

### 0131 BYLAWS AND POLICIES

The Board of Education shall exercise its rule-making power by adopting bylaws and policies for the organization and operation of the school district.

#### Adoption, Amendment, and Repeal

Bylaws and policies may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal has been proposed and approved at a previous meeting of the Board.

The Board may at its organization meeting and by a majority vote of those present and voting readopt existing bylaws and policies without prior notice.

The Board may, under emergency circumstances, suspend the operation of a bylaw or policy and adopt, amend, or repeal a bylaw or policy without prior notice. The emergency adoption, amendment, or repeal of a bylaw or policy shall terminate at the next meeting of the Board or at such earlier date as may be specified by the Board unless further acted upon by the Board.

The adoption, amendment, repeal, or suspension of a bylaw or policy shall be recorded in the minutes of the Board. Any policy or part of a policy that is superseded by a term in a negotiated agreement or by a subsequently adopted policy shall no longer be in force and effect as a policy.

#### Promulgation and Distribution

A manual of bylaws and policies shall be maintained. Access to the electronic version of the manual of bylaws and policies shall be given to each Board member, the Superintendent, the Board Secretary, the Board Attorney, each Building Principal, and other individuals designated by the Superintendent.

The Superintendent of Schools shall institute a plan for the orderly promulgation of policies to staff members who are affected by them and shall provide staff members with access to an up-to-date manual of Board bylaws and policies.

Each copy of the manual of bylaws and policies shall be numbered; a record of the placement of each manual shall be maintained by the Board Secretary. Copies of revised pages will be furnished to the holders of manuals as changes are made to bylaws and policies.



The manual of bylaws and policies shall be considered a public record open to inspection in the office of the Superintendent. The manual retained by the Board Secretary shall be considered the master copy of the policy manual and shall not be modified by any person other than the Board Secretary or his or her designee.

### Development of Bylaws and Policies

Bylaws and policies will be developed and considered by the Board in accordance with the following procedure:

1. A new or revised bylaw or policy may be suggested to the Board by any Board member, the Superintendent, any staff member, or a member of the public;
2. A suggestion for a new or revised bylaw or policy may be referred, at the discretion of the President and as appropriate to the subject, to the Superintendent, a Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a policy suggestion should consider whether the matter is adequately addressed in existing Board policy and whether the matter is more appropriately addressed by administrative regulation;
3. If a recommendation for a new or revised bylaw or policy results from referral for study, a proposed draft will be submitted to the Board for discussion and approval on first reading. Copies of the proposed draft will be made available to staff members and the public, and comment will be invited. Changes in the draft may be made, by a simple majority vote, when the draft is presented for approval on first reading;
4. The proposed draft, approved on first reading, will be submitted for adoption at the next regular meeting of the Board. Changes in the draft may be made by a simple majority vote. A change that alters the substantive meaning of the draft will constitute a new first reading, and the draft must be presented for adoption at the next succeeding Board meeting. A change that is merely editorial may be followed by a vote to adopt the new or revised bylaw or policy on second reading.

N.J.S.A. 18A:11-1  
Adopted: 18 December 1995  
Revised: July 2011



### 0141 BOARD MEMBER NUMBER AND TERM

The Board of Education shall consist of eight (8) members.

The term of a Board member shall be three (3) years, except that:

1. The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;
2. The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his or her appointment.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15

Adopted: 18 December 1995

Revised: July 2011



### 0143.1 BOARD MEMBER APPOINTMENT

The appointment of Board of Education members shall be made in strict compliance with law.

A vacancy on the Board of Education:

1. Shall require the Board Secretary to advertise the opening in the newspaper and on the district's website within fourteen (14) days of the Board's acceptance of the resignation.
2. The Board of Education will interview interested candidates within forty-five (45) days of the advertisement.
3. The Board of Education will appoint a new member to the Board of Education based upon the interview(s). This appointed member will serve until the next Board of Education election.
4. If no candidate is identified within ninety (90) days from the time of the vacancy, the Mayor will be contacted and asked to appoint a member to the unexpired seat on the Board of Education.
5. If the Mayor does not appoint a member within thirty (30) days the matter shall be referred to the Hunterdon County Executive Superintendent.

N.J.S.A. 18A:12-7; 18A:12-8

Adopted: 18 December 1995



### 0144 BOARD MEMBER ORIENTATION AND TRAINING

The preparation of each member for the performance of Board of Education duties is essential to the proper functioning of the Board. The Board encourages each new Board member in the acquisition of information about school district governance, the separate functions of the Board and the Superintendent, the operations of the district, and Board procedures.

