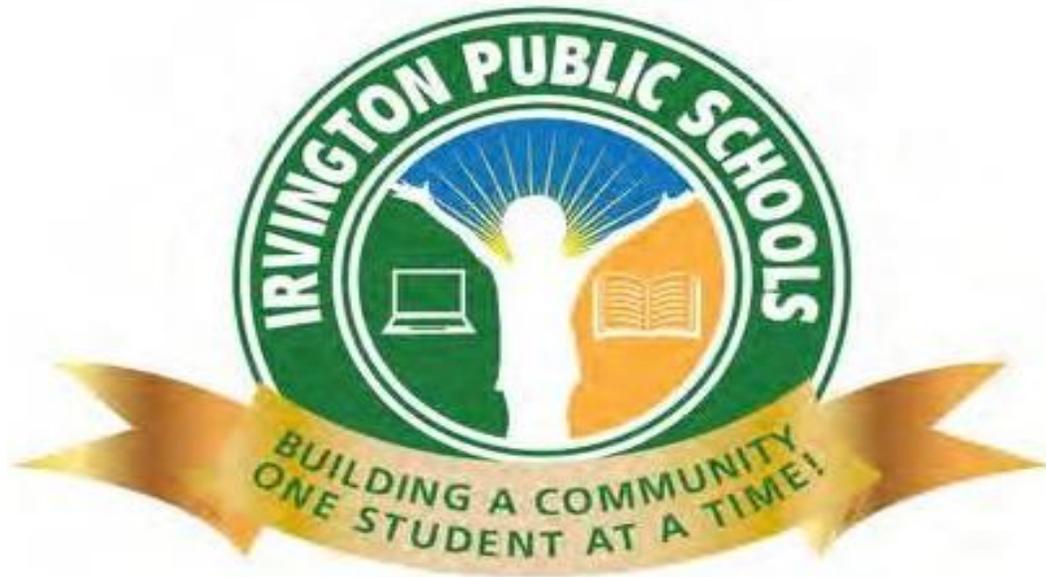


**IRVINGTON PUBLIC SCHOOLS**  
**Irvington, NJ 07111**

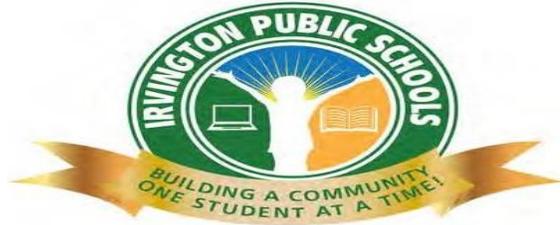


**Student Code of Conduct**  
**2021-2022**

The information in the Irvington Public Schools Student Code of Conduct may be updated during the course of the school year. The most recent version is available on the District's website.

Board Approved: October 21, 2021

IRVINGTON PUBLIC SCHOOLS  
Irvington, NJ 07111



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**Dr. April Vauss**

Superintendent of Schools

**Dr. Matin Adegboyega**

Assistant Superintendent for Curriculum and Instruction

**Reginald Lamptey, CPA**

Assistant Superintendent for Business/Board Secretary

**Dr. Latee McCleod**

Assistant to Assistant Superintendent for Curriculum and Instruction

**Roger Monel**

School Business Administrator

**Farrah Irving, Esq.**

Manager of Human Resources

**MISSION STATEMENT**

*Irvington Public Schools inspires and instructs all students to think critically, creatively, and responsibly, to embrace diversity, and to pursue their dreams with purpose.*

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Dear Parents/Guardians:

The purpose of the Student Code of Conduct is to:

- Foster the health, safety, social, and emotional well-being of students;
- Support the establishment and maintenance of civil, safe, secure, supportive and disciplined school environments conducive to learning;
- Promote achievement of high academic standards;
- Prevent the occurrence of problem behaviors;
- Establish parameters for the intervention and remediation of student problem behaviors at all stages of identification; and
- Establish parameters for school responses to violations of the Student Code of Conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders and students' histories of inappropriate behaviors

### **District Goals 2021-2022**

I. Mission Statement

Irvington Public Schools inspires and instructs all students to think critically, creatively, and responsibly, to embrace diversity, and to pursue their dreams with purpose.

II. Core Beliefs

- Each student is entitled to a quality education that the entire community of invested stakeholders value, support, and enlarge by collaborating with one another.
- Teacher quality is vital to engaging students in relevant, authentic tasks and improving student achievement.
- Each student possesses the ability to achieve his or her potential in any learning environment when the adults provide the most appropriate supports for success.
- The educational environment must be safe, respectful, and guided by skilled administrators who focus on advancing teacher effectiveness and student achievement.
- Parents and guardians are essential partners in providing students with a high quality education.

Purpose

District goals are established to ensure that a plan of action is created, monitored, and successfully implemented to fulfill our mission to provide all students with a quality educational experience that prepares them to be productive members of our ever-changing, global society. Each year, the Irvington Board of Education develops goals that govern various initiatives, community outreach, and student academic performance outcomes. Annual goals are approved by resolution and serve to provide the Superintendent of Schools with focused priorities. The Superintendent is responsible for demonstrating progress toward achieving the goals.

All staff members of the Irvington Public Schools will work collaboratively to ensure that our students are presented with a rigorous instructional program. Our curricula will be aligned with the New Jersey Student Learning Standards. In addition, we will provide resources and materials of high interest from diverse perspectives to serve our student population. Classroom instruction will consist of relevant learning tasks for students that expand their critical thinking skills in order to solve complex, real-life problems.

III. Roles

The Board has a responsibility to ensure that the District’s goals reflect community values, to establish the necessary policies to achieve the goals, and to communicate with the community about the goals and progress toward them.

The Superintendent is responsible for progress toward the goals, through the management of all staff to achieve clearly stated milestones on an annual basis.

IV. Goals

1. Quality curriculum with remote access for the Irvington Community

- Objective 1. Present a budget recommendation for 2021-2022 that adequately supports remote learning
- Objective 2. Give quarterly updates with progress of this initiative
- Objective 3. By January 2022, the Superintendent will present a proposal regarding the general direction and resource impact for this initiative

2. Current Technology is accessible to the Irvington students and parents
  - Objective 1. Ensure the district website is updated, maintained, and publicized as a source for accurate community and district information
  - Objective 2. Provide quarterly updates to the Board
  - Objective 3. Ensure at least 50% of instructional staff has received professional development on Google Suite by September 30, 2021
  - Objective 4. Will provide virtual learning training to community members at least once every year
  
3. District will maximize resources available for instruction and community engagement
  - Objective 1. Each year for the next five years, the Superintendent will present budgets that increase district resources to instructional and parental involvement programs
  - Objective 2. Parental surveys and community committees and quarterly forums
  - Objective 3. Offer weekly professional development from various content areas
  - Objective 4. Provide ELL community activities and classes

**2021-2022**  
**SCHOOL HOURS**

	<u>START</u>	<u>DISMISS</u>
Elementary Schools	8:25 a.m.	3:05 p.m.
Middle Schools	8:20 a.m.	3:00 p.m.
High School	8:21 a.m.	2:45 p.m.

**MINIMUM SESSION**

	<u>START</u>	<u>DISMISS</u>
Elementary Schools	8:25 a.m.	12:30 p.m.
Middle Schools	8:20 a.m.	12:30 p.m.
High School	8:21 a.m.	12:30 p.m.

## **DELAYED OPENING PROCEDURES**

A delayed opening will be announced by the Superintendent through the School Messenger System. In addition, when possible, the delayed opening announcement will be posted on Channel 36 and the District's Website.

### **DELAYED OPENING ARRIVAL SCHEDULE**

Teachers, Secretaries, and Support Staff	9:45 a.m. (pick up/receive students by 9:50 a.m.)
Administrators	ASAP, no later than 9:45 a.m.
Custodians	Regularly Scheduled Time
Security	Regularly Scheduled Time
Whitson's Staff	Regularly Scheduled Time
Central Office Staff	9:45 a.m.
Students	10:00 a.m.

### **DELAYED OPENING CALLS**

1. Superintendent will call the Irvington Township Safety Director who will alert Crossing Guards.
2. Assistant Superintendent for Business/Board Secretary will call Whitsons (food service vendor).
3. Associate Business Administrator will call the Essex Regional Educational Services Commission
4. Parents will call transportation carriers to receive information regarding pick-up times.  
Parents who are unable to reach the transportation carriers should call the Essex Regional Educational Services Commission, Transportation Department at 973-405-6262 or 973-405-6466 Ext. 295

### **DELAYED OPENING SCHOOL SCHEDULES**

#### Elementary School

Period 1	10:00 a.m. - 10:40 a.m.	
Period 2	10:40 a.m. - 11:15 a.m.	
Period 3	11:15 a.m. - 11:50 a.m.	
Period 4	11:50 a.m. - 12:25 p.m.	(1 <sup>st</sup> lunch period)
Period 5	12:25 p.m. - 1:00 p.m.	(2 <sup>nd</sup> lunch period)
Period 6	1:00p.m. - 1:35 p.m.	(3 <sup>rd</sup> lunch period)
Period 7	1:35 p.m. - 2:10 p.m.	
Period 8	2:10 p.m. - 2:45 p.m.	
2:45 p.m. Afternoon Homeroom		
2:50 p.m. Dismissal		

## Middle School

Period 1	10:00 a.m. -10:36 a.m.	
Period 2	10:37 a.m. - 11:08 a.m.	
Period 3	11:09 a.m. -11:40 a.m.	
Period 4	11:41a.m. -12:12 p.m.	(1 <sup>st</sup> lunch period)
Period 5	12:13 p.m. -12:44 p.m.	(2 <sup>nd</sup> lunch period)
Period 6	12:45 p.m. -1:16 p.m.	(3 <sup>rd</sup> lunch period)
Period 7	1:17 p.m. - 1:48 p.m.	
Period 8	1:49 p.m. - 2:20 p.m.	
Period 9	2:21 p.m. - 2:52 p.m.	
Dismissal	2:53 p.m.	

