF STUDENTS CONVICTED OF OFFENSE

The District has established the following procedures to govern the readmission to school and treatment of pupils who have been convicted of drug, alcohol, tobacco and/or steroid offenses.

- Any student who has been convicted of a drug, alcohol or steroid offense shall be enrolled in a substance abuse treatment program and monitored by the SAC.
- Additionally the SAC and administration shall maintain ongoing communication with the probation/parole officers and all other agencies involved with that student.
- The student/parent/guardian may be asked to consent to random drug testing of the student.
- The student shall successfully complete any mandated treatment program.

TOBACCO USE

PROHIBITION

The Franklin Township Public School District recognizes that tobacco use is a public health issue and that tobacco is a highly addictive gateway drug. As expressed in Board policy, the use of tobacco products by students, faculty, staff, school visitors or volunteers, on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is prohibited. Additionally, the possession of tobacco products by a student on school grounds, in school buildings and facilities, on school property or at school-related or school-sponsored events is prohibited.

DEFINITIONS

For the purposes of this Student Code of Conduct,

Tobacco Product is defined as cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers and any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products).

Tobacco use includes smoking, chewing, dipping, or any other use of tobacco products including e-cigarettes.

Since new products in this area continue to be introduced, the above lists are not inclusive; other prohibited items in this area may be added at the principal's discretion.

PREVENTION

The Franklin Township Public School District is committed to the prevention of tobacco use amongst its students. Prevention education is infused into the health curriculum. Additionally, assemblies, prevention programs and activities are conducted throughout the school year at the different schools in the District at age appropriate levels. Further information on these programs is available through the Student Assistance Counselors.

TREATMENT

Intervention is the first response in addressing violations of the District's prohibition of tobacco use. Students who violate the District's Tobacco-Use Policy will be referred to the Student Assistance Counselor, guidance counselor, school nurse, or other health or counseling services for health information, counseling and possible referral to a cessation program.

Parents/guardians will be notified of all violations and actions taken by the school.

DISCIPLINE

While intervention is the preferred response to the possession or use of tobacco products, the Discipline Matrix on page 65 allows for disciplinary action including suspension and referral to the central office. As with all violations of this Student Code of Student Conduct, the building principal will have discretion as to the implementation of the Discipline Matrix. He/she may consider the repetitive nature of the offense and/or whether the offense endangered the health or well-being of another student or staff member.

FIREARMS AND OTHER WEAPONS

FIREARMS – ZERO TOLERANCE FOR GUNS ACT (18A:37-7 AND 8)

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

OTHER WEAPONS

Definitions

1. "Other Weapons" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; num chucks; throwing stars; explosives; fireworks; incendiary devices; mace and other propellants; stun guns; ammunition; chains; arrows; incapacitation and audio alert devices; and objects that have been modified to serve as a weapon.
2. Devices or instruments having the appearance of a weapon including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. Lasers or laser pointers, belts, combs, pencils, files, scissors, etc. shall be considered weapons if they are used to inflict bodily harm and/or intimidate. Such use will be treated as the possession and use of a weapon.

When the building principal determines that a student is in possession of an object classified as "other weapon", the student shall be disciplined in accordance with BOE policy and this Student Code of Conduct.

DISCIPLINE FOR ALL ACTS OF STUDENT MISBEHAVIOR

DISCIPLINE PROCESS

The discipline process is triggered when a student engages in misconduct that is observed by a school employee or when an investigation from a complaint or anonymous tip is completed. Faculty use of behavior management strategies in their classroom is considered the first line of discipline for minor misconduct. As such, teachers may utilize the following strategies prior to referring a student for administrative disciplinary action (this is not a comprehensive list):

- conferencing with the student;
- contacting the student's parent/legal guardian;
- assigning a teacher detention;
- seeking assistance from colleagues to create a plan to support the student with meeting positive behavioral expectations;
- documenting student misconduct using the Multiple-Offense form.
- District Administrators and staff have the right to question students regarding any situation that either jeopardizes student safety or property.

MISCONDUCT WARRANTING ADMINISTRATIVE ACTION

The student may be referred to the building administrator when a) the nature of the misconduct warrants immediate attention, and/or b) problem behavior continues despite the use of teacher-mediated behavior management and disciplinary strategies.