The Board directs that each new member receive:

- access to and/or a copy of the Board of Education Bylaw and Policy Manual,
- each negotiated agreement,
- the current budget statement and audit report,
- the most recent long range facilities plan,
- and such other materials as deemed appropriate by the Superintendent.

Each new Board member will be invited and is encouraged to meet and discuss the responsibilities and authority of a Board member, Board functions, and Board policies and procedures with the Board President (if available), the Superintendent, and the School Business Administrator/Board Secretary.

Each newly elected or appointed Board member shall complete during the first year of the member's first term a training program to be prepared and offered by the New Jersey School Boards Association, in consultation with the New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, regarding the skills and knowledge necessary to serve as a Board member.

The training program shall include information regarding the school district monitoring system established pursuant to P.L. 2005, c. 235, the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which school districts are evaluated under the monitoring system: instruction and program; personnel; fiscal management; operations; and governance.

The Board member shall complete a training program on school district governance in each of the subsequent two years of the Board member's first term.



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Within one year after each re-election or re-appointment to the Board of Education, the Board member shall complete an advanced training program to be prepared and offered by the New Jersey School Boards Association. This advanced training program shall include information on relevant changes to New Jersey school law and other information deemed appropriate to enable the Board member to serve more effectively.

The New Jersey School Boards Association shall examine options for providing training programs to Board members through alternative methods such as on-line or other distance learning media or through regional-based training.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board member shall complete a training program on harassment, intimidation, and bullying in schools, including a school district's responsibilities under P.L. 2002, c.83 (C.18A:37-13 et seq.). A Board member shall be required to complete the program only once. Training on harassment, intimidation, and bullying in schools shall be provided by the New Jersey School Boards Association, in consultation with recognized experts in school bullying from a cross section of academia, child advocacy organizations, nonprofit organizations, professional associations, and government agencies.

N.J.S.A. 18A:12-33; 18A:37-13 et seq.

Adopted: 18 December 1995  
Revised: 23 June 2008; July 2011



### 0153 ANNUAL APPOINTMENTS

The Board of Education may appoint at the organizational meeting, but shall appoint before July 1 of the year in which the Board organizes:

1. A Board Secretary,  
N.J.S.A. 18A:17-2, 17-5;
2. A Treasurer of School Moneys,  
N.J.S.A. 18A:17-31;
3. A medical inspector,  
N.J.S.A. 18A:40-1;
4. A psychological examiner,  
N.J.S.A. 18A:46-11;
5. A member to serve as delegate to the New Jersey School Boards Association,  
N.J.S.A. 18A:6-46;
6. An attendance officer,  
N.J.S.A. 18A:38-32;
7. A member to serve as delegate to the Hunterdon County School Boards Association;
8. An attorney;
9. An insurance advisor.

Adopted: 18 December 1995

Revised: July 2011



### 0154 ANNUAL MOTIONS AND DESIGNATIONS

The Board of Education shall at the organizational meeting:

1. Designate one or more depositories for school funds, N.J.S.A. 17:9-9; 18A:17-34;
2. Designate those persons authorized to sign school warrants, N.J.S.A. 18A:19-1;
3. Designate the official newspaper, N.J.S.A. 18A:14-19; 18A:22-11; 18A:39-3;
4. Designate a second newspaper for the publication of Board meetings, N.J.S.A. 10:4-8;
5. Designate the day, place, and time for regular meetings of the Board;
6. Approve the curriculum for all grades;
8. Readopt existing bylaws and policies for the Board's operation and the operation of the school system;
9. Readopt any existing contracts and agreements to which the Board is a party and where continuation is not authorized by law.

Adopted: 18 December 1995

Revised: July 2011





### 0164 CONDUCT OF BOARD MEETING

#### Parliamentary Authority

Roberts' Rules of Order, Newly Revised, shall govern the Board of Education in its deliberations and acts in all cases in which it is not inconsistent with statutes of the State of New Jersey, rules of the State Board of Education, or these bylaws.

#### Presiding Officer

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall act in his/her place; if neither person is present, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

#### Announcement of Adequate Notice

The person presiding shall commence each meeting with an announcement of the notice given for the meeting or a statement regarding the lack of adequate notice, in accordance with law.

#### Agenda

The Superintendent and Board Secretary shall prepare an agenda of items of business to come before the Board at each meeting. The agenda shall be delivered to each Board member no later than three (3) days before the meeting and shall include such reports and supplementary materials as are appropriate and available.