## High School

Time	Block
10:00 a.m. – 10:54 a.m.	Block 1
10:57 a.m. – 11:51 a.m.	Block 2
11:54 a.m. – 12:20 p.m.	Block 3a
12:23 p.m. – 12:49 p.m.	Block 3b
12:52 p.m. – 1:18 p.m.	Block 3c
1:21 p.m. – 1:47 p.m.	Block 3d
1:51 p.m. – 2:45 p.m.	Block 4

### **DELAYED OPENING ADDITIONAL INFORMATION**

1. Students should not arrive prior to 10:00 a.m. Due to weather conditions, which caused the delayed opening, there will be limited supervision available for students.
2. Students must be ready to board the school bus at the exact time indicated by the transportation carrier.
3. All before school programs will be cancelled.
4. Please do not call the Fire Department or Police Department for delayed opening information.
5. The storm chains for the District and each school will be activated to announce the delayed opening.

# DISTRICT DIRECTORY

## SCHOOLS

Augusta Preschool Academy	(973) 399-6868
Berkeley Terrace School	(973) 399-6852
Chancellor Avenue School	(973) 399-6858
Florence Avenue School	(973) 399-6800
Grove Street School	(973) 399-6867
Madison Avenue School	(973) 399-6871
Mt. Vernon Avenue School	(973) 399-6875
Thurgood Marshall School	(973) 416-3822
University Elementary School	(973) 399-6826
Union Avenue Middle School	(973) 399-6885
University Middle School	(973) 399-6879
Irvington High School	(973) 399-6897

## CENTRAL OFFICE ADMINISTRATION

(Main Number)	(973) 399-6800
Superintendent Dr. April Vauss	Ext. 2110
Assistant Superintendent for Curriculum and Instruction Dr. Matin Adegboyega	Ext. 2116
Assistant Superintendent for Business/Board Secretary Mr. Reginald Lamptey, CPA	Ext. 2120
Assistant to Assistant Superintendent for Curriculum and Instruction Dr. Latee McCleod	Ext 2167
Associate Business Administrator Mr. Roger Monel	Ext 2128
Manager of Human Resources Mrs. Farrah Irving, Esq.	Ext. 2183

## DIRECTORS

Mathematics and Assessments

Mr. Frantz Meronvil

Ext. 2135

Technology and Media Services

Mr. John Amberg

Ext. 1912

Special Services

Ms. Lystrea Crooks

Ext. 1926

Athletics/Physical Education

Dr. John Taylor

Ext.1839

Early Childhood

Ms. Tawana Moreland

Ext. 1512

ESL/World Language

Dr. Pedro Ruiz

Ext. 1672

## SUPERVISORS

Special Services Ms. Tamara Dnmasais	Ext. 1920
Language Arts Literacy 6-12 Mr. John Doherty	Ext. 2119
Visual and Performing Arts Ms. Trudy-Rose Harte	Ext. 1862
Mathematics TBD	Ext. 1860
Early Childhood Ms. Lia Skibswieki	Ext. 1511
Guidance/Health and Social Services Ms. Shelly Pettiford	Ext. 1823
ESL/World Language Mr. Keith Perkins	Ext. 1677
Science Mr. John Severs	Ext. 1840
Social Studies Ms. Teresa Steele-Hunter	Ext. 1852
Language Arts Literacy K-5 Ms. Teesha Davis-Drain	Ext. 1144
Government Programs Ms. Celese Banks	Ext. 1673

## **GOALS OF THE STUDENT CODE OF CONDUCT**

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

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

### STUDENT CODE OF CONDUCT – GENERAL EXPECTATIONS

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

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

## **RIGHTS AND RESPONSIBILITIES**

We recognize that everyone has a role in creating and maintaining a productive and safe school climate that promotes learning.

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

### **STUDENT RIGHTS**

Students have a right to:

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

### **STUDENT RESPONSIBILITIES**

Students have the responsibility to:

- help to create and maintain a safe and orderly school environment that is conducive to teaching and learning;
- to be prepared for and to participate in each class, to meet performance standards, to have the necessary class materials, to complete class work and homework accurately and on time, and to prepare for quizzes, tests and examinations;
- know and obey all school rules and regulations relating to student conduct and achievement;
- come to school each day on time and ready to learn;
- must adhere to all COVID-19 protocols laid out in the District Reopening Plan;
- obey all instructions from all school employees in a positive and respectful manner;
- dress in accordance with the dress code for school and school related functions;
- accept responsibility for their actions;
- utilize school resources to develop appropriate problem solving skills;
- reflect respect and consideration for the personal and property rights of others;
- understand the need for cooperation with all members of the school community;
- demonstrate academic honesty and integrity, whether completing individual or group educational assignments, and crediting sources when it is necessary to use words, ideas, or thoughts that are not their

own.

## **PARENT/GUARDIAN RIGHTS**

Parents have the right to:

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

## **PARENT/GUARDIAN RESPONSIBILITIES**

Parents have the responsibility to:

- cooperate with school personnel by willing and timely response to requests for conferring on the behavior, health, and academic progress of their child(ren);
- discuss the Student Code of Conduct with their children;
- must adhere with all COVID-19 protocols laid out in the District Reopening Plan ;
- provide proof of a bona fide residence in the Irvington School District;
- provide the District, at the time of registering their child, proof of the child's age and proof that the child has received all immunizations;
- notify the school whenever their child will be absent;
- comply with compulsory school attendance law (New Jersey Statutes, Title 18A:38-25), which states that "Every parent, guardian or other person having custody and control of a child between the ages of six (6) and sixteen (16) years shall cause such child regularly to attend the public schools of the District ...;"
- attend conferences and meetings when scheduled to discuss/review the academic/school progress
- assume as parents the primary responsibility for the discipline of the child;
- acknowledge the child's responsibilities and obligations in the school as well as in the community;
- model cooperation with school and transportation personnel;
- partner with teachers in ensuring that homework and assignments are completed on time.

## **TEACHER & SUPPORT STAFF RIGHTS**

Teachers and Support Staff have the right to:

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

## **RESPONSIBILITIES OF TEACHERS AND SUPPORT STAFF**

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

- be prepared to teach and provide quality instruction within the current curricular framework;
- maintain a classroom environment of mutual respect and dignity;
- must adhere to all COVID-19 protocols laid out in the District Reopening Plan ;
- demonstrate interest in teaching and concern for student achievement;
- remain knowledgeable about school policies and rules, and enforce them in a fair, impartial, and consistent manner for all students;
- be familiar with the special needs of students with IEPs, 504 plans, or other special accommodations and insure that lesson design and plans address the needs of those students;
- communicate policies and expectations to students and parents, including course objectives and requirements, homework, grading procedures, assignment deadlines, and classroom discipline plan;
- communicate information regarding student progress and achievement on a regular and timely basis to students, parents, and other involved professionals;
- exhibit an attitude of respect for students that has a positive influence in helping students develop good citizenship traits;
- maintain an atmosphere that contributes to positive student behavior;
- provide make-up work upon request for students with lawful absences, including those on suspension.

## **RESPONSIBILITIES OF ADMINISTRATORS**

School administrators have the responsibility to:

- support teaching and learning by creating and maintaining a safe and orderly environment;
- adhere to all COVID-19 protocols laid out in the District Reopening Plan ;
- promote communication with all members of the school community and present opportunities for students, staff, and parents to readdress grievances;
- evaluate instructional programs regularly and comprehensively;
- support the development of and participation in appropriate extracurricular activities by students;
- enforce the Student Code of Conduct and ensure the fair, consistent, and prompt resolution of concerns and infractions.

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

# **PROTOCOL FOR PARENTS/GUARDIANS REGARDING SCHOOL COMMUNICATION**

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

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

If additional assistance is required, the next step is for the parent/guardian to contact Patricia Wilson, Community/Family Advocate 973-399-6826 Ext. 1115.

## **Parent Teacher Association (PTA)**

Parent Teacher Associations are school-based organizations open to all parents of children currently attending a public school. The PTA is a primary vehicle for parents to get involved in their children's schools.