Administrators who receive students for disciplinary action consider the type, scope, and severity of the infraction in order to assign an appropriate consequence within the framework provided in the Code of Conduct.

Misconduct that warrants the lowest consequence level is characterized as a first offense or an isolated incident. Misconduct that warrants a higher consequence level is characterized by multiple offenses documented by the referring teacher and/or multiple referrals to the building administrator.

Some incidents of misconduct may meet criteria for Law Related Violations and Consequences and will be managed according to the Discipline Matrix beginning on page 67.

Note: Any person, including but not limited to students, school employees, parents, other adults or juveniles, who enters on any school property, any school building, or school bus, may be video and/or audio taped as part of the measures taken by the District to provide a safe, secure, and orderly environment. Information recorded on school surveillance equipment may be used as evidence in disciplinary and/or legal proceedings.

LEVELS OF DISCIPLINARY CONSEQUENCES

The Student Code of Conduct will be enforced on all school grounds, traveling to and from school, at all school activities, functions and events wherever they are located. Students who commit behavioral violations are subject to disciplinary actions. These may be undertaken by teachers, counselors, administrators or other school personnel. The action is determined by federal, state and city laws and by administrative and School Board policies.

Although corporal punishment is prohibited, physical restraint may be used by school personnel in some situations. For example, reasonable physical restraint may be used when necessary to stop a disturbance, prevent physical injury to any person, protect property, or to remove a disruptive student from school premises or school-sponsored activities.

Level 1 – School personnel will enforce appropriate disciplinary consequences for violations of the Student Code of Conduct that involve the students, parents/guardians, school personnel, and legal law enforcement as is appropriate.

Level 2 – Consequences will include conferencing and the assignment of (detentions, in-school suspensions, I&RS referral, counseling, Child Study Team) or other disciplinary remedies, but not out-of-school suspension.

Level 3 – Out of school suspension shall be given. At this level the student shall be removed from the school for a short time in accordance with School Board Policies and State Law per the following steps:

- a. a suspension of one to three (1-3) days requires a parent conference to return to school;
- b. a suspension of three to five (3-5) days requires a referral to SAC (Student Assistant Coordinator) and parent conference with principal;
- c. a suspension of five to ten (5-9) days requires referral to I&RS team and parent conference with principal

Note – For Levels 1, 2 and 3 excessive cumulative suspensions at any level in a single year may result in:

- referral to guidance counselor, SAC, I & RS (Intervention & Referral Service) or Child Study Team (CST);
- change in academic placement;
- additional behavioral intervention;
- movement to Level 4.

Level 4 – Mandatory suspension shall be given and a mandatory assessment shall be conducted. At this level there will be a mandatory ten (10) day suspension of the student accompanied by an assessment for future placement. The student's records will be reviewed by the building administration to determine if the discipline infraction requires program modification. If the modification includes Out-of-District placement in a non-classified situation approval of the Director of School Management and Student Advocacy is required.

A written summary of the building administration's assessment, along with recommendations and/or actions taken by the Director of School Management and Student Advocacy will be presented to the Superintendent of Schools before the student is readmitted to school or is placed in any educational program. The Superintendent may refer to the Board of Education for consideration of Level 5 adjudication.

Level 5 – This level may result in expulsion. Level 5 provides for long-term suspension or permanent separation of the student from the school system:

- ten (10) day suspension pending Board hearing;
- home instruction pending Board hearing;
- Board hearing pending expulsion.

Any student reaching Level 3, Step c, discipline or higher, during any single school year, must receive a re-entry assessment with school administration prior to the start of the next school year for the purpose of determining appropriate support services and/or continued disciplinary action.

At all Levels repeated violations may increase the severity of the consequences. Administrators charged with the responsibility of creating and maintaining a safe and drug free environment may find it necessary to use options and procedures not covered in these action levels.

Note: The District recognizes that there may be incidents of student misbehavior not specifically identified in the Code of Conduct and authorized the administration to determine appropriate action for any misbehavior not covered in this document.

STUDENTS IN SPECIAL EDUCATION PROGRAMS

In accordance with N.J.A.C. 6A:14-2.8

Before making any formal recommendation for suspension of a student who has been classified, the building principal must determine whether the student has been suspended for ten (10) consecutive or cumulative school days during the current school year. The principal, in consultation with the CST case manager, shall determine whether a series of short-term suspensions constitutes a change of placement sufficient to meet the “10 day” period before any formal recommendation of suspension is made.