The order of business shall be as follows:

- Announcement of notice
- Pledge of Allegiance
- Roll Call
- Recognition Items
- Communications/Correspondence
- New Business
- Public Comments
- Adoption of Minutes from Previous Meeting
- Reports to the Board
- Superintendent's Reports



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## HIGH BRIDGE BOARD OF EDUCATION

Business Administrator's Report  
Principal's Report  
Public Comments  
Executive Session  
Adoption of Executive Session Minutes of prior meeting  
Adjournment

N.J.S.A. 10:4-10  
N.J.S.A. 18A:16-1.1

Adopted: 18 December 1995  
Revised: 18 November 1996  
07 July 2010  
July 2011



### 1230 SUPERINTENDENT'S DUTIES

#### **M**

##### Function

The Superintendent shall serve as Chief Executive and Administrative Officer of the district by implementing policies established by the Board of Education and by discharging the duties imposed on his/her office by law.

##### Authority

The Superintendent shall be the Chief School Administrator of the school district and principle advisor to the Board. He/She may delegate to an appropriate school official any duty not reserved to the Superintendent by law, but may not delegate the responsibility for duties mandated by law.

##### Work Relationships

The Superintendent shall report directly to the Board and shall directly or indirectly supervise all persons employed by the Board.

##### Duties and Responsibilities

- A. In the discharge of his/her responsibility as principle advisor to the Board, the Superintendent shall:
1. Ensure all aspects of district operation comply with Board policy, State law and district contracts;
  2. Report to the Board on the needs of the district;
  3. Advise the Board of any changes or additions that should be made to its policies;
  4. Provide the Board with such information as may be needed to ensure the making of informed decisions; and
  5. Perform such other duties as may be assigned by the Board.



- B. In the discharge of his/her responsibility for the implementation of the operational action plan of the district, the Superintendent shall:
1. Prepare, promulgate, and maintain a manual of administrative regulations;
  2. Evaluate the future needs of the district and recommend a district action plan including goals, objectives, and priorities to the Board;
  3. Maintain written objectives to implement the district action plan adopted by the Board;
  4. Evaluate progress toward the attainment of the district action plan and report thereon to the Board; and
  5. Report to the Commissioner and the County Superintendent on or before August 1 of each year matters relating to the schools in the manner and form prescribed by the Commissioner.
- C. In the discharge of his/her responsibility as the administrator of the instructional program, the Superintendent shall:
1. Establish and maintain a written instructional plan for the schools of the district consistent with the educational goals adopted by the Board;
  2. Coordinate the proper implementation of the instructional plan as it applies to each school in the district;
  3. Evaluate at least annually the effectiveness of the program of studies and recommend such changes and additions as may be required to improve its effectiveness;
  4. Evaluate the performance of pupils in relation to other public school districts, as well as in relation to State and national standards;
  5. Report periodically to the Board, as directed by the Board, on the condition of the educational program and facilities in the district; and
  6. Keep informed regarding current research in the field of education and inform the Board as appropriate.



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- D. In the discharge of his/her responsibility for the direction and welfare of pupils, the Superintendent shall:
1. Strive to motivate pupils to achieve their individual best;
  2. Create a climate of respect for authority and discipline in each of the schools of the district;
  3. Report to the Board at its next meeting the suspension of a pupil; and
  4. Recommend any changes in the program of pupil management and support as necessary to respond to district needs.
- E. In the discharge of his/her responsibility for the supervision of district employees, the Superintendent shall:
1. Recommend to the Board all properly certified candidates for employment, assignment, or transfer;
  2. Assign staff so as to achieve maximum effectiveness in the attainment of educational goals;
  3. Train staff as necessary to implement approved changes in the curriculum or instructional methods of the district;
  4. Evaluate the effectiveness of staff members in the performance of their assigned tasks;
  5. Recommend changes in staffing patterns based on the evaluation of staff and program effectiveness; and
  6. Discipline staff as required and report to the Board forthwith any suspension of a teaching staff member.
- F. In the discharge of his/her responsibility for the maintenance of the physical plant, the Superintendent shall:
1. Strive to make efficient use of district resources in the daily operations of the schools;



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2. Assign support staff so as to achieve maximum effectiveness from the facilities of the district;
  3. Train support staff as necessary to maintain the facilities and to avoid safety and environmental hazards; and
  4. Evaluate the effectiveness of the district facilities in housing the instructional program and recommend to the Board such changes and improvements as may be required.
- G. In the discharge of his/her responsibility for the management of the district business affairs, the Superintendent shall:
1. Supervise the preparation of the annual budget and recommend its adoption to the Board;
  2. Implement the budget adopted by the Board;
  3. Establish sufficient fiscal controls to ensure that district funds are expended wisely and efficiently; and
  4. Report to the Board at its next meeting any expenditure in excess of a budgeted line item.
- H. In the discharge of his/her responsibility as liaison officer to the public, the Superintendent shall:
1. Strive to interpret the needs of the school to the public and the concerns of the public to the Board;
  2. As appropriate, involve members of the public in the review of district needs, community needs, and the operation of the school programs;
  3. Keep the public informed about the accomplishments and challenges of the school district;
  4. Cooperate with the news media; and
  5. Work effectively with municipal government officials and public agencies concerned with the welfare of pupils.