The PTA helps parents become involved in their children's education, share ideas and enrich their school communities. While the specific roles of PTAs vary, among their responsibilities are electing parent members to serve on School Leadership Teams and Community Education Councils, conducting outreach to get other parents involved in school life, and supporting school activities like Parent-Teacher conferences, Open Houses and curriculum nights. Each PTA develops its own bylaws, elects officers, and holds regular meetings.

## **Parent Coordinators**

Parent Coordinators serve as liaisons between the Irvington Board of Education and parents/guardians. Parent Coordinators interact with community based organizations and resources that are available to enhance the cooperation between the home, the student, the school, and the community. Parent Coordinators inform the Building Principal, Community/Family Advocate, and Superintendent of the needs and aspirations of parents/guardians.

## **DRESS CODE**

Appropriate dress and grooming can help to create a positive learning environment. Students are required to wear school uniforms. Other attire may be allowed for special school activities with approval of the school administration. Students have a responsibility to dress neatly and appropriately, to be clean, and well groomed. In addition to each school's uniform dress code, students in all grades will be prohibited from wearing:

1. 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. 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. 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. 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);
15. pant legs that extend past the sole of the shoe;
16. clothing that does not cover undergarments at all times;
17. exposed or visible undergarments
18. dresses, skirts, shorts, culottes, and skorts that are shorter than 3 inches above the knee.
19. bedroom slippers, roller sneakers, or heels higher than three (3) inches
20. 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, by adhering to the District's dress code for staff.

## DRESS CODE POLICY – IRVINGTON PUBLIC SCHOOLS

All students are expected to dress appropriately for school. Safety, health, and general suitability for maintaining a normal classroom atmosphere will be the primary consideration in determining what is appropriate. The administration of the school reserves the right to contact parents/guardians and exclude any student who does not meet this standard. The dress code includes, but is not limited, to the following:

**STUDENTS DRESSED INAPPROPRIATELY WILL BE REMOVED FROM CLASS, AND THE PARENT/GUARDIAN WILL BE NOTIFIED AND ASKED TO BRING IN APPROPRIATE CLOTHING.**

### DRESS CODE POLICY PRE K - 12

On August, 2021, at its regular meeting, the Irvington Board of Education unanimously approved a **mandatory uniform policy** for all students in grades pre-k through 12. **All students** will wear the school's designated uniform as of September, 2021.

All students will be allowed to wear sneakers with their uniforms.

#### Enforcement:

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

Students who do not wear uniform will not have recess or after school privileges; 10 or more times of failure to wear uniforms could result in forfeiture of end of year activities. Parents/guardians who are having difficulty purchasing school uniforms should speak to the principal or parent coordinator.

## **TRANSPORTATION RULES**

Pupils transported on school busses are under the authority of, and directly responsible to, the driver of the bus. The purpose of bus discipline procedures is to provide measures for corrective action when a student's behavior is such that it constitutes a hazard. This would constitute any deliberate misbehavior which 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. Obeying the bus driver's/bus aide's instructions at all times is essential and expected.
2. Adhering to all COVID-19 protocols laid out in the District Reopening Plan
3. 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.
4. Using or opening the emergency exit unless authorized by the bus driver/bus aide, school, or police official is strictly prohibited.
5. Smoking and use of drugs/alcohol on a school bus is prohibited by law and, on the first offense, shall be cause for denial of transportation.
6. Hitting, fighting, harassing, scuffling, making loud and unnecessary noise, acting boisterous or participating in gang related activity, is distracting to the driver, and is not permitted.
7. Being disrespectful or abusive to the bus driver/bus aide or any other staff or student in conduct or language is not permitted.
8. Refusing to give your name to the bus driver/bus aide or giving a false name indicates misrepresentation and insubordination to the authority of the driver and shall be sufficient cause for immediate denial of transportation by the school administrator.
9. Using profanity and other foul language or obscene gestures towards the bus driver/bus aide, staff, or other students is not permitted.
10. Throwing articles on or out of the bus is not permitted.
11. Placing head, arms, or legs outside the window of the bus is strictly prohibited.
12. Eating or drinking on the bus is not allowed. Keep the bus clean and free of paper or other litter.
13. Transporting animals on the school bus is not permitted.
14. 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.
15. Seating arrangements are at the discretion of the bus driver/bus aide unless otherwise assigned by the school administration. When designated seating is used, students must sit in their assigned seats.
16. Destroying and defacing district or private property are not permitted.
17. Possessing weapons of any kind is not permitted.
18. Parents are not permitted to board the bus.
19. Any misbehavior should be reported immediately to the school principal.

## **DISCIPLINARY ACTIONS FOR INAPPROPRIATE BUS BEHAVIOR**

Failure to comply with the Transportation Rules will result in disciplinary measures. All appropriate steps of notification and appeals procedures shall apply to bus suspensions as in cases of suspensions resulting from other school misconduct.

1. All bus drivers shall provide written notice to the Essex County Educational Services Commission.
2. The Educational Services Commission will forward the notice to the Director of Special Services, and if applicable, to the building principal.
3. For bus infractions, it shall be the responsibility of the Director of Special Services and/or the principal or his/her designee to take immediate, appropriate disciplinary action. The sequence of disciplinary action for misbehavior is listed below; however, serious infractions may require that the sequence be altered or sequence may be altered based on each individual student's disability.
  - a. **First Notice**— An administrative conference with principal or designee shall be held with the student. The student shall be warned and counseled. The parent/guardian shall be advised via telephone and by mail that further incident shall result in additional disciplinary action and the parent/guardian and student shall receive a copy of transportation rules.
  - b. **Second Notice**— An administrative conference with principal or designee shall be held with the student. The student may be given one (1) to three (3) days bus 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.
  - c. **Third Notice**— An administrative conference with principal and Director of Special Services shall be held with the student. The student may be given three (3) to five (5) days of suspension from the school bus. A personal re-entry conference shall be held with the parent/guardian.
  - d. **Fourth Notice**— An administrative consultation shall be held with the Associate Business Administrator. The student may be given a minimum of thirty (30) days suspension or permanent denial of bus privileges at the Business Administrator's discretion.

School Administrators will determine the disciplinary action based on severity and frequency of referrals. Discipline actions may include but not be limited to, assigned seating, change of bus arrangements, notification to Case Manager and School Behavioral Team, student contract with consequences, counseling regarding bus riding behavior, parent/student conferences, meeting of IEP Team for purpose of adding strategies to address behavioral issues, additional training for bus staff, and suspension from bus.

**Please also note that when a student is suspended from the bus for misconduct, it is the parent/guardian's responsibility to provide the child with transportation to and from school for the duration of the suspension.**

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

## **STUDENTS IN SPECIAL EDUCATION PROGRAMS**

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

- Discipline procedures for students in special education programs shall be individualized by the building principal in consultation with the Child Study Team and case manager.
- Discipline procedures for students with disabilities should be same as general education students, but consequences should be in consultation with Case Manager
- All disciplinary actions taken shall be recorded electronically.
- A multi-year history record of student infraction shall be maintained in the District Student-Data Management System.
- Students with educational disabilities shall be subject to the same disciplinary action and procedures as other students in cases involving suspensions of ten (10) days or less.
- Students with educational disabilities are also subject to suspensions which are longer than ten (10) days and possible expulsion from the School District if the Child Study Team determines that their behavior was not a manifestation of their disabilities.
- Note that pre-kindergarten students with disabilities may not be suspended or expelled from school.
- Case Managers must receive, upon student suspension, a copy of the suspension letter.

### **DISABLED PUPILS**

Educationally disabled pupils are subject to the same disciplinary procedures as non-disabled pupils and may be disciplined in accordance with their Individual Educational Program. However, before disciplining a classified pupil, it must be determined that:

1. The pupil's behavior is not primarily caused by his/her disability; and
2. The program that is being provided meets the pupil's needs.

Staff shall comply with the regulations of the New Jersey Administrative Code in dealing with discipline and/or suspension of educationally disabled students.

## **STUDENT ATTENDANCE**

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 will 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.

## 5200- ATTENDANCE (M)

Section: Pupils

Date Created: June, 2010

Date Edited: May, 2015

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The Board of Education requires students enrolled in the school district attend school regularly in accordance with the laws of the State.

In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of this Policy and Regulation 5200, a student's absence from school will be excused or unexcused that counts toward truancy.

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. A student who is absent from school for observing a religious holiday shall not be deprived of any award, eligibility, or opportunity to compete for any award, or deprived of the right to take an alternate test or examination that was missed because of the absence provided there is a written excuse of such absence signed by the parent.

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the educational and classroom experiences deemed essential to learning and may result in retention at grade level or loss of credit or removal from a course that would count toward the high school diploma in accordance with policies of this Board.

Students shall be subjected to the school district's response for unexcused absences that count toward truancy during the school year as outlined in N.J.A.C. 6A:16-7.6(a)4 and Regulation 5200.

