

# Franklin Township School District Code of Conduct



## 2020-2021

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](http://www.franklinboe.org)

*Board Approval Date: (June 18, 2020)*

# FRANKLIN TOWNSHIP PUBLIC SCHOOLS

## PARENT/STUDENT ACKNOWLEDGEMENT FORM District Student Code of Conduct 2020-2021

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. 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 (*please print*)

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Email Address

## **BOARD OF EDUCATION MEMBERS**

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Ardaman Singh, Vice President  
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Dr. John A. Ravally, Superintendent of Schools  
Jonathan Toth, Assistant Superintendent for Business/Board Secretary  
Daniel C. Loughran, Assistant Superintendent for Curriculum & Instruction  
Orvyl M. Wilson, Director of School Management and Student Advocacy  
Dr. Brenda Sofield, Director of Pupil Personnel Services  
Brian Bonanno, Assistant School Business Administrator, Assistant Board  
Secretary & Manager of Human Resources  
Mary Clark, Coordinator of Policies, Regulations and Communications

## **MISSION STATEMENT OF FRANKLIN TOWNSHIP PUBLIC SCHOOLS**

Franklin Township Public Schools embraces its diversity, fosters excellent  
educational innovation and empowers all students  
to achieve their highest potential.

# SCHOOL HOURS

## SCHOOL HOURS-STANDARD SESSION

SCHOOL	START TIME	END TIME
FHS - (TIER 1)	7:20 A.M.	2:21 P.M.
FMS - HAMILTON STREET & SGS CAMPUS' (TIER 1)	7:20 A.M.	2:26 P.M.
ELEMENTARY - CRS, HIL AND FPS (TIER 2)	8:50 A.M.	3:10 P.M.
ECDC 3-YEAR-OLD PRE-K PROGRAM (TIER 2)	9:45 A.M.	1:50 P.M.
ELEMENTARY - CES, EAS, MAC AND PGM (TIER 3)	9:30 A.M.	3:50 P.M.

## SCHOOL HOURS-DELAYED OPENING

SCHOOL	START TIME	END TIME
FHS - (TIER 1)	9:20 A.M.	2:21 P.M.
FMS - HAMILTON STREET & SGS CAMPUS' (TIER 1)	9:20 A.M.	2:26 P.M.
ELEMENTARY - CRS, HIL AND FPS (TIER 2)	10:50 A.M.	3:10 P.M.
ECDC 3-YEAR-OLD PRE-K PROGRAM (TIER 2)	11:45 A.M.	1:50 P.M.
ELEMENTARY - CES, EAS, MAC AND PGM (TIER 3)	11:30 A.M.	3:50 P.M.

## SCHOOL HOURS-MINIMUM SESSION

SCHOOL	START TIME	END TIME
FHS - (TIER 1)	7:20 A.M.	11:53 A.M.
FMS - HAMILTON STREET & SGS CAMPUS' (TIER 1)	7:20 A.M.	12:30 P.M.
ELEMENTARY - CRS, HIL AND FPS (TIER 2)	8:50 A.M.	1:30 P.M.
ECDC 3-YEAR-OLD PRE-K PROGRAM (TIER 2)	9:45 A.M.	11:30 A.M.
ELEMENTARY - CES, EAS, MAC AND PGM (TIER 3)	9:30 A.M.	2:10 P.M.

**\*EMERGENCY CLOSING HOURS WILL COINCIDE WITH  
THE MINIMUM SESSION END TIMES**

## **SCHOOL CODE**

**FHS - FRANKLIN HIGH SCHOOL - GRADES 9 – 12**

**FMS**

**FRANKLIN MIDDLE SCHOOLS @ HAMILTON STREET CAMPUS - GRADES 6 – 8**

**SGS**

**FRANKLIN MIDDLE SCHOOLS @ SAMPSON G. SMITH CAMPUS - GRADES 6 - 8**

**CES**

**CLAREMONT ROAD SCHOOL - GRADES PRE-K – 5**

**CRS**

**CONERLY ROAD SCHOOL - GRADES PRE-K – 5**

**EAS**

**ELIZABETH AVENUE SCHOOL - GRADES PRE-K – 5**

**ECDC**

**EARLY CHILDHOOD DEVELOPMENT CENTER - GRADE PRE-K 3 ONLY**

**FPS**

**FRANKLIN PARK SCHOOL - GRADES PRE-K – 5**

**HIL**

**HILLCREST SCHOOL - GRADES PRE-K – 5**

**MAC**

**MACAFEE ROAD SCHOOL - GRADES PRE-K – 5**

**PGM**

**PINE GROVE MANOR SCHOOL - GRADES PRE-K - 5**

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](http://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**

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 closing.