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### Evaluation Criteria

The Superintendent will be evaluated in accordance with Policy No. 1240 and this job description.

N.J.S.A. 18A:7A-11; 18A:17-17; 18A:17-18; 18A:17-20;  
18A:17-21; 18A:22-8.1; 18A:27-4.1; 18A:37-4  
N.J.A.C. 6A:8-3.1; 6A:32-4.1; 6A:32-12.2

Adopted: 18 December 1995  
Revised: July 2011



### 1330 EVALUATION OF SCHOOL BUSINESS ADMINISTRATOR

The Superintendent will evaluate the performance of the School Business Administrator, tenured or nontenured, in order to assist both the Board and the School Business Administrator in the proper discharge of their responsibilities and to provide the district with efficient and effective services.

The evaluation of the School Business Administrator will consist of an assessment, by the Superintendent, of the School Business Administrator's performance of the duties specified in the job description approved by the Board. Reference will be made to the report of the auditor. The Superintendent may, in his/her discretion, consult with staff members assigned to work with the School Business Administrator.

The Board and the Superintendent will annually establish procedures for the evaluation of the School Business Administrator. Such procedures may include, but need not be limited to, an informal conference with the School Business Administrator for the purpose of discussing his/her job performance, a written evaluation report to which the School Business Administrator may add comments, and the establishment of a written plan for performance improvement and growth. The School Business Administrator will be evaluated by the Superintendent with input from the Board of Education no later than May 15th.

Adopted: 18 December 1995  
Revised: July 2011





### 1522 SCHOOL-LEVEL PLANNING

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The Board of Education recognizes the school-level planning process involves parent(s) or legal guardian(s) and staff members in identifying school needs, establishing performance objectives, and monitoring progress toward those objectives.

#### School Report Card

The school district shall annually disseminate a report card for each school in the district which shall contain statistical information specified by the New Jersey Department of Education to all staff and parents. The school district shall also make the report card available to the media. The procedure the district will follow to disseminate the report card shall be in accordance with the requirements of the New Jersey Department of Education.

#### School-Level Plan

By September 30, each school in the district shall develop and implement a two-year plan based on school report card data. This plan shall include pupil performance objectives, a review of progress by teaching and administrative staff, and the involvement of parents.

At least once per year, each school shall conduct meetings by grade level, department, team, or similarly appropriate group to review the school-level plan. The review shall include: school report card data; progress toward achieving pupil performance objectives; and progress toward achieving Core Curriculum Content Standards. The results of each such meeting shall be considered by the school planning team in the development of the succeeding school-level plan.

#### Pupil Performance Objectives

Each school in the district shall develop two or more objectives based on pupil performance or behavior standards as defined in N.J.A.C. 6A:8-4.4(a), 6A:32-13.1 and 13.2. The objectives shall cover a period of not more than two years.

If pupil performance is below minimum State standards, the objectives to meet those standards shall be established. Benchmarks (interim performance levels) shall be set forth to measure the school's progress toward the achievement of minimum State standards.



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If pupil performance is at or above minimum State standards, challenge objectives shall be established.

The Superintendent shall, no later than August 1 of each year, submit each school's objectives to the Executive County Superintendent for review and approval.

Each school shall achieve its pupil performance objectives by meeting established benchmarks for minimum State standards and/or achieving challenge objectives or demonstrating progress toward meeting such objectives.

Each school that does not meet established benchmarks for pupil performance objectives or demonstrate progress toward meeting challenge objectives for two or more successive years shall be assigned a technical assistance team by the Executive County Superintendent to facilitate accomplishment of these objectives.

N.J.A.C. 6A:32-12.2

Adopted: 18 December 1995  
Revised: July 2011



### 2431.4 CONCUSSION TESTING AND RETURN-TO-PLAN

The Board of Education adopts this Policy as a measure to protect the safety, health, and welfare of pupils participating in school-sponsored interscholastic athletic programs. The Board believes a concussion testing and return-to-play policy for student-athletes suspected of sustaining a concussion will protect the student-athlete from risk of more serious health problems.

A concussion is a brain injury that is caused by a direct or indirect blow or jolt to the head or to the body, or from the head striking an object such as the ground or another person. Some people have obvious symptoms of a concussion, such as passing out, headache, dizziness, or double vision, while others do not. With rest, most people fully recover from a concussion; however, on rare occasions concussions can cause more serious health problems. Therefore, the Board requires strict adherence to this Policy in the event a student-athlete sustains a head injury or an injury that could cause a concussion.