Unexcused absences from school or from classes within the school day may subject a student to consequences that may include the denial of a student's participation in co-curricular activities and/or athletic competition. Repeated absences from school interfere with efforts of this Board and its staff in the maintenance of good order and the continuity of classroom instruction and such absences may result in the removal of the student from a class or course of study.

The Superintendent shall calculate and monitor the average daily attendance rate for the district and for each school in the district. Whenever the average daily attendance rate does not meet the New Jersey Department of Education requirements the Superintendent or designee shall develop a district improvement plan to improve student attendance pursuant to N.J.A.C. 6A:30-5.2.

N.J.S.A.18A:36-14; 18A:38-25

N.J.S.A. 34:2-21.1 et seq.

N.J.A.C. 6A:16-7.6; 6A:32-8.3

Revised: May 19, 2015

Adopted: September 17, 2014

## **DISTRICT PROCEDURES FOR STUDENT ATTENDANCE WARNING LETTERS**

*The Board of Education requires that students attend school regularly in accordance with the laws of the State. The educational program offered by this district is predicated on the presence of students and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.*

*Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the classroom experience deemed essential to learning and may result in retention at grade level or loss of credit toward the high school diploma in accordance with policies of the Board of Education.*

Excerpt taken from Board of Education Policy # 5200

### Warning Letter

A Warning Letter is mailed home after a student has been absent 5 days.

### Five-Day Notice

On the 10th day that a student is absent, the school will submit documentation to the District's Attendance Office. The Attendance Officer will mail home a "**Legal Notice to Parent/Guardian**" letter.

### Request for Court Action

On the fifth day a student is absent after the date on the Legal Notice to Parent/Guardian, the school will complete a Request for Court packet. The Request for Court packet is comprised of the following:

- Student attendance records
- Copy of the Warning Letter
- Copy of the Five-Day Notice
- Copy of report card or grades
- Guidance Counselor's summary
- Nurse's summary
- Teachers' summaries

The Request for Court packet is forwarded by the District's Attendance Office to the Irvington Township Court for necessary action.

If the parent/guardian is mandated to appear in court, he/she is responsible for any court fees.

We encourage all students to attend school regularly so that they can receive a quality education that promotes college and career readiness.

## **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;
- **Home Instruction**
- A death in the student's immediate family
- **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);
- 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

**Note: All absences appear on a student's official record regardless if the absence is excused or unexcused. Only the conditions noted above in bold will not count toward the New Jersey Department of Education's definition of chronic absenteeism. A student is defined as chronically absent if he/she misses 10% or more of the number of days enrolled in school for a given year.**

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

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

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

## **POSSIBLE CONSEQUENCES FOR A STUDENT WHO REGULARLY MISSES SCHOOL**

- Denial of participation in co-curricular activities and extra-curricular activities
- Negative impact on student grades
- After school detention

- In-school suspension
- Saturday school detention
- Loss of course credit (high school only)
- Referral to Intervention & Referral Services (I&RS)
- Referral to the County Family Crisis Intervention Unit
- Referral to the Division of Child Protection and Permanency (DCPP)
- Retention in grade level
- Failure to satisfy graduation requirements
- Referral for outside interventions through the local courts
- Referral for alternative school placement

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 District's Attendance Office. Additional unexcused absences or truancy will result in referral to the Irvington 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 present and to obtain a pass before being admitted to any class. At the elementary school level, grades K – 5, it is appropriate for a parent/guardian to sign the late student into school with the attendance secretary.

Excessive unexcused lateness to school or class will result in the appropriate level of school discipline.

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, admissions testing, or other education opportunities such as college visitations (limit of three);

- Students are Family emergency;
- Court appearance;

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

## 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 Irvington Public Schools has established guidelines by which students can use technology in a legal, safe, productive, and ethical manner. All use of technology under these guidelines is for legitimate educational purposes under the guidance or direction of school staff. These guidelines cover the use of computers, scanners, digital cameras, video projectors, video cameras, cell phones, Nextel devices, PDA devices, and wireless e-mail devices and define the acceptable use of such technology by students. The following conduct is prohibited while using the school system network, accessing the school system network from home, or while involved in situations which this Code has jurisdiction.

Students shall not:

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

### **2361- ACCEPTABLE USE OF COMPUTER NETWORKS/COMPUTERS AND RESOURCES – District Policy**

Section: Program

Date Created: June, 2010

Date Edited: September, 2012

The Board of Education recognizes as new technologies shift the manner in which information is accessed, communicated, and transferred; these changes will alter the nature of teaching and learning. Access to technology will allow pupils to explore databases, libraries, Internet sites, and bulletin boards while exchanging information with individuals throughout the world. The Board supports access by

pupils to these information sources but reserves the right to limit in-school use to materials appropriate for educational purposes. The Board directs the Superintendent to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes technology allows pupils access to information sources that have not been pre-screened by educators using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer networks and declares unethical, unacceptable, or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, and/or instituting legal action.

The Board provides access to computer networks/computers for educational purposes only. The Board retains the right to restrict or terminate pupil access to computer networks/computers at any time, for any reason. School district personnel will monitor networks and online activity to maintain the integrity of the networks, ensure their proper use, and ensure compliance with Federal and State laws that regulate Internet safety.

### Standards for Use of Computer Networks

Any individual engaging in the following actions when using computer networks/computers shall be subject to discipline or legal action:

- A. Using the computer networks/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate Federal, State, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the networks. Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
- B. Using the computer networks/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.
- C. Using the computer networks in a manner that:
  - 1. Intentionally disrupts network traffic or crashes the network;
  - 2. Degrades or disrupts equipment or system performance;
  - 3. Uses the computing resources of the school district for commercial purposes, financial gain, or fraud;
  - 4. Steals data or other intellectual property;
  - 5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another person;
  - 6. Gains or seeks unauthorized access to resources or entities;

7. Forges electronic mail messages or uses an account owned by others;
8. Invades privacy of others;
9. Posts anonymous messages;
10. Possesses any data which is a violation of this Policy; and/or
11. Engages in other activities that do not advance the educational purposes for which computer networks/computers are provided.

#### Internet Safety Protection

As a condition for receipt of certain Federal funding, the school district shall be in compliance with the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and has installed technology protection measures for all computers in the school district, including computers in media centers/libraries. The technology protection must block and/or filter material and visual depictions that are obscene as defined in Section 1460 of Title 18, United States Code; child pornography, as defined in Section 2256 of Title 18, United States Code; are harmful to minors including any pictures, images, graphic image file or other material or visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or depicts, describes, or represents in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

This Policy also establishes Internet safety policy and procedures in the district as required in the Neighborhood Children's Internet Protection Act. Policy 2361 addresses access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; unauthorized access, including "hacking" and other unlawful activities by minors online; unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

Notwithstanding blocking and/or filtering the material and visual depictions prohibited in the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act, the Board shall determine other Internet material that is inappropriate for minors.

**In accordance with the provisions of the Children's Internet Protection Act, the Superintendent of Schools or designee will develop and ensure education is provided to every pupil regarding appropriate online behavior, including pupils interacting with other individuals on social networking sites and/or chat rooms, and cyber bullying awareness and response.**

The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety policy - Policy and Regulation 2361. **Any changes in Policy and Regulation 2361 since the previous year's annual public hearing will also be discussed at a meeting following the annual public hearing.**

**The school district will certify on an annual basis, that the schools, including media centers/libraries in the district, are in compliance with the Children’s Internet Protection Act and the Neighborhood Children’s Internet Protection Act and the school district enforces the requirements of these Acts and this Policy.**

Consent Requirement

No pupil shall be allowed to use the school districts’ computer networks/computers and the Internet unless they have filed with the Principal of the school a consent form signed by the pupil and his/her parent(s) or legal guardian(s).

Violations

Individuals violating this Policy shall be subject to the consequences as indicated in Regulation 2361 and other appropriate discipline, which includes but are not limited to:

1. Use of the network only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from school;
7. Expulsion from school; and/or
8. Legal action and prosecution by the authorities.

N.J.S.A. 2A:38A-3

Federal Communications Commission: Children’s Internet Protection Act

Federal Communications Commission: Neighborhood Children’s Internet Protection Act

Adopted: September 19, 2012

## **PROHIBITED ITEMS**

Bringing cigarettes, any other tobacco products, lighters, radios, tape recorders, IPOD, electronic music devices, game systems, MP3 players, cellular phones, walkie-talkies, cameras, skateboards, scooters, musical instruments (other than used by band members), laser pointers, and any other dangerous, illegal or disturbing articles to school is strictly prohibited. Such items have no place in the academic environment. When such items are brought to school, they will be subject to confiscation by teachers or administrators. Suspension is a possible penalty. Confiscated items will be returned to a parent/guardian. **\*We understand that cell phones are prevalent in today's society; if students bring cell phones to school they should be concealed and turned off. If any staff member sees or hears a cell phone the phone will immediately be taken away and given to an administrator. Parent may be required to pick it up.**

The school will not be held responsible for any item that is not picked up by a parent/guardian within 30 days from the time it was taken from the student. After 30 days, the item will be stored away with other lost and found items. Parents/guardians must be able to verify student ownership if student's name is not on the item.