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# DISTRICT DIRECTORY

## FREQUENTLY USED TELEPHONE NUMBERS

<b>Conerly Road School</b>	<b>(732) 249-9362</b>
<b>Claremont Road School</b>	<b>(732) 210-3500</b>
<b>Elizabeth Avenue School</b>	<b>(732) 356-0113</b>
<b>Franklin High School</b>	<b>(732) 302-4200</b>
<b>Franklin Middle School @ Hamilton Street Campus</b>	<b>(732) 249-6410</b>
<b>Franklin Middle School @ Sampson G. Smith Campus</b>	<b>(732) 873-2800</b>
<b>Franklin Park School</b>	<b>(732) 297-5666</b>
<b>Hillcrest School</b>	<b>(732) 246-0170</b>
<b>MacAfee Road School</b>	<b>(732) 249-9097</b>
<b>Pine Grove Manor School</b>	<b>(732) 246-2424</b>

## CENTRAL OFFICE ADMINISTRATION

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



## **PROGRAM DIRECTORS & SUPERVISORS**

<b>Alternative School and C.A.R.E.</b> Mrs. Genesi Martinez, Vice Principal	(732) 249-6410 ext. 229
<b>Athletics (6 - 12)</b> Mr. Kenneth Margolin, Athletic Director	(732) 302-4200, ext. 6403
<b>Early Childhood Education</b> Mrs. Kathleen Damore, Supervisor	(732) 297-3427. ext. 241
<b>ESL/Bilingual (K-12)</b> Ms. Julie Ochoa, Supervisor	(732) 873-2400 ext. 509
<b>Fine, Visual and Performing Arts</b> Ms. Roberta Mitchell, Director	(732) 873-2400 ext. 319
<b>Guidance (K - 12)</b> Ms. Dana Karas, Director	(732) 302-4200 ext. 5206
<b>Health/Physical Education</b> Mr. Sean Thomas, Supervisor	(732) 249-6410 ext. 266
<b>Instructional Technology</b> Mr. Edward Ward, Supervisor	(732) 873-2400 ext. 249
<b>Intervention Services</b> Ms. Suzanne Ackley, Supervisor	(732) 873-2400 ext. 275
<b>Language Arts Literacy</b> Mr. David Heras, Supervisor (K-5; Academic Support & Enrichment) Dr. Carolyn Armstrong, Supervisor (6-12)	(732) 873-2400 ext. 202 (732) 873-2400 ext. 407
<b>Mathematics</b> Mrs. Nubeja Allen, Supervisor (6-12) Ms. Iris Blay, Supervisor (K-5)	(732) 873-2400 ext. 501 (732) 873-2400 ext. 316
<b>Planning, Research, Assessment and Accountability</b> Ms. Ana Washington, Director	(732) 873-2400 ext. 406
<b>Science/Environmental Ed./Right to Know (K-12)</b> Mr. Eric Siegal, Supervisor	(732) 873-2400 ext. 241
<b>Social Studies/World Language</b> Mr. Justin Miller, Supervisor	(732) 873-2400 ext. 240
<b>Transportation and Truancy</b> Mr. Douglas Guillen, Supervisor	(732) 828-6620

## **DISTRICT ANTI BULLYING COORDINATOR**

### **District Anti Bullying Coordinator:**

Mr. Orvyl Wilson

(732) 873-2400 ext. 408

## **SCHOOL LEVEL ANTI BULLYING SPECIALISTS**

### **Conerly Road School**

Mrs. Lin Avellino

(732) 249-9362 ext. 2229

### **Claremont Elementary School**

Mrs. Amy Ruggirello

(732) 210-3500 ext.3107

### **Elizabeth Avenue School**

Ms. Sarah Spence

(732) 356-0113 ext. 2238

### **Franklin Park School**

Ms. Jennifer Chernoski

(732) 297-5666 ext. 223

### **Hillcrest School**

Ms. Lisamarie Capelli

(732) 246-0170 ext. 3233

### **MacAfee Road School**

Ms. Bonnie Kudwitt

(732) 249-9097 ext. 4229

### **Pine Grove Manor**

Ms. Lynn Schussel

(732) 246-2424 ext.2240

### **Franklin Middle School @ Hamilton Campus**

Ms. Quiyon Peters

(732) 249-6410 ext. 224

### **Franklin Middle School @ Sampson G. Smith School**

Ms. Jennifer Pasqua

(732) 873-2800 ext. 113

### **Franklin High School**

Mr. Chance Summerer

(732) 302-4200 ext.6111

## **Code of Conduct 2020-2021**

### **General Information and Quick Links**

#### **Mission Statement**

Franklin Township Public Schools embraces its diversity, fosters excellent educational innovation, and empowers all students to achieve their highest potential.