If it is suspected a student-athlete sustained an injury that could cause a concussion or if signs observed by others or symptoms reported by the student-athlete are those signs and symptoms of a concussion, the student-athlete will be immediately removed from the activity and the student-athlete will not be allowed to return to practice or play until the pupil receives a medical examination conducted by the pupil's physician. The pupil's physician must make a determination on the presence/absence of a concussion.

If the student-athlete is concussed or injured, the physician will appropriately treat the student-athlete and shall be required to provide a medical release, without limitations, indicating when the pupil is able to return to the activity. A student-athlete diagnosed with a concussion shall be required to complete a symptom-free week (seven days) initiated on the first asymptomatic day before initiating the Return-to-Activity Progression outlined in this Policy. The student-athlete shall be monitored during this time period for any reoccurrence of concussion symptoms. The asymptomatic period for any concussion may be adjusted at the discretion of the school physician.

If the physician determines the student-athlete is not concussed or injured, the physician shall be required to provide a medical release, without limitations, with a return-to-play date. Physician clearance notes that are inconsistent with this concussion policy may not be accepted by the district and will be referred to the school physician. All medical examinations conducted by the student-athlete's physician when the student-athlete is suspected of sustaining a concussion shall be reviewed by the school physician.



Student-athletes that have sustained a concussion may return to full game play when he/she meets the following criteria:

1. Medical release with no limitations from the student-athlete's physician and confirmed by the school physician;
2. The student-athlete must complete a symptom-free week (seven days) initiated on the first asymptomatic day before initiating the Return-to-Activity Progression outlined below (exceptions to this provision must be approved by the school physician); and
3. Completion of the Return-to-Activity Progression (a. through f. below) which is based on recommendations in the Zurich Consensus Statement from the 3<sup>rd</sup> International Congress on Concussion in Sport 2009 and is recommended by the New Jersey State Interscholastic Athletic Association:
  - a. Step 1 – No activity with complete physical and cognitive rest;
  - b. Step 2 – Light aerobic exercise which includes walking, swimming, or stationary cycling keeping the intensity less than seventy percent maximum percentage heart rate and no resistance training;
  - c. Step 3 – Functional exercises such as increased running intensity, agility drills, and non-contact, sport-specific drills;
  - d. Step 4 – Non-contact practice activities and training drills involving progression to more complex training drills. Student-athlete may initiate progressive resistance training;
  - e. Step 5 – Full normal training activities following medical clearance; and
  - f. Step 6 – Return-to-play.

Each step outlined above shall be separated by twenty-four hours. If any concussion symptoms occur during the Return-to-Activity Progression, the student-athlete will be required to drop back to the previous step of activity where the student-athlete had no symptoms and try to progress again after twenty-four hours of rest has passed.



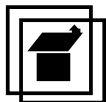
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This Policy shall be reviewed and approved by the school district's physician prior to Board of Education approval. A copy of this Policy will be provided to the parents or guardians of all student-athletes prior to their participation in a school-sponsored interscholastic athletic program. Parent or guardians shall be required to acknowledge receipt of this Policy.

New Jersey Interscholastic Athletic Association Concussion Policy  
Zurich Consensus Statement from the 3<sup>rd</sup> International Congress on Concussion in Sport,  
2009

Adopted: July 2011



### 5350 PUPIL SUICIDE PREVENTION

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A pupil under severe stress cannot benefit fully from the educational program and may pose a threat to himself or herself or others.

The Board directs all school personnel to be alert to the pupil who exhibits behavioral warning signs of potential self-destruction or who threatens or attempts suicide. Any such signs or the report of such signs from another pupil or staff member should be taken with the utmost seriousness and reported immediately to the Building Principal, who shall notify the pupil's parent(s) or legal guardian(s) and other professional staff members in accordance with administrative regulations.

A potentially suicidal pupil shall be referred to the Child Study Team for appropriate evaluation and/or recommendation for independent medical or psychiatric services. In the event that the parent(s) or legal guardian(s) objects to the recommended evaluation or indicates an unwillingness to cooperate in the best interests of the pupil, the Child Study Team may contact the New Jersey Division of Youth and Family Services to request that agency's intervention on the pupil's behalf.

In accordance with the provisions of N.J.S.A. 18A:6-111 and 18A:6-112, as part of the required professional development for teachers as outlined in N.J.A.C. 6A:9-15.1 et seq., every teaching staff member must complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in pupils who are members of communities identified as having members at high risk of suicide.

The Superintendent shall prepare and disseminate regulations for the guidance of staff members in recognizing the pupil who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a pupil commits suicide.