**Items including, but not limited to, cell phones, cameras, MP3 players, gaming systems, etc. are prohibited use throughout the school building. Such items are subject to confiscation.**

Upon confiscation, a parent must enter the building to retrieve the item from administration. The school will not be held responsible for any item that is not picked up by a parent/guardian within 30 days from the time it was taken from the student.

The Irvington Board of Education is not responsible for the replacement or compensation of any lost or stolen items brought into the building at any time.

Any item brought on school grounds is done so at the risk of the individual.

We further emphasize that no items of value be brought to the physical education classes. We will not be responsible for any items lost or stolen in the locker room.

## **HARASSMENT - INTIMIDATION – BULLYING (HIB)**

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

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

### **5512- HARASSMENT, INTIMIDATION, AND BULLYING – District Policy**

Section: Pupils

Date Created: June, 2010

Date Edited: September 19, 2018

#### **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 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. Walk away from 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. The consequences and remedial measures may include, but are not limited to, the examples listed below:

#### Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;

6. In-school suspension;
7. Out-of-school suspension (short-term or long-term);
8. Reports to law enforcement or other legal action; or
9. Expulsion.

## Examples of Remedial Measures

### Personal – Student Exhibiting Bullying Behavior

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

### Personal – Target/Victim

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

### Parents, Family, and Community

1. Develop a family agreement;

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

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

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

32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

### Consequences and Appropriate Remedial Actions – Adults

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

### Target/Victim Support

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

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

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

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

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

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

incident. All Board members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Principal within two school days of the verbal report.

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

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

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

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

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

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

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

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

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

The district Anti-Bullying Coordinator shall:

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

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
  - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
  - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect 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.

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, "up stander" 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.

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 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

Board Approved: September 19, 2018

# **IRVINGTON BOARD OF EDUCATION STUDENT PERSONAL ELECTRONIC RECORDING DEVICE POLICY**

## **Purpose**

1. The Irvington Board of Education ("IBOE") place great value on student's education. We also recognize that any "personal electronic recording device" can be disruptive to the learning environment.
2. For purposes of this policy "personal electronic recording device" means any device that a student is in possession of which electronically communicates, records, sends, receives, stores, reproduces, or displays voices and/or text communication or data. These include, but are not limited to
3. Cellular phone, pagers, smart phones, tablets and laptop computers.

## **I. Student's Rights and Responsibilities**

1. The student who possesses a personal electronic recording device will be solely responsible for its care.
2. Students may use personal electronic recording devices before school begins and after school ends.
3. These devices must be kept out of sight and powered off during school day and during any school sponsored activity held on IBOE property.
4. The requirement that personal electronic recording devices be turned off, may not apply in the following circumstances when the student obtains prior approval from the Superintendent.

## **II. Unauthorized Use**

1. Unauthorized use of personal electronic recording device may include, but not limited to, the following:
  - a. Possessing, recording, viewing, sending video or audio information having sexual, violent, bullying or threatening content on school grounds, school events or school buses will be prohibited and may result in disciplinary action, up to and including suspension or expulsion.
  - b. Transmitting school materials for unethical purposes, such as cheating will be prohibited and may result in disciplinary action, up to and including suspension or expulsion.

### **District Staff Rights and Responsibilities**

1. The IBOE will not be responsible for the theft, loss or damage to personal electronic recording device brought to school by a student while the device is under the student's care.
2. District staff may confiscate personal electronic device when such devices are being used in violation of this procedural directive and/or internal school procedure

# **CAFETERIA CONDUCT**

Because all school meals meet the U.S. Government guidelines for food services we ask that parents refrain from bringing outside vendor meals such as McDonald's, Wendy's, etc. into the cafeteria. Also, please review the menu regularly with your child and discuss other alternatives when needed. However, homemade cold lunches are acceptable. Please be advised that we cannot reheat meals.

## **Procedures:**

- Go through the serving line in an orderly manner keeping the approved social physical distance
- Get all condiments before going to your seat
- Go to the next available seat at the assigned table
- Adhere to all COVID-19 procedures laid out in the District Reopening Plan
- Stay seated at your assigned table and eat your lunch using appropriate table manners
- Treat everyone with respect
- Eat in the cafeteria – do not take food or drink outside of the cafeteria without permission
- No glass bottles and / or cans are allowed
- Speak quietly at all times
- Dispose of everything in the appropriate place (trash and liquid container)
- Ask permission to leave your seat or to leave the cafeteria
- Walk quietly to the recess area

## **Expectations**

### **Respect Authority:**

Listen to personnel in charge  
Follow directions promptly  
Accept responsibility for behavior

### **Respect Rights of Others:**

Use appropriate table manners  
Use low speaking voices  
Eat only your food  
Refrain from bothering others

### **Respect Property:**

Respect items that belong to others  
Respect your own property

### **Protect Yourself and others:**

Adhere to COVID-19 protocols  
Do not share food, drinks, and  
utensils  
Maintain cleanliness at all times

### **Display Appropriate Social Skills:**

Display courtesy  
Interact with others appropriately  
Keeps hands and feet to yourself

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

## **5530- SUBSTANCE ABUSE – District Policy**

Section: Pupils

Date Created: June, 2010

Date Edited: December, 2014

The Board of Education recognizes that a student's abuse of harmful substances seriously impedes that student's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish policies and procedures in operating programs to support the social, emotional, and physical development of students in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-4.1 et seq. The Board of Education will maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

### A. Definitions

N.J.S.A. 18A:40A-9

N.J.A.C. 6A:16-1.3; 6A:16-4.1 et seq.

The definitions as outlined in N.J.S.A. 18A:40A et seq., N.J.A.C. 6A:16 et seq., and those terms defined in Regulation 5530 shall be used for the purposes of this Policy and Regulation.

### B. Discipline

N.J.S.A. 18A:40A-10; 18A:40A-11

N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes alcohol or other drugs will be subject to discipline in accordance with the district's Code of Student Conduct. School authorities also have the authority to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5.

Discipline may include suspension or expulsion. The Board will establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.

### C. Instruction

N.J.S.A. 18A:40A-1 et seq.

N.J.A.C. 6A:16-3.1

The Board shall provide an instructional program on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances in accordance with the provisions of N.J.S.A.18A:40A-1 et seq. and N.J.A.C. 6A:16-3.1

D. Reporting, Notification, and Examination

N.J.S.A. 18A:40A-11 through 18A:40A-17

N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

1. Alcohol or Other Drugs

- a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a), on school grounds shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.
- b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent of the student, the Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.
- c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student shall be returned to the care of the parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.
- e. Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.
- f. While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.

- g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.
  - h. The Board may provide additional intervention and referral services for the student according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.
2. Anabolic Steroids
- a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe a student has used or may be using anabolic steroids, the person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.
  - b. The Principal or designee upon receiving such report shall immediately notify the parent and Superintendent and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.
  - c. Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(b)3.
  - d. A written report of the examination shall be provided by the examining physician to the parent Principal, and Superintendent.
  - e. If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.
  - f. If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.
3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.
4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.
5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.

6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.

E. In-Service Training

N.J.S.A. 18A:40A-15

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of students in accordance with the provisions of N.J.S.A. 18A:40A-15. The Board will provide time for the conduct of the program during the usual school schedule. The in-service training program required in N.J.S.A. 18A:40A-15 shall be updated at regular intervals in order to ensure teaching staff members have the most current information available on this subject.

F. Parent Training Program/Outreach Program

N.J.S.A. 18A:40A-16; 18A:40A-17  
N.J.A.C. 6A:16-4.1(c)8.

The Board will provide a parent training program/outreach program in accordance with the provisions of N.J.S.A. 18A:40A-16 and 17.

G. Records and Confidentiality of Records

42 CFR Part 2  
N.J.S.A. 18A:40A-7.1; 18A:40A-7.2  
N.J.A.C. 6A:16-3.2; 6A:32-7.1 et seq.

Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330 regarding confidentiality. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6A:16-6.5.

If an elementary or secondary student who is participating in a school-based drug or alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's parent or other person residing in the student's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only in accordance with N.J.S.A. 18A:40A-7.1 and N.J.A.C. 6A:16-3.2.

H. Nonpublic School Students

N.J.S.A. 18A:40A-5; 18A:40A-17(c)

The Board has the power and duty to loan to students attending nonpublic schools located in this district and to the parents of such students all educational materials on the nature and effects of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances developed and made available by the Commissioner of Education. The Board shall not be required to expend funds for the loan of these.

I. Civil Immunity

N.J.S.A. 18A:40A-13; 18A:40A-14;  
N.J.A.C. 6A:16-4.3(c)

No action of any kind in any court of competent jurisdiction shall lie against any employee, officer, or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers, and agents of the Board in accordance with the provisions of N.J.S.A. 18A:40A-13.

Any educational or non-educational Board employee who in good faith reports a student to the Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

J. Reporting Students to Law Enforcement Authorities

N.J.A.C. 6A:16-4.1; 6A:16-6.3

The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance, including anabolic steroids, or related paraphernalia involved or implicated in distribution activities regarding controlled dangerous substances, including anabolic steroids pursuant to N.J.A.C. 6A:16-4.1(c)9. The Superintendent or designee shall not disclose the identity of the student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.