School district personnel may, on a case-by-case basis, consider any unique circumstances when determining whether or not to impose a disciplinary sanction or order a change of placement for a student with a disability who violates the student code of conduct.

Note: Pre-kindergarten students may not be suspended or expelled from school.

**FRANKLIN
TOWNSHIP
PUBLIC
SCHOOLS
DISCIPLINE
MATRIX**

CONDUCT VIOLATIONS & CONSEQUENCES

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
Cutting Class	Failing to attend scheduled class and/or arriving to class at least ten (10) minutes beyond the scheduled start time without a valid pass.	1	3
Defacement of School Property	Participating in activity that results in substantial destruction or disfigurement of school property that is not the result of accidental behavior.	1	2
Dishonesty / Forging / Cheating	Delivering message that is untrue (verbal or written), producing a forged school document (e.g., pass), turning in academic work produced by other students as their own, plagiarizing/cheating.	1	2
Disruption	Causing an interruption in a class or activity which may include sustained loud talking, yelling or screaming, making noises with materials; horseplay or rough-housing, and/or sustained out-of-seat behavior.	1	3
Electronic Device Offences	Use of electronic devices including, but not limited to cell phones, camera/video recording devices, MP3 players, computers and iPads that are used in a deliberate manner to promote disruption to the school culture and climate; or to cause embarrassment or humiliation to students or staff consistent with the District's HIB policy, or that are used for sexting, communicating threat messages, or defaming another person's character/reputation.	1	3
Entering School Grounds Without Permission	Trespassing on school property outside of regular hours of building operation and/or during out of school suspension without permission.	1	2
Failure to Comply with Administrative Detention	Failing to attend administrative detention, arriving more than ten (10) minutes after the scheduled start time, or leaving administrative detention without permission.	2	3
Failure to Comply with Teacher Detention	Failing to attend teacher detention, arriving more than ten (10) minutes after the scheduled start time, or leaving teacher detention without permission.	2	2
Gang Related Activity	Wearing of clothing or jewelry associated with a gang and/or using written, verbal or gestures that are symbolic of gang signs, or other indicators of gang related activity.	1	2
Harassment / Intimidation / Bullying (HIB)	Intentionally delivering threatening messages, real or implied, (verbal, gestural, or electronically) to another person with the intent of causing hurt or harm, or which has the effect of causing a disruption to the orderly operation of the school, that is deemed to be a violation of HIB	1	3
Threat/ Intimidation	Intentionally delivering threatening messages, real or implied, (verbal, gestural, or electronically) to another person with the intent of causing hurt or harm, or which has the effect of causing a disruption to the orderly operation of the school, that is NOT deemed to be a violation of HIB	1	5
Inappropriate Dress	Dressing in a manner that interferes with the teaching and learning of others. Students must wear appropriate attire as determined by administration as provided on page 15.	1	2

*(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension) (Level 4 – Referral to Central Office) (Level 5 – Expulsion)

CONDUCT VIOLATIONS & CONSEQUENCES

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
Lacking Supervision / Loitering	Wandering in the hallway without permission; leaving a designated area without permission or supervision; remaining in the hallway after allotted transition time; and/or if a student is in an unauthorized area of the building without permission (e.g., storage room).	1	2
Leaving Class/School Without Permission	Leaving class/school without permission.	1	2
Misuse of School Equipment	Using school equipment without permission and/or without following instructions.	1	2
Non-compliance / Defiance / Disrespect	Refusing to follow directions, talking back, or engaging in socially rude interactions toward staff and/or students that include negative verbal statements or gestures.	1	3
Obscene / Inappropriate Language / Materials	Verbalizing or writing messages, and/or making gestures that include swearing, name calling, profanity, and/or explicit messages of a violent nature.	1	3
Physical Aggression	Delivering actions that involve substantial physical contact toward another where injury may occur (e.g. hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).	2	3
Possession or Use of Tobacco Products	Possessing or using tobacco products while on school property or in attendance at school sponsored events.	1	3
Possession of Unsafe Objects / Materials	Possessing an item that can potentially place them or others at risk for injury. Examples include sharp objects, items that may be construed as weapons and toxic substances. This definition applies even if the student has not used the item in an unsafe manner or has not threatened to use the item.	1	3
Sexually Inappropriate Activity or Behavior / Gestures / Materials	Verbalizing, writing, texting or ‘sexting’ messages, and/or making gestures that include pornographic content, mature themes, inappropriate touching, solicitation, and/or explicit messages of a sexual nature.	1	3
Theft	Removing someone else’s property without that person’s permission. (Student may have said item or may have passed identified item on to another).	1	3
Tardiness to Class	Failing to arrive to class at the scheduled start time without a pass or permission.	1	2