N.J.S.A. 18A:6-111; 18A:6-112  
N.J.A.C. 6A:9-15.1 et seq.

Adopted: 16 June 1997  
Revised: 11 July 2011



### 5512 HARASSMENT, INTIMIDATION, AND BULLYING

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### A. Policy Statement

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

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a pupil. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil, 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. Not all acts of HIB against students, however, are motivated by characteristics such as the target's race, color, religion, gender or sexual orientation. Some acts of HIB are simply one child exercising power and control over another either in isolated incidents (i.e., intimidation, harassment) or as patterns of harassing or intimidating behavior (i.e., bullying); or
2. By any other distinguishing characteristic; and that
3. 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, that substantially disrupts or interferes with the orderly operation of the school or the rights of other pupils; and that

4. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
5. Has the effect of insulting or demeaning any pupil or group of pupils; or
6. Creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.

“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. Pupil Expectations

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

The Board believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages pupils 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 pupils, staff, and community members.

Pupils 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 Pupil Conduct as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent pupil conduct problems and foster pupils' abilities to grow in self-discipline.



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

1. Pupil responsibilities (e.g., requirements for pupils 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. Pupil rights; and
4. Sanctions and due process for violations of the Code of Pupil 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, pupils, instructional staff, pupil support services staff, school administrators, and school volunteers, as well as community organizations, 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 pupil conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for pupil conduct will take into consideration the developmental ages of pupils, the severity of the offenses and pupils' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all pupils 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 pupils and their parents or guardians the rules of the district regarding pupil conduct. Provisions shall be made for informing parents or guardians whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Pupils are encouraged to support other pupils 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 pupils 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

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for pupils who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Pupil Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying. 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 pupils. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors, per the Code of Pupil Conduct and N.J.A.C. 6A:16-7.

#### Factors for Determining Consequences

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 Remedial Measures

##### Personal

1. Life skill deficiencies;



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

### Environmental

1. School culture;
2. School climate;
3. Pupil-staff relationships and staff behavior toward the pupil;
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 and appropriate remedial action for a pupil or staff member 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 pupils, as set forth in the Board's approved Code of Pupil Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil and the pupil's history of problem behaviors and performance, and must be consistent with the Board's approved Code of Pupil Conduct and N.J.A.C. 6A:16-7, Student Conduct. 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. Out-of-school suspension (short-term or long-term);
7. Reports to law enforcement or other legal action;
8. Expulsion; and
9. Bans from providing services, participating in school-district-sponsored programs, or being in school buildings or on school grounds.

### Examples of Remedial Measures - Personal

1. Restitution and restoration;
2. Peer support group;
3. Recommendations of a pupil behavior or ethics council;
4. Corrective instruction or other relevant learning or service experience;
5. Supportive pupil interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
6. Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
7. Behavioral management plan, with benchmarks that are closely monitored;
8. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
9. Involvement of school disciplinarian;
10. Pupil counseling;
11. Parent conferences;
12. Alternative placements (e.g., alternative education programs);
13. Pupil treatment; or

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

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
2. School culture change;
3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;



7. Adjustments in hallway traffic;
8. Modifications in pupil routes or patterns traveling to and from school;
9. Supervision of pupil before and after school;
10. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
11. Teacher aides;
12. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
13. General professional development programs for certificated and non-certificated staff;
14. Professional development plans for involved staff;
15. Disciplinary action for school staff who contributed to the problem;
16. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
17. Parent conferences;
18. Family counseling;
19. Involvement of parent-teacher organizations;
20. Involvement of community-based organizations;
21. Development of a general bullying response plan;
22. Recommendations of a pupil behavior or ethics council;
23. Peer support groups;
24. Alternative placements (e.g., alternative education programs);
25. School transfers; and
26. Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.

N.J.A.C. 6A:16-7.9(a)2.vi requires appropriate consequences and remedial actions for any staff member who commits an act of harassment, intimidation, or bullying of a pupil. The consequences may include, but not be limited to, verbal or written reprimand, increment withholding, legal action, disciplinary action, and/or termination. Remedial measures may include, but not be limited to, in or out-of-school counseling, professional development programs, and work environment modifications.

E. Harassment, Intimidation, and Bullying Off School Grounds

This Policy and the Code of Pupil Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds when:



1. The alleged harassment, intimidation, or bullying has substantially disrupted or interfered with the orderly operation of the school or the rights of other pupils; and either
  2. A reasonable person should know, under the circumstances, that the alleged behavior will have the effect of physically or emotionally harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
  3. The alleged behavior has the effect of insulting or demeaning any pupil or group of pupils; or
  4. The alleged behavior creates a hostile educational environment for the pupil by interfering with a pupil's education or by severely or pervasively causing physical or emotional harm to the pupil.
- F. 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 pupils 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 pupils, also shall submit a report in writing to the Principal within two school days of the verbal report. The Principal will inform the parents of all pupils involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. 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.