The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or other drugs, pursuant to N.J.A.C. 6A:16-4.1(c)9.i. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test was obtained as a result of a district's voluntary random drug testing program pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

K. Policy Review and Accessibility

N.J.S.A. 18A:40A-10; 18A:40A-11  
N.J.A.C. 6A:16-4.2(a) and (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board may solicit parent student, and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention, and treatment agencies licensed by the New Jersey Department of Human Services.

This Policy and Regulation shall be annually disseminated to all school staff, students, and parents

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.

N.J.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.; 6A:16-6.1 et seq.

Adopted: December 17, 2014

**\*Intervention Plan – A student must attend mandatory counseling. Failure to attend mandatory counseling will result in a 2 day suspension. The student will be given another opportunity to attend mandatory counseling. Failure to attend mandatory counseling will result in a 30 day home instruction assignment and the student must attend mandatory counseling. Failure to attend mandatory counseling will result in expulsion proceedings.**

## **TOBACCO USE**

### **5533- PUPIL SMOKING – District Policy**

Section: Students

Date Created: June, 2010

Date Edited: June, 2018

The Board of Education recognizes the use of tobacco presents a health hazard that can have serious implications both for the smoker and the nonsmoker and that smoking habits developed by young people may have lifelong harmful consequences.

For the purpose of this Policy, “smoking” means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device pursuant to N.J.S.A. 26:3D-57. For the purpose of this Policy, “smoking” also includes the use of smokeless tobacco and snuff.

For the purpose of this Policy, “electronic smoking device” means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe, or any cartridge or other component of the device or related product pursuant to N.J.S.A. 2A:170-51.4.

For the purpose of this Policy, “school buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and any other central facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also include athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands and night field lights; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also include other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

N.J.S.A. 2A:170-51.4 prohibits the sale or distribution to any person under twenty-one years old of any cigarettes made of tobacco or any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco; and any electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product. Consequences for a student possessing such an item will be in accordance with the Student Code of Conduct.

The Board prohibits smoking by students at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus.

The Board also prohibits the possession of any item listed in N.J.S.A. 2A:170-51.4 at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus. Such items will be confiscated and may be returned to the parent, upon request.

If it appears to an educational staff member or other professional, upon confiscating such item(s), that the student may currently be under the influence of alcohol or other drugs, the staff member shall inform the Principal or designee. The Principal or designee will immediately notify the parent and the Superintendent or designee. The Principal or designee will arrange for an immediate medical examination of the student and shall comply with all of the provisions of N.J.A.C. 6A:16 4.3 and Policy and Regulation 5530 – Substance Abuse.

In the event the Principal or designee, after inspection of the confiscated item(s), has reason to believe the item(s) may have contained or may contain a controlled dangerous substance or a controlled dangerous analog pursuant to N.J.S.A. 2C:35-2, the

Principal or designee will immediately notify the parent and the Superintendent or designee. The Principal or designee will arrange for an immediate medical examination of the student and shall comply with all of the provisions of N.J.A.C. 6A:16-4.3 and Policy and Regulation 5530 – Substance Abuse. Principals and designees will be trained to identify controlled dangerous substances in electronic smoking devices.

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine.

A student who violates the provisions of this Policy shall be subject to appropriate disciplinary measures in accordance with the district's Student Discipline/Code of Conduct and may be subject to fines in accordance with law. In the event a student is found to have violated this Policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).

A student found to have violated this Policy and the law may be required to participate in additional educational programs to help the student understand the harmful effects of smoking and to discourage the use of tobacco products. These programs may include, but are not limited to, counseling, smoking information programs, and/or smoking cessation programs sponsored by this school district or available through approved outside agencies.

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall make every reasonable effort to discourage students from developing the habit of smoking.

The Board of Education will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

N.J.S.A. 2A:170-51.4

N.J.S.A. 2C:35-2

N.J.S.A. 18A:40A-1 N.J.S.A. 26:3D-55 through 26:3D-63

N.J.A.C. 6A:16-4.3

N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

Board Approved: June 13, 2018

Adopted: 30 June 2010

## **PROHIBITION**

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

## **DEFINITIONS**

For the purposes of this Student Code of Conduct,

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

**Tobacco use** includes smoking, chewing, dipping, or any other use of tobacco products.

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.

## **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 Health and Social Services Coordinator, 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 will include a four (4) day out of school suspension for each offense. As with all violations of this Student Code of Student Conduct, the building principal will have discretion to make a request for expulsion when considering the repetitive nature of the offense and/or whether the offense endangered the health or well-being of another student

# **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 Board of Education 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.

### **8467- WEAPONS – District Policy**

Section: Operations

Date Created: June, 2010

Date Edited: June, 2010

The Board of Education prohibits the possession, use, or exchange of any weapon in any school building, on school grounds, at any school-sponsored event, and on school sanctioned transportation except as the possession and use of a weapon is authorized by law and required in the performance of the possessor's duty.

For the purpose of this policy, "weapon" means anything readily capable of lethal use or of inflicting serious bodily injury. "Weapon" includes, but is not limited to, all firearms, knives, dangerous instruments intended to inflict harm, components that can be readily assembled into a weapon, explosive devices, and imitation firearms. For the purposes of this policy "firearm" means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.

Any pupil or school employee who has reasonable grounds to suspect the presence of a weapon prohibited by this policy shall immediately report his/her suspicion to the Building Principal and/or designee or immediate supervisor. The Building Principal and/or designee or immediate supervisor shall conduct an appropriate search in accordance with Policy No. 5770 and confiscate any weapon discovered in the course of the search. He/she shall, if appropriate and feasible, summon the aid of law enforcement officers in the conduct of the search. Any school employee who confirms the presence of a weapon under circumstances that place persons at serious risk may confiscate the weapon immediately and may use such force as is reasonable and necessary to obtain possession.

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

Any pupil who possesses, uses, or exchanges a weapon in violation of this policy shall be subject to stringent discipline, which may include expulsion. Any pupil or school employee who suspects or knows of the presence of a weapon in violation of this policy and fails to report the same shall be subject to discipline. Any person

who possesses a weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.

Any pupil who is convicted or is an adjudicated delinquent for possession of a firearm or who is found to be in possession of a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. Pupils convicted or found to be delinquent for possessing a firearm on school property, on a school bus, or at a school-sponsored function or committing a crime while possessing a firearm shall be immediately removed from the regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Any pupil who commits an assault upon members of the school community with a weapon other than a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

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

Pupils with disabilities violating the provisions of this policy shall be dealt with in accordance with Policy No. 2460 and Regulation No. 2460.6.

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

Any pupil requiring removal from the regular education program for the reasons enumerated above shall be removed in accordance with Policy and Regulation No. 5611.

The Superintendent, or designee, shall prepare regulations to implement this policy for the guidance of school staff in dealing with incidents involving weapons in the school district.

N.J.S.A. 2C:39-1 et seq.; 2C:58-6.1; 2C:58-15

N.J.S.A. 18A:6-1

N.J.S.A. 23:4-16

N.J.A.C. 6A:14-2.8 et seq.

Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act

18 U.S.C. 921

20 U.S.C 1415

Adopted: 30 June 2010

# **DISCIPLINE FOR ALL ACTS OF STUDENT MISBEHAVIOR**

## **DISCIPLINE PROCESS**

The discipline process is triggered when a student engages in misconduct that is observed by a school employee or when an investigation from a complaint or anonymous tip is completed. Faculty use of behavior management strategies in their classroom is considered the first line of discipline for minor misconduct. As such, teachers will utilize the following progressive 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 various resources to create a plan to support the student with meeting positive behavioral expectations;
- documenting student misconduct on discipline referral form.

## **MISCONDUCT WARRANTING ADMINISTRATIVE ACTION**

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

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

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

## **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 conduct administrative conferences and provide support for violations of the Student Code of Conduct that involve the students, parents/guardians, school personnel, and legal law enforcement as is appropriate. Level 1 can include Home for Parent.

**Level 2** – Consequences will include conferencing, assignment of detention, in school suspension, Home for Parent, 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. A suspension of one to four (1 - 4) days requires a parent conference to return to school;

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

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

**Level 4** – 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 and/or expulsion.

A written summary of the building administration's assessment, along with recommendations and/or actions taken will be presented to the Superintendent of Schools for further action, including expulsion.

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

## Definitions of Level I and II Consequences

Teacher Detention:	Shall be used to correct classroom issues. The parent or guardian will be advised that the student will be coming in early or staying late in order to serve detention time.
Administrative Detention (Saturday Detention):	Shall be used to correct issues related to inappropriate behavior, attendance, dress code violations and all other infractions deemed necessary by administration. The parent or guardian will be advised that the student has been assigned Saturday Detention.
Home For Parent:	A letter sent home with the student that requires the parent to return with the child to school on the next school day.
In School Suspension:	Shall be used to place student in a controlled academic setting while resolving school rule or behavior issues. Students will complete course work while in In-School Suspension.