*(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension) (Level 4 – Referral to Central Office) (Level 5 – Expulsion)

CONDUCT VIOLATIONS & CONSEQUENCES

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
Tardiness to School	Failing to arrive to school at the scheduled start time and/or arrives late to school without permission.	1	2
Truancy	Failing to report to school without prior permission, knowledge or excuse by the school or parent. Leaving school without permission.	1	2
Use of an Electronic Device	Using personal electronic devices such as a cell phone, MP3 players, beeper/paging device, image recorder, or electronic entertainment device at any time on school property without the expressed written permission of the school principal.	1	3

*(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension) (Level 4 – Referral to Central Office) (Level 5 – Expulsion)

LAW RELATED VIOLATIONS & CONSEQUENCES

(Police may be called.)

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
Arson	Intentionally starting, or attempting to start a fire or combustion.	3	5
Assault	Causing or attempting to cause bodily injury to another person. Assault includes an attempt by physical menace to put another in fear of imminent serious bodily injury.	3	5
Bias Incident	Acting, at least in part, with ill will, hatred or bias with a purpose to intimidate an individual or group of individuals because of race, color, religion, gender, sexual orientation or ethnicity.	1	5
Bombs/Explosives	Possessing or using a device containing combustible material and/or a fuse, including fireworks.	3	5
Burglary	Unauthorized entering into a school District building (unoccupied) with the intent of committing a criminal act when the building is closed to the students and the public.	3	5
Computer Violations	reproducing unauthorized information (fraud), viewing or obtaining pornography or sexually explicit materials, introducing computer viruses, threatening /menacing, sending or receiving hate materials, committing a bias offense, harassing, 'sexting' (sending sexually explicit messages/photos electronically).	3 3 3 3 3 3 3	5 5 5 5 5 5 5
Disorderly Conduct	Behaving in a violent or seriously inappropriate manner which disrupts the educational process. (NOTE: This category is used when the police are called to cite a student for extreme disruption).	3	5
Drug/Alcohol/Chemical Use (NJSA 18A:40A-12(a))	Using any controlled substance, intoxicant or alcohol or substance alleged to be a drug regardless of its content. (Mandated SAC Intervention)	3	5
Drug/Alcohol/Chemical Possession (NJSA 18:40-1011;NJAC:29-6.3(c) (2))	In possession of any controlled substance, alcohol or intoxicant includes transfer of a prescription drug or substance alleged to be a drug regardless of its actual content. (Mandated SAC Intervention)	3	5
Drug/Alcohol/Chemical Sale/Distribution(NJSA 18:40A-10, 1NJAC:29-6.3(c) (2))	Selling of any controlled substance, alcohol, intoxicant or prescription drug or substance alleged to be a drug regardless of its actual content. (Mandated SAC Intervention)	4	5
Possession of Drug Paraphernalia:	In possession of pipes, rolling papers, needles or other paraphernalia.	3	5

*(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension) (Level 4 – Referral to Central Office) (Level 5 – Expulsion)

LAW RELATED VIOLATIONS & CONSEQUENCES

(Police may be called.)