Pupils, 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. Pupils, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Pupil Conduct may not be taken solely on the basis of an 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.

- G. Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety 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 pupils;
    - 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 pupils in the district;
    - c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of pupils;





- 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. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the Principal shall appoint that individual to be the school Anti-Bullying Specialist. If no individual meeting this criteria is currently employed in the school, the Principal shall appoint a school Anti-Bullying Specialist from currently employed school personnel.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety 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 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 process and practices in the school, and to address school climate issues such as harassment, intimidation, or bullying. Each School Safety Team shall meet at least two times per school year. The School Safety 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 pupil 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 Team.



The School Safety Team shall:

- a. Receive any complaints of harassment, intimidation, or bullying of pupils that have been reported to the Principal;
- b. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of pupils 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 pupils;
- e. Educate the community, including pupils, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of pupils;
- 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;
- g. Collaborate with the district Anti-Bullying Coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of pupils; and
- h. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

The members of a School Safety Team shall be provided professional development opportunities that address effective practices of successful school climate programs or approaches. Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a pupil.



### H. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation, or bullying. 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. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist the school Anti-Bullying Specialist in the investigation.

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 alleged incident of harassment, intimidation, or bullying. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist or the Principal 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 Pupil 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 Pupil Conduct has been implemented and provide intervention services, order counseling, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, 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 also shall include information on any consequences imposed under the Code of Pupil Conduct, intervention services provided, counseling ordered, training established or other action taken or recommended by the Superintendent.

Parents of the pupils who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents or guardians shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or 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 or guardian may request a hearing before the Board of Education after receiving the information. When a request for a hearing is granted, the hearing shall be held within ten school days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the pupils. 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 alleged incident, the findings from the investigation of the alleged 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 report 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, pupil, legal guardian, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

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

The Board authorizes the Principal of each school, in conjunction with the Anti-Bullying Specialist, to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. 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.

Consequences and appropriate remedial actions for a pupil who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under



N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, school officials shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation or bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable pupil and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The Board is encouraged to set the parameters for the range of responses to be established by the Principal and for the Superintendent to follow. 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 positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report, or other legal action).
2. Classroom responses can include class discussions about harassment, intimidation or bullying, role plays, 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, parent programs, and information disseminated to pupils and parents or guardians, such as fact sheets or newsletters explaining acceptable uses of



electronic and wireless communication devices or strategies for fostering expected pupil behavior.

4. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs, coordination with community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations), and disseminating information on the core ethical values adopted by the district Board of Education's Code of Pupil Conduct, per N.J.A.C. 6A:16-7.1(a)2.

The district will identify a range of strategies and resources, which could include, but not be limited to, the following actions for individual victims: counseling; teacher aides; hallway and playground monitors; schedule changes; before and after school supervision; school transportation supervision; school transfers; and therapy.

### J. Reprisal or Retaliation Prohibited

The Board prohibits a Board member, school employee, contracted service provider who has contact with pupils, school volunteer, or pupil from engaging in reprisal, retaliation, or false accusation against a victim, witness, 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 are listed in the Consequences and Appropriate Remedial Actions section of this policy.

### K. Consequences and Appropriate Remedial Action for False Accusation

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



1. Pupils - Consequences and appropriate remedial action for a pupil 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 Pupils 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.
  
2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with pupils 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, or termination.
  
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 pupils or the provision of pupil services.

L. 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 pupils, school volunteers, pupils, 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 pupil 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 pupils 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.

M. 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 school employees, contracted service providers, and volunteers who have significant contact with pupils. 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. The school district's employee training program shall include information regarding the school district's Policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff members, contracted service providers, and school volunteers who have significant contact with pupils.

Each public school teacher shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention in each 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 for teaching staff members shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, or bullying in accordance with the provisions of N.J.S.A. 18A:6-112.





Board members shall be required to complete 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 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 will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, pupils, administrators, volunteers, parents or guardians, law enforcement, and community members in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

N. 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 pupils.

The Superintendent and the Principal(s) shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the schools’ Anti-Bullying Specialists, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment and review.

O. Reports to Board of Education and New Jersey Department of Education

The Superintendent shall report two times each school year at a public hearing all acts of harassment, intimidation, and bullying 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. The information reported shall be used to grade each school and each district in accordance with the provisions of N.J.S.A. 18A:17-46. 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.