## Definitions of Level III and IV Consequences

**Suspension:** A suspension shall be reported to the student's parent/guardian immediately. The student is to serve the suspension only after the 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.

A student on suspension shall not be at any Irvington 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. Police intervention may be sought for students who "trespass" on school property during the time of suspension.

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.

During the period of suspension, the student has the obligation to keep up with his/her work.

- I. It shall be the responsibility of the student and/or his or her parent/guardian to obtain all assigned work.

- II. The student or parent/guardian shall have the responsibility for obtaining the assignment in a manner prescribed by the school.
- III. There shall be a reasonable deadline for completing the schoolwork.
- IV. Makeup work completed by the student within this policy and school procedures shall be given full credit.
- V. If the suspension is for four (4) days or fewer, the student shall be afforded the right to an informal hearing as soon as practical after the occurrence of the misconduct.
- VI. Long-term Suspension – Whenever a student commits an offense for which the penalty established or proposed to be imposed involves a suspension for a period longer than ten (10) days 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.
- VII. 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.

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: 5620- EXPULSION – District Policy**

Section: Students

Date Created: September, 2014

Date Edited: June, 2017

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a student. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the Board has provided the procedural due process rights set forth in N.J.A.C. 6A:16-7.1(c) 3 and 7.3, and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3; and only after the Board has provided an appropriate educational program or service, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610.

The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.1 et seq., Alternative Educational Programs, and N.J.A.C. 6A:16-10.2, Home or Out-of-School Instruction for General Education Students, and N.J.A.C. 6A:14-2 et seq., Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.1 et seq., Special Education, Programs and Instruction, whichever are applicable. The educational services provided, either in school or out-of-school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25.

An appeal of the Board's decision regarding the cessation of the student's general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3-1.3 through 1.17. The Board shall continue to provide an appropriate educational program or services in accordance with N.J.A.C. 6A:16-7.4(a)2 until a final determination has been made on the appeal of the Board's action to expel a student.

A student with a disability shall only be expelled from his or her current program in accordance with N.J.A.C. 6A:14 et seq. An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14 et seq.

N.J.S.A. 18A:37-2

N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: September 17, 2014

Revised: June 28, 2017

## **CONDUCT VIOLATIONS & CONSEQUENCES**

<b>Examples of Conduct Violations</b>	<b>Definition</b>	<b>Minimum Level</b>	<b>Maximum Level</b>
<b>Chronic Lack of Supplies</b>	Repeatedly reporting to class without necessary materials such as books, physical education attire, supplies, etc.	1	2
<b>Failure to comply with COVID-19 protocols</b>	Repeatedly ignoring the safety protocols in the school, etc.	1	3
<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	3
<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	3
<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>Entering School Grounds Without Permission</b>	Trespassing on school property during or outside of regular hours of building operation and/or during out of school suspension without permission.	1	3
<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.	1	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.	1	2
<b>Food Fighting</b>	Deliberately throwing food or beverages	2	3
<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	4
<b>Harassment / Intimidation / Bullying</b>	Intentionally delivering threatening messages, real or implied, (verbal, gestural, or textual) 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.	1	4
<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.	1	2

(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension Short term 1-4 days/long term 10 days – pending expulsion hearing) (Level 4 – Expulsion) Refer to pages 60-62 for definitions of levels.

## **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	3
<b>Leaving Class Without Permission</b>	Leaving class without permission.	1	3
<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	4
<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	4
<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. Devices that contain combustible material (snaps, “stink bombs”, jumping jacks, firecrackers)	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	4
<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 Short term 1-4 days/long term 10 days – pending expulsion hearing) (Level 4 – Expulsion) Refer to pages 60-62 for definitions of levels

## **CONDUCT VIOLATIONS & CONSEQUENCES**

<b>Examples of Conduct Violations</b>	<b>Definition</b>	<b>Minimum Level</b>	<b>Maximum Level</b>
<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>Throwing Objects</b>	Deliberately throwing or tossing objects.	1	3
<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, image recorder, or electronic entertainment device at any time on school property without the expressed written permission of the school principal or noted in the IEP.	1	2

(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension Short term 1-4 days/long term 10 days – pending expulsion hearing) (Level 4 – Expulsion) Refer to pages 60-62 for definition of levels.

## **LAW RELATED VIOLATIONS & CONSEQUENCES**

<b>Examples of Conduct Violations</b>	<b>Definition</b>	<b>Minimum Level</b>	<b>Maximum Level</b>
<b>Arson</b>	Intentionally starting, or attempting to start a fire or combustion.	3	4
<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	4
<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	4
<b>Bombs/Explosives</b>	Possessing or using a device containing combustible material and/or a fuse, including fireworks.	3	4
<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	4
<b>Computer Violations</b>	Stealing computer hardware or software, reproducing unauthorized information (fraud), viewing or obtaining pornography or sexually explicit materials, introducing computer viruses, threatening /menacing, sending or receiving hate materials, committing a bias offense, harassing, 'sexting' (sending sexually explicit messages/photos electronically).	3 3 3 3 1 1 1 2	4 4 4 4 4 4 4 4
<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	4
<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 HSSC Intervention)*	2	4
<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 HSSC Intervention)	3	4
<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 HSSC Intervention)	4	N/A
<b>Possession of Drug Paraphernalia:</b>	In possession of pipes, rolling papers, needles or other paraphernalia.	3	4

**\*Intervention Plan – A student must attend mandatory counseling. Failure to attend mandatory counseling will result in a 2 day suspension. The student will be given another opportunity to attend mandatory counseling. Failure to attend mandatory counseling will result in a 30 day home instruction assignment and the student must attend mandatory counseling. Failure to attend mandatory counseling will result in expulsion proceedings.**

## **LAW RELATED VIOLATIONS & CONSEQUENCES**

(Police may be called.)

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	4
<b>False Fire Alarm/Bomb Threat</b>	Reporting a fire to school or fire officials or intentionally setting off a fire alarm or fire extinguisher without a reasonable belief that a fire exists or making statements that a bomb is on the premises.	3	4
<b>Gambling</b>	Playing any game of skill or chance for money or anything of value.	1	4
<b>Robbery</b>	Taking property from a person by force, violence or threat of immediate bodily injury.	2	4
<b>Sexual Assault/Offenses</b>	Participating in intentional sexual contact of a harmful or offensive nature.	3	4
<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	4
<b>Stealing/Extortion/Fraud</b>	Unlawful taking and carrying away of property belonging to another person with the intent to deprive the lawful owner of its use.	3	4
<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.	2	4
<b>Vandalism/Graffiti</b>	Willfully or maliciously destructing or defacing public or private property belonging to another. Parents/guardians will be held liable for damages and the district will seek appropriate restitution.	2	4
<b>Weapons &amp; Dangerous Instruments</b>	Possessing or using an instrument that can cause bodily harm.; including mace, knives, razors, clubs, metal knuckles, nun chucks, laser lights, or any other object used or intended to be used to inflict bodily harm.	3	4

(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension Short term 1-4 days/long term 10 days – pending expulsion hearing) (Level 4 – Expulsion) Refer to pages 60-62 for definition of levels.

# **LAW RELATED VIOLATIONS & CONSEQUENCES**

(Police may be called.)

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>	4	N/A
<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	4
<b>Paintball Guns</b>	<p>Possessing, using, or threatening to use a paintball gun on school property, school buses or other contracted transportation services. Paintball guns use compressed air to propel large diameter paint filled projectiles.</p>	3	4
<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>	1	4

(Level 1 – Conference) (Level 2 – Intervention) (Level 3 –Suspension Short term 1-4 days/long term 10 days – pending expulsion hearing) (Level 4 – Expulsion) Refer to pages 60-62 for definition of levels.