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
Extortion	Using threats or intimidation to demand money or something of value from another.	3	5
False Fire Alarm/Bomb Threat	Reporting a fire to school or fire officials or intentionally setting off a fire alarm without a reasonable belief that a fire exists or making statements that a bomb is on the premises.	3	5
Gambling	Playing any game of skill or chance for money or anything of value.	3	5
Robbery	Taking property from a person by force, violence or threat of immediate bodily injury.	3	5
Sexual Assault/Offenses	Participating in intentional sexual contact of a harmful or offensive nature.	3	5
Terrorist Threats	a.) Committing a crime of violence with the purpose to terrorize another or to cause evacuation of a building, place of assembly, or facility of public transportation, or otherwise to cause serious public inconvenience. b.) Threatening to kill another with the purpose of putting him in imminent fear of death under circumstances reasonably causing the victim to believe the immediacy of the threat and the likelihood that it will be carried out (Both of these terrorist threats are crimes of the third (3 rd) degree.	3	5
Theft/Larceny/Fraud	Unlawful taking and carrying away of property belonging to another person with the intent to deprive the lawful owner of its use; inappropriately or wrongfully using a PIN number of another student to obtain lunch.	3	5
Threatening/Menace	With criminal intent, the act of threatening to strike, attack or harm any person in school or at any sponsored or supervised activity, including the use of internet websites and electronic devices.	3	5
Trespass	Entering any school property or school facility without proper authority including entering during a period of suspension or expulsion. A student also commits a trespass by remaining on school property after having been given notice to leave.	3	5
Vandalism/Graffiti	Willfully or maliciously destructing or defacing public or private property belonging to another.	3	5
Vehicle	Using a motor vehicle in a reckless, threatening or disruptive manner.	3	5
Weapons & Dangerous Instruments	Possessing or using an implement that can cause bodily harm.; including mace, knives, razors, clubs, metal knuckles, nunchuks, laser lights, or any other object used or intended to be used to inflict bodily harm.	3	5

*(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension) (Level 4 – Referral to Central Office) (Level 5 – Expulsion)

LAW RELATED VIOLATIONS & CONSEQUENCES

(Police may be called.)

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
Firearms	<p>Possessing, using, or threatening to use a firearm on school property, on a school bus or other contracted transportation service, or at a school sponsored function.</p> <p>A firearm is defined as any handgun, rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device or instrument in the nature of a weapon from which may be fired or ejected any solid projectable ball, slug, pellet, missile or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It shall also include, without limitation, any firearm which is in the nature of an air gun, spring gun or pistol or other weapon of a similar nature (including BB guns and pellet guns) in which the propelling force is a spring elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three eighths of an inch in diameter, with sufficient force to injure a person.</p>	5	5
Other Pellet Guns & BB Guns	<p>Possessing, using, or threatening to use a pellet gun, BB gun, or any other facsimile thereof, which ejects a projectile of three-eighths (3/8) of an inch or more in diameter, on school property, on a school bus or other contracted transportation service, or at a school sponsored function</p> <p>A pellet gun is defined as a gun which uses compressed air or carbon dioxide to propel a projectile.</p> <p>A BB gun uses the same compressed air or carbon dioxide to propel a copper plated sphere, known as a BB.</p>	3	5
Paintball Guns	<p>Possessing, using, or threatening to use a paintball gun on school property, school buses or other contracted transportation services.</p> <p>Paintball guns use compressed air to propel large diameter paint filled projectiles.</p>	3	5
Toy Guns and Imitation Firearms	<p>Possessing, using, or threatening to use a toy gun or imitation gun on school property, school buses, or other contracted transportation services.</p>	3	5

*(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension) (Level 4 – Referral to Central Office) (Level 5 – Expulsion)

DUE PROCESS

In order to assure a student of his/her constitutional rights and the protection of due process, the student shall be given an informal hearing prior to the imposition of a suspension or the commencement of expulsion proceedings. When school authorities have determined that the student's act(s) pose a danger to him/her or others, a suspension may commence prior to the informal hearing. Where a suspension of more than ten (10) days is contemplated, or expulsion procedures are to be implemented, the student and his/her parents/guardians shall be afforded both an informal and formal due process hearing. The formal due process hearing shall be held to allow the student to contest the facts which may lead to long-term suspension by a principal, or continued suspension or expulsion by the Board.

AN INFORMAL HEARING SHALL INCLUDE THE ACCUSED STUDENT'S RIGHT TO:

1. oral or written notification of the charges against him or her, and the proposed disciplinary consequence;
2. if requested, an explanation of the evidence against the student;
3. the opportunity to present a defense; i.e., facts, documents, and/or witnesses.