The goal of the District Student Code of Conduct is to promote a learning environment where students are expected to:

#### **Be Safe • Be Respectful • Be Responsible and Prepared**

At Franklin Township Public Schools, we are dedicated to giving our students and staff places to learn and work that are safe, orderly and culturally responsive. We also want to provide our students with the supports they need to stay in school and continue to learn and mature.

All students have the right to learn, and no student has the right to disrupt the learning activities of others. Each year, the Franklin Township Board of Education adopts a districtwide Code of Conduct to provide guidelines for expected student behavior.

*For more information; the entire Code of Conduct can be accessed by clicking on this link:*

2020-2021 [Code of Conduct](#)

2020-2021 Code of Conduct – [Spanish](#)

*Or you can click on each category below for the specific information needed:*

#### **Be Safe**

- [Controlled Dangerous Substances and Tobacco](#)
- [Firearms and Other Weapons \(Zero Tolerance for Guns Act\)](#)
- [Child Abuse and Neglect](#)
- [Handle With Care / Crisis Intervention](#)
- [Harassment Intimidation and Bullying](#)
- [Student Safety Data System \(SSDS\)](#)
- [Transportation Rules](#)

## **Be Respectful**

- Affirmative Action/ Equal Opportunity Employment
- Positive School Climate/Culture

## **Be Responsible and Prepared**

- Attendance and Residence
- Behavior Definitions and Examples (includes Bus)/Consequences/Suspension/Expulsion
- Dress Code
- Due Process
- Technology & Electronic Communication

## **Positive Behavior Supports In Schools (PBSIS)**

This, district wide framework has been implemented to teach and promote positive behavior. Each school has tailored the framework to reflect the uniqueness and needs of their school.

Visit the district [PBIS webpage](#) for information on how this program works in each of our schools

## **Support Services**

- Student Assistance Counselors (SAC)
- 504
- Intervention & Referral Services (I&RS)
- Road to Success Alternative Programs
- Special Education and Related Services

## **General District Information**

- School Hours
- Board of Education Policies
- Parent to School Communication Protocol
- Focus on Franklin – District Video Newsmagazine

## **Keeping Students in School is Key**

The district's primary goal is to keep students in school and engaged in learning. The district provides two alternatives to out-of-school suspension and expulsion for students in grades six through twelve. These alternatives, “Saturday School” and “In School Suspension”, are supervised by certified teachers.

For students who attend school at the elementary or middle school levels, administrators have the option of assigning “Saturday Academy” as an option to minor student infractions in school or on the bus that would have previously resulted in suspension or bus suspension.

Students must follow the districtwide Code of Conduct before, during and after school. The Code is in effect inside school buildings, on school grounds, at school-related activities, and on the way to or from school or school-related activities. Students also must follow these rules on the yellow buses/vans or Charter buses that bring them to school, take them home or take them to and from school-related activities.

The Code of Conduct provides definitions of behavior infractions. Some definitions include examples. These examples are not intended to be exhaustive lists; that is, the behaviors covered by the definitions include, but are not limited to, the examples given.

In addition to the Code of Conduct, each school develops its own school-behavior plan. This plan includes activities for teaching and encouraging expected behaviors. Each school communicates its school-behavior plan to its parents/caregivers and students — including strategies for teaching and reinforcing behavior, and strategies for providing consequences for both positive and negative behavior.

Parents should be sure to know and understand the school-behavior plan at their child’s school.

The safety and security of your child is our highest priority, and we are committed to providing a safe learning environment for your child. If you have any questions or concerns, please contact the principal at the school where your child attends.