## **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;
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.

## **POSITIVE BEHAVIOR SUPPORTS**

Student Contracts

Positive Rewards/Incentives

Student of the Month Honor

Roll Recognition

Improved Behavior Recognition

Assembly Programs

Extracurricular Activities

Behavior Plans

Counseling (Individual and Group)

Character Education

HIB Education

Early Academic Intervention

Conflict Resolution Education

Positive Behavior Support Programs

Positive Letters to Parents

School Messenger Positive Phone Calls to Parents

Care Plus

Behaviorists

Health and social Services Coordinators

# **COMMUNITY HEALTH AND SOCIAL SERVICE AGENCIES**

**The Immigrant Families Project**  
844 Sanford Avenue  
Irvington, N.J.  
973-399-0161

**Division of Deaf and Hard of Hearing**  
1-800-792-8339

**Challenge Program / Partial Hospitalization**  
Program ages 5-17  
973-972-1084

**Value Options Children's Behavioral Health**  
215 South Orange Avenue  
1-877-652-7624 [in home counseling]

**Irvington Counseling Center**  
21-29 Wagner Place  
Irvington, N.J.  
973-399-3132

**Irvington Family Development Center**  
50 Union Ave. Suite 403  
Irvington, N.J.  
973-372-4353

**The Immigrant Families Project**  
844 Sanford Ave. Irvington, N.J.  
973-399-0161

**The Bridge / Imani Center**  
1253 Clinton Avenue  
Irvington, N.J.  
973-399-7797 [4th grade +]

**Project Ninety-Nine**  
Behavioral Services  
973-565-9199 [ages 5-18].

**Newark Beth Israel Behavioral Health**  
210 Leigh Avenue  
Newark, NJ  
973-926-7026

**New Hope Behavioral Health Center**  
277 Coit Street  
Irvington, N.J.  
973-373-5100

**La Casa de Don Pedro**  
973-483-2703

**Therapeutic Learning Center**  
201 Lyons Avenue  
Newark, N.J.  
973-926-3693 [NBIMC]

**Child Behavioral Health Services**  
1-877-652-7624

**Family/Youth Connections**  
395 S. Center Street, Orange, N.J.  
973-675-3817

# **SUBSTANCE ABUSE TREATMENT FACILITIES**

<b><u>Facilities</u></b>	<b><u>Program Type</u></b>
<b>Cope Center</b> 104 Bloomfield Avenue Montclair, NJ 973-783-6655	Out-patient (Males & Females)
<b>Family Connections</b> 395 South Center Street Orange, NJ 973-675-3817	Out-patient (Males & Females)
<b>High Focus, Inc.</b> 16 Commerce Drive Cranford, NJ 908-272-2474	Out-patient (Males & Females)
<b>Integrity House</b> 103 Lincoln Park Newark, NJ 973-642-5890	In-patient (Males Only) Out-patient (Males & Females)
<b>Newark Renaissance House</b> 50 Norfolk Street Newark, NJ 973-623-3386	In-patient/Out-patient (Males Only)
<b>New Hope Foundation</b> 80 Conover Road Marlboro, NJ 732-946-3030	In-patient (Males & Females)
<b>Straight &amp; Narrow, Inc.</b> 508 Straight Street Paterson, NJ 973-345-6000	In-patient (Males Only)
<b>The Bridge Inc.</b> 1065 Clinton Avenue Irvington, NJ 973-372-2624	Out-patient (Males & Females)
<b>Trinitas Hospital</b> 654 East Jersey Street Elizabeth, NJ 908-994-7090	Out-patient (Males & Females)



**TOLL-FREE HOTLINES**

**Child Abuse/Neglect Hotline**  
**1-877-NJ ABUSE (652-2873)**

**1-800-835-5510 (TTY/TDD)**  
**24 hours a day - 7 days a week**

Any person having reasonable cause to believe that a child has been abused or neglected has a legal responsibility to report it to the Division of Youth and Family Services (DYFS). Calls can be made anonymously.

**Child Behavioral Health Services**  
**1-877-652-7624**

**24 hours a day - 7 days a week**

Call this number to find out about services for children and teens with emotional and behavioral health care challenges and their families.

**Domestic Violence Hotline**  
**1-800-572-SAFE (7233)**

**24 hours a day - 7 days a week**

Call this number for information about domestic violence services in your local area.

**2-1-1**  
**www.nj211.org**

**24 hours a day - 7 days a week**

This phone number connects callers to various human services in their community.

**Adoption Hotline**  
**1-800-99-ADOPT (992-3678)**

**9 a.m. - 5 p.m. Monday - Friday**

Share your love. Consider adopting a child into your family. Call to learn how you can change a child's life forever by becoming an adoptive parent.

**Division's Action Line**  
**1-800-331-DYFS (331-3937)**

**9 a.m. - 5 p.m. Monday - Friday**

This hotline provides easy access and a timely response to questions, concerns, disputes and recommendations regarding services provided by DYFS.

**Family Helpline**  
**1-800-THE-KIDS (843-5437)**

**24 hours a day - 7 days a week**

If you're feeling stressed out, call to speak to a trained volunteer of Parents Anonymous who can provide support and refer you to resources in your community.

**2ND Floor Youth Helpline**  
**1-888-222-2228**

**24 hours a day - 7 days a week**

This is a youth helpline serving all youth and young adults in New Jersey. Youth who call are assisted with their daily life challenges by professional staff and trained volunteers. Anonymity and confidentiality are assured except in life-threatening situations.

**Safe Haven Hotline**  
**1-877-839-2339**

**24 hours a day - 7 days a week**

This hotline is for distressed parents who wish to give up an unwanted infant, 30 days or younger, anonymously. While no names or records are required, callers are encouraged to voluntarily provide information.

**NJ Helps**  
**www.njhelps.org**

At this web site you can find out about services and programs for children, families and individuals. You can also prescreen for eligibility for programs such as Food Stamps, Medicaid and others.

**Foster Home Recruitment Line**  
**1-877-NJ-FOSTER (653-6783)**

**9 a.m. - 5 p.m. Monday - Friday**

Many children in New Jersey need temporary homes until their parents are able to care for them or until a permanent home is found. Call to learn how you can open your heart and your home by becoming a foster parent.

**If you are deaf or hard of hearing,**  
**please call 1-877-294-4356 TTY**  
**to access any hotline.**  
**Voice callers use 7-1-1 NJ Relay.**



## LÍNEAS Directas Gratuitas

**Línea Directa Para el Abuso Infantil**  
**1-877-NJ ABUSE (652-2873)**

**1-800-835-5510 (TTY/TDD)**

**24 horas al día - 7 días a la semana**

Cualquier persona que tiene una causa razonable para creer que un niño ha sido maltratado o descuidado tiene una responsabilidad legal para reportarlo a la División de Servicios a Jóvenes y Familias. Las llamadas se pueden hacer anónimamente.

**Servicios de Salud de la Conducta Infantil**  
**1-877-652-7624**

**24 horas al día - 7 días a la semana**

Llame a este número para información sobre los servicios para familias, niños y adolescentes que tienen problemas emocionales y retos de conducta.

**Línea Directa Para Casos de Violencia Doméstica**  
**1-800-572-SAFE (7233)**

**24 horas al día - 7 días a la semana**

Llame a este número para información sobre la violencia doméstica y los servicios en su comunidad.

**2-1-1**

**[www.nj211.org](http://www.nj211.org)**

**24 horas al día - 7 días a la semana**

Este número telefónico conecta a los que llaman a los diversos servicios humanos en su comunidad.

**Línea Directa Para Adopción**  
**1-800-99-ADOPT (992-3678)**

**9 a.m. - 5 p.m. Lunes a Viernes**

Comparta su amor. Considere adoptar a un niño. Llame para aprender como usted puede cambiar la vida de un niño para siempre con haciéndose un padre adoptivo.

**Línea de Acción de DYFS**  
**1-800-331-DYFS (331-3937)**

**9 a.m. - 5 p.m. Lunes a Viernes**

Esta línea provee acceso y respuestas a sus preguntas, preocupaciones, disputas y recomendaciones con rapidez sobre los servicios proporcionados por DYFS.

**Línea de Ayuda a Familias**  
**1-800-THE-KIDS (843-5437)**

**24 horas al día - 7 días a la semana**

Si se siente estresado llame para hablar anónimamente con un voluntario capacitado que le podrá proveer apoyo y referirlo a recursos en su comunidad.

**2ND Floor Youth Helpline**  
**1-888-222-2228**

**24 horas al día - 7 días a la semana**

Esta línea directa para ayudar adolescentes y jóvenes en el estado de Nueva Jersey. Los adolescentes que se comunican con nuestra línea de ayuda gratuita, reciben asistencia de personal profesional y voluntarios capacitados para ayudar a jóvenes enfrentar los desafíos de la vida diaria. El anonimato y la confidencialidad están garantizados, excepto en los casos donde la vida de un joven esta en riesgo.

**Línea Directa de Refugio Seguro**  
**Para la Protección de Bebés**  
**1-877-839-2339**

**24 horas al día - 7 días a la semana**

Esta línea directa es para padres que se sienten afligidos que quieren entregar a un bebe no deseado, de 30 días o menos, anónimamente. Aunque no se les exigen nombres ni documentos, se sugiere que información sea proporcionada voluntariamente.

**NJ Helps**  
**[www.njhelps.org](http://www.njhelps.org)**

En este sitio web usted puede obtener información sobre servicios y programas para niños, familias e individuos. También se puede determinar preliminarmente si usted tiene derecho a recibir beneficios de programas, como Cupones de Alimentos, Medicaid y otros.

**Línea de Reclutamiento de Padres Adoptivos**  
**1-877-NJ-FOSTER (653-6783)**

**9 a.m. - 5 p.m. Lunes a Viernes**

Muchos niños en Nueva Jersey necesitan hogares temporarios hasta que sus padres puedan cuidarlos o hasta que se les identifique un hogar permanente. Llame para aprender como usted puede abrir su corazón y su hogar haciéndose un padre adoptivo.

**Si usted es una persona sorda o con dificultad de audición, por favor llame al 1-877-294-4356 TTY para acceso a cualquier línea directa. Para transmitir un mensaje vocalmente llame al 7-1-1- NJ Relay.**