A FORMAL HEARING SHALL INCLUDE THE ACCUSED STUDENT'S RIGHT TO:

1. written or oral notification of the charges against him or her and the proposed disciplinary consequence;
2. the names of the witnesses;
3. copies of the statements and affidavits of those witnesses;
2. the opportunity to be heard in his or her own defense;
3. the opportunity to question the adverse witnesses;
4. the opportunity to present witnesses and evidence in his or her own defense;
5. the opportunity to cross-examine adverse witnesses;
6. the opportunity to be represented by counsel.

SUSPENSION

1. The principal, Superintendent of Schools or designated administrator has the authority to temporarily suspend a student from school following a conduct and /or law-related violation.
2. Short-term Suspension
 - a. When a suspension of ten (10) days or less is proposed or imposed, the student shall meet with the principal or his designee. The administrator shall inform the student orally or in writing of the offense with which the student is charged and of the penalty proposed.
 - b. In the case of a special education student's suspension, the principal shall forward written notification and a description of the reasons for such action to the case manager and student's parents. Note that preschool students with disabilities shall not be suspended on a long-term or short-term basis and shall not be expelled.
 - c. The student shall be afforded full opportunity to deny the charges. If the student denies the charges, an explanation shall be furnished to him or her of the evidence which the school authorities have and the student shall be afforded an opportunity to present his or her side of the matter.
 - d. Wherever the presence of the student poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the student may be placed in the principal's office until parent/guardian can be contacted and arrangements made to transport the child home.
 - e. Nothing contained herein shall be deemed as granting to students the opportunity to secure counsel, to confront and cross-examine witnesses supporting the charge or to call their own witnesses to verify their version of the incident where the penalty to be imposed is ten (10) days or less.
3. Suspension shall be reported to the student's parent/guardian immediately. The student is to serve the suspension only after parent/guardian has been personally notified of the date(s) and the reason(s) for the suspension by a building administrator. The parent/guardian shall also be notified that a full formal hearing is required if the suspension exceeds ten (10) days, and shall be apprised of the rules, regulations, and appeal process related to a suspension. The parent/guardian may be initially notified of the suspension by telephone; however, the parent/guardian must subsequently be notified of all suspension in writing. **All suspensions of ten (10) days or fewer cannot be appealed beyond the building principal, whose decision is final.**
4. A student on suspension shall not be at any Franklin Township school or loiter near any such school either during or after school hours. A student who arrives at school while on suspension may be escorted, if necessary, back to his or her residence or place where parent, guardian, or emergency contact person is located.
5. In all cases of suspension, an "in person" parent/guardian conference shall be mandatory before the student is readmitted. In unusual circumstances, a responsible adult designated by the parent/guardian may be present at the conference in lieu of the parent/guardian.
6. During the period of suspension, the student has the obligation to keep up with his/her work.
 - a. It shall be the responsibility of the student and/or his or her parent/guardian to obtain all assigned work.
 - b. The student or parent/guardian shall have the responsibility for obtaining the assignment in a manner prescribed by the school.
 - c. There shall be a reasonable deadline for completing the schoolwork.

- d. Makeup work completed by the student within this policy and school procedures shall be given full credit.
7. Students in grades five through twelve (5-12) suspended for five (5) or more consecutive days shall have the opportunity to receive instruction during the period of their suspension for two (2) hours per day, and beginning on the 5th day of the suspension.

This instruction is provided at a location predetermined by the District. This service is in compliance with NJAC 6A:16.7.2(a) Parents will be notified by telephone regarding the arrangements for this instruction.

8. Long-term Suspension – Whenever a student commits an offense for which the penalty established or proposed to be imposed involves a suspension for a period longer than ten (10) days or may result in expulsion, the following procedure shall be invoked:
 - a. a formal hearing shall be scheduled as soon as possible after the suspension of the student;
 - b. the formal hearing shall include the accused student's right to:
 1. written or oral notification of the charges against him or her;
 2. the names of the witnesses;
 3. copies of the statements and affidavits of those witnesses;
 4. the opportunity to be heard in his or her own defense;
 5. the opportunity to question the adverse witnesses;
 6. the opportunity to present witnesses and evidence in his or her own defense;
 7. the opportunity to cross-examine adverse witnesses;
 8. the opportunity to be represented by counsel.
 - c. The student is entitled to request a full formal hearing before the Board of Education in cases involving more than a ten (10) day suspension, where an "unusual situation" is involved.
9. If the suspension is for ten (10) days or fewer, the student shall be accorded the right to an informal hearing as soon as practicable after the occurrence of the misconduct. (See Due Process page 70.)
10. If the suspension is for longer than ten (10) days, the student shall be accorded a full formal hearing, in addition to the informal hearing. (See Due Process page 73.)
11. The suspension of a student shall be reported to the Superintendent of Schools, who shall then report the suspension to the Board of Education at its next regular Board meeting. No suspension by a principal may be continued beyond the second regular meeting of the Board of Education unless the Board of Education continues the suspension. The suspended student may be reinstated by the principal (or the Superintendent) prior to the second meeting of the Board.