# DRESS CODE

Appropriate dress and grooming can help to create a positive learning environment. 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.**

### Examples

<b>Head Area</b> No caps, visors, jacket hoods, bandanas, sweatshirt hoods, doo-rags, headbands or any other head gear, except with Administrative permission.	<b>Acceptable</b> 	<b>Not Acceptable</b> 
<b>Upper Garments</b> No halter tops, tank tops, spaghetti straps or muscle shirts. No explicit graphics may show. All garments must cover shoulder to shoulder. No rips/tears or skintight items. All garments must be long enough to clearly overlap the beltline or stay tucked.	<b>Acceptable</b> 	<b>Not Acceptable</b> 
<b>Foot Covering</b> No flip flops, sandals or open toed shoes are permitted.	<b>Acceptable</b> 	<b>Not Acceptable</b> 
<b>Lower Garments - Male</b> Undergarments and the buttocks MUST remain entirely covered even while you are seated. Pants and shorts must be at the waist and without tears/rips.	<b>Acceptable</b> 	<b>Not Acceptable</b> 
<b>Lower Garments - Female</b> Dresses, skirts and shorts must be at least mid-thigh or below in length. No yoga pants, leggings, rip/tears or skintight items are permitted.	<b>Acceptable</b> 	<b>Not Acceptable</b> 

## 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 safety risk. 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. Being disrespectful or abusive to the bus driver or any other staff or student in conduct or language is not permitted.
4. Showing your Student I.D., grades six (6) through twelve (12), to the bus driver upon request is required.
5. Using profanity and other foul language or gestures towards the bus driver, staff, or other students is not permitted.
6. Placing head, arms, ~~or~~ legs, or objects outside the window of the bus is strictly prohibited.
7. Eating or drinking on the bus is not allowed. Keep the bus clean and free of paper or other litter.
8. Transporting animals on the school bus is not permitted.
9. Inflating or having inflated balloons on the school bus is not permitted.
10. 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.
11. 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.
12. 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.
13. 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.
14. Carrying equipment unrelated to authorized school activities will not be permitted i.e., out of season sports equipment. Wearing of skates, roller blades, heelies and the possession of skateboards is not permitted on the bus.
15. Using or opening the emergency exit unless authorized by the bus driver, school, or police official is strictly prohibited.
16. Smoking on a school bus is prohibited by law and, on the first offense, shall be cause for denial of transportation.
17. Hitting, fighting, harassing, scuffling, pushing, kicking, making loud and unnecessary noise, acting boisterous or not in control of your body, or participating in gang related activity, is distracting to the driver, and is not permitted.
18. 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.
19. Throwing articles into, on to, or out of the bus is not permitted.
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 will 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 is either in or around the bus.

The following corrective consequences will be provided for minor to moderate bus infractions:

- **Administrative Conference with student and Parent/Guardian**
- **Lunch/Recess detention or after school detention (secondary school students)**
- **Saturday Bus Academy**

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 and Regulation # 5220 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, 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” exists 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; (Physician's Note to return to school)
- 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 do 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.

## **REQUEST FOR EXTENDED STUDENT ABSENCES BEYOND TEN CONSECUTIVE SCHOOL DAYS**

The District recognizes the need for some parents to request that a child be absent from school for an extended period of time. All such request should be made in writing and addressed to the building principal.

When the request results in the child missing school for ten or more consecutive days of school, the District requires that the parent/guardian sign the student out of school and then re-register the student upon their return to the District.

### **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
- Family 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 results in the appropriate level of school discipline. (Refer to page 60 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 page 60)**

**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 including and not limited to, computers, scanners, digital cameras, video projectors, video cameras, cell phones, Smart Phones, Handheld games, Nextel devices, PDA devices, and wireless email devices 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 email 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 including and not limited to iPad, tablet or Smart 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 and given to the school administration until the student’s parent/guardian comes to the school to retrieve it.

*The District recognizes that there are students with either an I.E.P. or with 504 accommodations that permit the student to use portable electronic communication devices. For those students such items will only be confiscated when it is not a violation of the I.E.P. or 504 accommodations.*

***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***

# **ELECTRONIC COMMUNICATION BY DISTRICT STAFF**

## **POLICY 3283- ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS AND STUDENTS**

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.

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.

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.

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 members 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. Email 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 email 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 email address to any student. If a student sends an email to a teaching staff member's personal email address, the staff member shall respond to the email through the school district email system and inform the student his/her personal email 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 email 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 email system.
2. 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.

3. 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.

4. 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 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.

**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.

A teaching staff member and student may be exempt from the provisions outlined in this Policy if a teaching staff member and student are relatives. The teaching 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.

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.

N.J.S.A. 18A:36-40

Adopted: 24 August 2017

## **POLICY 4283- ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND 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 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.

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.

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:

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 support 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 support 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 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:

1. Email 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 email 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 email address to any student. If a student sends an email to a support staff member's personal email address, the staff member shall respond to the email through the school district email system and inform the student his/her personal email 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 email 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 email system.

2. 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
  - (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.

3. Text Messaging Electronic Communications Between Support Staff Members and Students

- a. Text messaging communications between a support staff member and an individual students 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.

4. 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.

#### 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.

A support staff member and student may be exempt from the provisions outlined in this Policy 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.

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.

N.J.S.A. 18A:36-40  
Adopted: 24 August 2017

# **HARASSMENT, INTIMIDATION, AND BULLYING**

## **POLICY 5512: HARASSMENT, INTIMIDATION, AND BULLYING**

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## **A. Policy Statement**

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

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

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

"Harassment, intimidation, or bullying" means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

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

Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the



school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).

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

### **C. Student Expectations**

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

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

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

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

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

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

the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

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

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

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

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

##### **Consequences and Appropriate Remedial Actions – Students**

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

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

##### **Factors for Determining Consequences – Student Considerations**

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

### **Factors for Determining Consequences – School Considerations**

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

### **Factors for Determining Remedial Measures**

#### **Personal**

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

#### **Environmental**

1. School culture;
2. School climate;
3. Student-staff relationships and staff behavior toward the student;
4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.

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

Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take

corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences 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

The following remedial measures may be considered for the student exhibiting bullying behavior: 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.

### **Consequences and Appropriate Remedial Actions – Adults**

The district will also impose appropriate consequences and remedial actions to an adult who commits an act of harassment, intimidation, or bullying of a student. 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.

### **Target/Victim Support**

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

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

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

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

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

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

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

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

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

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

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

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district encourages the use of its web-based reporting mechanism.

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

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

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

The district Anti-Bullying Coordinator shall:

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

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
- b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
- c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the ongoing systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

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

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

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

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

### **Principal's Preliminary Determination**

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

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

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

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

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

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in



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

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

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

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

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

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

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

The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school

staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district level or by law enforcement officials.

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

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

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

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

or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances.

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

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

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

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

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

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

3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

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

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

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

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

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

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

All public school teachers and educational services professionals shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five-year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and

incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

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

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

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

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

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

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

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

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

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

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

**O. School and District Grading Requirements**

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

**P. Reports to Law Enforcement**

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

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

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

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

**R. Students with Disabilities**

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

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

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

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

N.J.S.A. 18A:37-13 through 18A:37-32

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011 – New Jersey Department of Education

Memorandum – New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 16, 2011

Adopted: September 27, 2018

## **DRUGS, ALCOHOL, TOBACCO, STEROIDS, & VAPES (SUBSTANCE ABUSE)**

Board Policy 5530 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 prevail.

### **EDUCATION PROGRAM**

The District has developed a comprehensive program of drug, alcohol, tobacco, steroid, and vaping 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, vaping 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.

The District recognizes that devices used to smoke tobacco products may also be used to consume other drugs or substances. Student found to be in possession of these devices may also be referred for medical evaluation and drug screening.



## 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.<sup>1</sup>
- 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.

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<sup>1</sup> 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

- 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 not 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, vapes, 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 up to five group or individual 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 provide the parent/guardian with referral information 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.

- Additionally, the SAC and administration shall maintain ongoing communication with the probation/parole officers and all other agencies involved with that student.

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

- 1st offense: Two days OSS (out-of-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 five to ten days OSS: Possible hearing before the Board of Education  
subsequent offenses: to consider expulsion.  
Discipline for students who are found to use, possess or distribute tobacco products are cited below.

### **SCHOOL DRUG SCREEN TESTING PROCEDURE**

1. Franklin Township School District will continue to identify students for drug screening per policy and handbook guidelines.
2. Students will be referred to Doctor's Express/AFC Urgent Care to complete the drug screening.
3. A school designee must notify Doctor's Express/AFC Urgent Care that a student will be coming down for a urine drug screen.
4. Franklin Township School District Personnel will advise student and parents/guardian that they must be at the Doctor's Express/AFC facility by 6 pm with their school paperwork.

Doctor's Express/AFC Urgent Care  
601 W. Union Ave (located in the Shop Rite Shopping Center next to Quest Labs)  
Bound Brook, NJ

5. Doctor's Express/AFC Urgent Care will evaluate the student, collect and send out the specimen to their reference lab.
6. Doctor's Express/AFC will complete the school-supplied paperwork and provide the paperwork back to the student. The student and parent/guardian will also need to sign a lab-testing waiver.
7. Doctor's Express/AFC will send the lab report to the school.