EXPULSION

1. Acts which shall require expulsion proceedings are noted below. Note that other acts or combination of acts may also subject a student to expulsion proceedings when deemed necessary and appropriate.
 - a. Any pupil who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a teacher, administrator, Board member or other employee of the Board of Education acting in the performance of his or her duties and in a situation where his or her authority to so act is apparent, or as a result of the victim's relationship to an institution of public education of this state, shall be immediately suspended from school consistent with procedural due process pending expulsion proceedings before the local Board of Education. Said proceedings shall take place no later than 30 calendar days following the day on which the pupil is suspended.
 - b. Any Level 5 misconduct which is the equivalent of an assault, as defined in N.J.S.A. 2C:12-1, will require the due process expulsion proceedings.
 - c. Any acts in concert with one or more other persons to commit any Level 5 misconduct which is the equivalent of an assault, as defined in N.J.S.A. 2C:12-1, will require the due process expulsion proceedings.
 - d. Acts with the purpose of promoting or facilitating the commission of any Level 5 misconduct which is the equivalent of assault, as defined in N.J.S.A. 2C:12-1, will require the due process expulsion proceedings.
2. The principal may recommend a student for expulsion while instituting suspension provisions.
3. The principal shall notify the parent of the intent to implement expulsion proceedings.
4. The student shall be afforded an informal and full formal hearing on the charges against him or her. (See Due Process page 70.)
5. There shall be a Franklin Township School District Expulsion and Readmission Review Committee, which shall consist of at least five (5) members. At least three (3) members, including a psychologist, shall be from the District staff. At least one (1) of the school-level membership shall be a classroom teacher. The Committee's membership and chairperson shall be appointed annually by the Superintendent of Schools.
6. The purpose of the Expulsion and Readmission Review Committee with the exception of those assault cases pursuant to the 1979 modification of N.J.S.A. 18A:37-2 which requires direct expulsion proceedings before the local Board of Education, shall be as follows:
 - a. To review recommendations for expulsion to determine:
 1. if there is sufficient documented evidence to support the school administrator's recommendation for expulsion;
 2. if appropriate, prior corrective and/or disciplinary actions have been taken by school authorities;
 3. if the student's rights to procedural due process as delineated in Board policies have been guaranteed.
 - b. To approve cases for forwarding to the Superintendent of Schools or to return cases to the school with recommendations for corrective actions or to request additional data.
 - c. To make recommendations regarding requirements and possible dates for consideration of readmission of a student who might be expelled.
 - d. To review requests for readmission.

7. A decision of the Expulsion and Readmission Review Committee to recommend expulsion or to return a case to the school may be appealed by the principal directly to the Superintendent of Schools.
8. The Superintendent of Schools shall review the recommendation of the Committee and the student's records.
9. If the Superintendent concurs with the Committee recommendation for expulsion, a full formal hearing shall be scheduled before the Board of Education.
10. Parent/Guardian and student shall be notified of the hearing and informed of their rights under full formal hearing procedures. (See Due Process page 70.)
11. The Board of Education has the sole authority to terminate a student's enrollment in the school for serious misconduct.
12. After expulsion proceedings, a student may be entitled to seek readmission for subsequent school years, if so indicated by the Board of Education at the original expulsion hearing.
13. Readmission will be determined by the Superintendent, the Director of School Management and Student Advocacy and a Committee of the Board of Education when needed.

EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION & HARASSMENT COMPLAINT PROCEDURES

Franklin Township Public Schools are committed to providing an environment free from discrimination and harassment. Any type of discriminatory action or harassment by one person against another by reason of race, religion, creed, color, national origin, nationality, ancestry, age, sex, sexual orientation, gender identity or expression, marital status, civil union status, domestic partnership status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, is a violation of the policies of the Franklin Township Public Schools. Further state and federal protection is extended on account of disabilities, social or economic status, pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, or familial status.

COMPLAINT/GRIEVANCE PROCEDURE

Problems and complaints of alleged discrimination / harassment are to be resolved in a prompt manner. A complaint / grievance is communicated through the filing of a written statement. This statement shall include:

- (a) A detailed description of what occurred including any verbal comments and responses from all parties;
- (b) A list of any persons with knowledge of the discrimination;
- (c) If known, the specific date(s) and locations(s) of the action or incident(s); and
- (d) Description of the relief sought.

Level I - Notification to Principal / Immediate Supervisor

The complainant/grievant shall notify in writing the Principal or immediate Supervisor of the alleged offense and seek resolution. The complainant/grievant may proceed directly to Level II if the alleged instance involves the Principal or immediate Supervisor. The Principal/immediate Supervisor shall establish a record of the discussion that has taken place, shall, if appropriate, conduct an investigation and shall inform the person in writing of the resolution of the problem.

Level II - Notification to Affirmative Action Officer

If the grievance is not resolved at Level I to the satisfaction of the complainant/grievant, a written notification to Orvyl M. Wilson, the Affirmative Action Officer, should be filed within ten (10) working days of the written response from Level I. Upon receipt of the same, a formal meeting will be scheduled and conducted by the Affirmative Action Officer. At this meeting, the complainant/grievant shall present all evidence in support of the alleged violation. An investigation may or may not be conducted by the Affirmative Action Officer as determined by the nature of the complaint. The Affirmative Action Officer will provide a written decision to the complainant/grievant.

Level III - Appeal to Superintendent

Upon receipt of a written response from the Affirmative Action Officer, the complainant/grievant will have the right to appeal this decision to the Superintendent. This appeal must be in written form and filed within ten (10) days after the Affirmative Action Officer's written decision has been provided.

Level IV – Appeal to Board of Education

Upon receipt of a written response from the Superintendent, the complainant/grievant will have the right to appeal this decision to the Board. This appeal must be in written form and filed within ten (10) days after the Superintendent's written decision has been provided.

Level V

The complainant/grievant has the right to contact the U.S. Office on Civil Rights or the NJ Division on Civil Rights for the resolution of any complaint.

If you have any questions about policies or practices, contact:
Manager of Human Resources and Personnel Services
1755 Amwell Road
Somerset, NJ 08873 (732) 873-2400, Ext. 329

Copies of policies dealing with Affirmative Action, Nondiscrimination, Employee Nondiscrimination, Sexual Harassment, Equal Opportunity, Marital Status and Pregnancy, and Section 504 (Equal Access) are on file and available for public examination on the District website, www.franklinboe.org, and in each school building and the Board of Education office.

HOW AND WHEN TO REPORT CHILD ABUSE/NEGLECT

Related Links

[Standardized Training Materials – Reporting Child Abuse and Neglect: What School Personnel Need to Do](#)

In New Jersey, any person having reasonable cause to believe that a child has been subjected to abuse or acts of abuse should immediately report this information to the State Central Registry (SCR). If the child is in immediate danger, call 911 as well as **1-877 NJ ABUSE (1-877-652-2873)**. A concerned caller does not need proof to report an allegation of child abuse and can make the report anonymously.

What information will I be asked to provide to the hotline screener?

SCR screeners are trained caseworkers who know how to respond to reports of child abuse/neglect.

Whenever possible, a caller should provide all of the following information:

- **Who:** The child and parent. Caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
- **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
- **When:** When the alleged abuse/neglect occurred and when you learned of it
- **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
- **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

Do callers have immunity from civil or criminal liability?

Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.

Is it against the laws of New Jersey to fail to report suspected abuse/neglect?

Any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.

What happens after I make the call?

When a report indicates that a child may be at risk, an investigator from the Division of Child Protection and Permanency (formerly Youth and Family Services) will promptly investigate the allegations of child abuse and neglect within 24 hours of receipt of the report.