## **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 items and vaping devices or devices that may be used to administer tobacco or other substances.

**Tobacco use** includes, but is not limited to, 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 60 outlines the disciplinary action associated with tobacco related violations.

## CRISIS INTERVENTION

The Franklin Township Board of Education recognizes that self-destructive behavior is a problem among children and adolescents in our society. The Board also recognizes that such behavior can be manifested in many ways and that suicidal tendencies may be exhibited by students of various socio-economic backgrounds and/or levels of academic functioning and achievement.

Four out of five teens who attempt suicide give clear warning signs. **Warning Signs of suicidal ideation include, but are not limited, to the following:**

- Talking about suicide
- Making statements about feeling hopeless, helpless, or worthless
- A deepening depression
- Preoccupation with death
- Taking unnecessary risks or exhibiting self-destructive behavior
- Out of character behavior
- A loss of interest in the things one cares about
- Visiting or calling people one cares about
- Making arrangements; setting one's affairs in order
- Giving prized possessions away

Along with these warning signs, there are certain Risk Factors that can elevate the possibility of suicidal ideation.

- Perfectionist personalities
- Depressed youth
- Abused, Molested or Neglected Youth
- Youth with low self-esteem
- Students in serious trouble
- Parental history of violence, substance abuse, or divorce

The National Suicide Prevention Lifeline provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week, across the United States. The Lifeline is comprised of a national network of over 160 local crisis centers, combining custom local care and resources with national standards and best practices. Call 1-800-273-TALK (8255) and the link is <https://suicidepreventionlifeline.org>

### Rutgers University Behavioral Health Care

The Franklin Township Public School District has contracted with Rutgers University Behavioral Health Care, (UBHC), to provide in-district effective, compassionate, and accessible care to assist in supporting students and their families that may have behavioral health care needs. When the school staff determine that a student requires immediate interventions, the principal/designee will contact the parent to coordinate and facilitate services through UBHC.

If you would like additional resources our information, contact one of our Student Assistance Coordinators:

Name	School	Phone	Email	Office
Stacy Hale, MA, M.Ed, LPC, SAC	Franklin High School 9-12	(732) 302-4200 Ext. 4663	shale@franklinboe.org	Room B233
Jason Marchitto, LPC, LCADC, SAC	Franklin High School 9-12	(732) 302-4200 Ext. 4321	jmarchitto@franklinboe.org	Room C235
Vanessa Hitchman MA, NCC SAC	Hamilton Campus & CES; CON; Fr. Park	(732) 249-6410 Ext. 217	vhitchman@franklinboe.org	Guidance Suite
Valerie Northey, LCSW, LCADC,SAC	SGS Campus & PGM; MAC; EAS & HIL	(732) 873-2800 Ext. 120	vnorthey@franklinboe.org	Suite 112

# **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; nunchucks; 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.

## **READMISSION OF STUDENTS CONVICTED OF OFFENSE**

The District has established the following procedures to govern a student's readmission to school following conviction for weapons, violent crimes, or CDS related offenses.

- Prior to admission into the District, the student and parent will meet with the Director of School Management & Student Advocacy, the building principal, SAC/counselor and CST member. This meeting is not punitive but designed to determine how to best support the student academic and social needs.
- Appropriate school personnel will maintain communication with the student, parent/guardian, probation/parole officers and any other agency involved with assisting the student achieve their goals.

## **HANDLE WITH CARE PROCESS AND PROTOCOLS**

Handle With Care is a behavior management system to guide staff when dealing with behaviorally challenged student situations. The purpose is to preserve the dignity of student and staff; maintain the safety of student and staff; and to foster a positive learning environment.

Franklin Township School District provides annual training and follow-up support for staff on the techniques of Handle with Care. Although not all staff has been trained in the Handle With Care restraint techniques, all staff will adhere to the district policy and procedures outlined in this process. Regardless of whether staff have been trained in the Handle With Care Techniques, any staff person may utilize reasonable restraint to prevent students from causing harm to themselves or others. This is in accordance with NJ State Law and BOE policy.

Handle With Care relies heavily on de-escalation strategies to assist staff in managing student disruptive behaviors. Physical restraint is only used in situations where a student's behavior is imminently a threat to their safety or the safety of others. When a student demonstrates behaviors that require physical restraint the administration and staff are required to do the following:

- Once the situation is ended have on site school nurse assess the student.
- Contact parents in writing and if possible by phone regarding the details of the incident.
- Administration and involved staff will discuss details of the situation, no later than the end of the following school day.

# **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. District administrators and staff have the right to question students regarding any situation that has disrupted or may jeopardize the safety of the school environment.
- The building principal has the authority to assign appropriate disciplinary consequences for any student behavior that may disrupt the safety and security of the school culture whether or not it has been identified specifically in the District Student Code of Conduct.

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;
- Developing a Positive Behavior Chart;
- Reaching out to request Tier 2 Positive Behavior Supports
- Documenting student misconduct using Demerit Tab or Minor Incident of Misconduct

## **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) the 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 60.

**Note:**

- **The building Principal has the authority to assign appropriate disciplinary consequences for any student behavior that may disrupt the safety and security of the school culture whether or not it has been identified specifically in the District Student Code of Conduct.**
- **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 law enforcement as is appropriate. This level includes conferencing and counseling to change the students behavior.

**Level 2** – Consequences will include conferencing and the assignment of (detentions, in-school suspensions, Tier 2 Positive Behavior Supports, 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. Student and parent are required to meet with an administrator and Student Assistance Coordinator- SAC, or other school counselor to develop a plan to prevent re-occurrence of the behaviors that caused the suspension.—Consequences at this level may include:

- a. a suspension of one to three (1-3) days
- b. a suspension of three to five (3-5) days
- c. a suspension of five to ten (5-9) days requires conference and referral to I&RS team

**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) Tier 2 Positive Behavior Supports, 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 or alternative school placement for a non-classified student, the 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) 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” limit 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.

## **STUDENTS IN PRE-KINDERGARTEN THROUGH GRADE 2**

In order for young children to fully and consistently participate in early learning experiences, we need to ensure that they are in school and able to positively engage in educational opportunities. Removing young children from school through suspensions reduces their participation in academic, behavioral and social learning experiences that are critical to their positive development.

P.L. 2016, Chapter 45, signed into law by Governor Christie, places limits on out of school suspension as follows:

1. Students in grades kindergarten through grade two:
  - a. Shall not be expelled from school, except as provided pursuant to the “Zero Tolerance for Guns Act”
  - b. Shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature and endangers other, and
2. Students in preschool:
  - a. Shall not be suspended and shall not be expelled, except as provided pursuant to the “Zero Tolerance for Guns Act”.

To proactively address the needs of students in preschool through grade two, the law requires school to implement an early detection and prevention program to identify students who are experiencing behavioral and disciplinary problems and provide behavioral supports. The behavioral supports may include, but are not limited to: remediation of problem behaviors, positive reinforcement, supportive interventions and referral services. Positive approaches such as these address the underlying cause or purpose of the behavior, reinforce positive behavior, and have been associated with increases in academic engagement, academic achievement, and reductions in suspensions and school dropouts.

# **FRANKLIN TOWNSHIP PUBLIC SCHOOLS DISCIPLINE MATRIX**

## CONDUCT VIOLATIONS & CONSEQUENCES

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
<b>Cutting Class</b>	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
<b>Defacement of School Property</b>	Participating in activity that results in substantial destruction or disfigurement of school property that is not the result of accidental behavior.	1	2
<b>Dishonesty / Forging / Cheating</b>	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
<b>Disruption</b>	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
<b>Electronic Device Offences</b>	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
<b>Entering School Grounds Without Permission</b>	Trespassing on school property outside of regular hours of building operation and/or during out of school suspension without permission.	1	2
<b>Failure to Comply with Administrative Detention</b>	Failing to attend administrative detention, arriving more than ten (10) minutes after the scheduled start time, or leaving administrative detention without permission.	2	3
<b>Failure to Comply with Teacher Detention</b>	Failing to attend teacher detention, arriving more than ten (10) minutes after the scheduled start time, or leaving teacher detention without permission.	2	2
<b>Gang Related Activity</b>	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
<b>Harassment / Intimidation / Bullying (HIB)</b>	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
<b>Threat/ Intimidation</b>	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
<b>Inappropriate Dress</b>	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

<b>Examples of Conduct Violations</b>	<b>Definition</b>	<b>Minimum Level</b>	<b>Maximum Level</b>
<b>Lacking Supervision / Loitering</b>	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
<b>Leaving Class/School Without Permission</b>	Leaving class/school without permission.	1	2
<b>Misuse of School Equipment</b>	Using school equipment without permission and/or without following instructions.	1	2
<b>Non-compliance / Defiance / Disrespect</b>	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
<b>Obscene / Inappropriate Language / Materials</b>	Verbalizing or writing messages, and/or making gestures that include swearing, name calling, profanity, and/or explicit messages of a violent nature.	1	3
<b>Physical Aggression</b>	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
<b>Possession or Use of Tobacco Products</b>	Possessing or using tobacco products while on school property or in attendance at school sponsored events.	1	3
<b>Possession of Unsafe Objects / Materials</b>	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
<b>Sexually Inappropriate Activity or Behavior / Gestures / Materials</b>	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
<b>Theft</b>	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
<b>Tardiness to Class</b>	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
<b>Tardiness to School</b>	Failing to arrive to school at the scheduled start time and/or arrives late to school without permission.	1	2
<b>Truancy</b>	Failing to report to school without prior permission, knowledge or excuse by the school or parent. Leaving school without permission.	1	2
<b>Use of an Electronic Device</b>	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
<b>Technology</b>	<p>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;</p> <p>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;</p> <p>Utilize the network for commercial purposes or display any logo of any commercial entity not directly related to the Franklin Township School District;</p> <p>Post, use, or download any files which cause congestion or impede network operations;</p> <p>Trespass in or vandalize another’s files, folders, data, or work;</p> <p>Use an account password of another user;</p> <p>Use abusive or otherwise objectionable language in any message</p>	1	5

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

## LAW RELATED VIOLATIONS & CONSEQUENCES

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
<b>Arson</b>	Intentionally starting, or attempting to start a fire or combustion.	3	5
<b>Assault</b>	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
<b>Bias Incident</b>	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
<b>Bombs/Explosives</b>	Possessing or using a device containing combustible material and/or a fuse, including fireworks.	3	5
<b>Burglary</b>	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
<b>Computer Violations</b>	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	5
<b>Disorderly Conduct</b>	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
<b>Drug/Alcohol/Chemical Use (NJSA 18A:40A-12(a))</b>	Using any controlled substance, intoxicant or alcohol or substance alleged to be a drug regardless of its content. (Mandated SAC Intervention)	3	5
<b>Drug/Alcohol/Chemical Possession (NJSA18:40-1011;NJAC:29-6.3(c) (2))</b>	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
<b>Drug/Alcohol/Chemical Sale/Distribution(NJSA 18:40A-10, 1NJAC:29-6.3(c) (2))</b>	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
<b>Possession of Drug Paraphernalia:</b>	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

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
<b>Extortion</b>	Using threats or intimidation to demand money or something of value from another.	3	5
<b>False Fire Alarm/Bomb Threat</b>	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
<b>Gambling</b>	Playing any game of skill or chance for money or anything of value.	3	5
<b>Robbery</b>	Taking property from a person by force, violence or threat of immediate bodily injury.	3	5
<b>Sexual Assault/Offenses</b>	Participating in intentional sexual contact of a harmful or offensive nature.	3	5
<b>Terrorist Threats</b>	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 <sup>rd</sup> ) degree.	3	5
<b>Theft/Larceny/Fraud</b>	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
<b>Threatening/Menace</b>	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
<b>Trespass</b>	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
<b>Vandalism/Graffiti</b>	Willfully or maliciously destructing or defacing public or private property belonging to another.	3	5
<b>Vehicle</b>	Using a motor vehicle in a reckless, threatening or disruptive manner.	3	5
<b>Weapons &amp; Dangerous Instruments</b>	Possessing or using an implement that can cause bodily harm.; including mace, knives, razors, clubs, metal knuckles, nunchuk, 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

Examples of Conduct Violations	Definition	Minimum Level	Maximum Level
<b>Firearms</b>	<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 eights of an inch in diameter, with sufficient force to injure a person.</p>	5	5
<b>Other Pellet Guns &amp; BB Guns</b>	<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
<b>Paintball Guns</b>	<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
<b>Toy Guns and Imitation Firearms</b>	<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 nine (9) 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 nine (9) 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 nine (9) 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 5<sup>th</sup> 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 of ten (10) days or more 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 nine (9) 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 67.)
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 67.)
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 67.)
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 67.)
- 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 are 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](http://www.franklinboe.org), and in each school building and the Board of Education office.*

## **HOW AND WHEN TO REPORT CHILD** **ABUSE/NEGLECT**

## **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.