R. Pupils with Disabilities

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

The school district shall submit all subsequent amended Harassment, Intimidation, and Bullying Policies to the appropriate 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

Adopted: February, 2003

Revised: February 2008, June 2008, April 2009, April 2010, July 2011



### 5561 USE OF PHYSICAL RESTRAINT

The Board of Education strives to provide a safe, caring atmosphere that supports all learners in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain a pupil. An emergency is defined as a situation in which the pupil's behavior poses a threat of imminent, serious physical harm to the pupil or others or imminent, serious property destruction.

In accordance with N.J.S.A. 18A:6-1, no person employed or engaged in school or educational instruction, whether public or private, shall inflict or cause to be inflicted corporal punishment upon a pupil attending such school or institution. However, any such person may, within the scope of his/her employment, use and apply such amounts of force as is reasonable and necessary: to quell a disturbance, threatening physical injury to others; to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, for the purpose of self-defense; and for the protection of persons or property. Any such acts, as above, shall not be construed to constitute corporal punishment within the meaning and intent of N.J.S.A. 18A:6-1.

“Physical restraint” means holding a pupil or otherwise restricting his/her movements. Physical restraint shall include the use of specific, planned techniques and shall only be used with reasonable limitations by school staff members who shall receive training in the use of physical restraint. Classroom and security interventions should be implemented, when possible, prior to the use of any physical restraint. The use of physical restraint shall be limited to only those circumstances and situations where other interventions are not possible or have been unsuccessful.

A pupil shall be released from physical restraint immediately upon a determination by the school staff member administering the restraint that the pupil is no longer in imminent danger of causing harm to him/herself, others, or imminent property destruction. The Principal or designee will notify the parent/legal guardian in the event an emergency existed and physical restraint was used on their child. The pupil shall be examined by the school nurse after any physical restraint.

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

Adopted: July 2011



### 5600 PUPIL DISCIPLINE/CODE OF CONDUCT

#### M

The Board of Education adopts this Pupil Discipline/Code of Conduct Policy to establish standards and procedures for positive pupil development and behavioral expectations on school grounds, including on a school bus or at school-sponsored functions, and as appropriate, for conduct away from school grounds.

Every pupil enrolled in this district shall observe promulgated rules and regulations and submit to the discipline imposed for infraction of those rules. Regulation 5600 shall include a description of school responses and consequences to violations of the behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, considering the developmental ages of the pupil offenders and pupils' histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

The development, annual review, and update of this Policy shall involve parent, pupil, and community involvement which represents, where possible, the composition of the schools and community and shall be based on locally determined and accepted core ethical values.

The Board will review this Policy and Regulation after considering the findings of the annual reports of pupil conduct, including suspensions and expulsions, pursuant to N.J.A.C. 6A:16-7.1(a)5 and 6, and the incidences reported under the Electronic Violence and Vandalism Reporting System, in accordance with N.J.A.C. 6A:16-5.3.

The Superintendent shall report annually on the implementation of the Pupil Discipline/Code of Conduct Policy to the Board at a public meeting pursuant to N.J.A.C. 6A:16-7.1(a)5. The Superintendent shall submit a report annually to the New Jersey Department of Education on pupil conduct, including all pupil suspensions and expulsions, and the implementation of the Pupil Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education and the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e).

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



The Building Principal or designee shall have the authority to assign discipline to pupils. School authorities also have the right to impose a consequence on a pupil for conduct away from school grounds, including on a school bus or at a school-sponsored function pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

Consequences and appropriate remedial action for a pupil who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying.

Consequences for a pupil who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the pupil and the pupil's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's pupil discipline/code of conduct pursuant to N.J.A.C. 6A:16-7.1.

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.

Any pupil to be disciplined shall be provided the due process procedures for pupils and their families as set forth in N.J.A.C. 6A:16-7.2 through 7.6.

When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32(e)10.iv., and N.J.A.C. 6A:16-7.10.



Regulation 5600 shall include a description of pupil responsibilities that include expectations for academic achievement and behavior, a description of behaviors that will result in suspension or expulsion pursuant to N.J.S.A. 37-2, and a description of pupil rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

Comprehensive behavioral supports that promote positive pupil development and the pupil's abilities to fulfill the behavioral expectations established by the Board will include: positive reinforcement for good conduct and academic success including the programs as outlined in Policy 5440; supportive interventions and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the nature of the behaviors, the developmental ages of the pupils and the pupil's histories of problem behaviors and performance; and for pupils with disabilities, the behavior interventions and supports shall be determined and provided pursuant to the requirements of N.J.A.C. 6A:14.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a pupil and the pupil's family, as appropriate, and a list of legal resources available to serve the community.

Pupil discipline and code of conduct in the district will be applied without regard to 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, pursuant to N.J.S.A. 10:5.

The Pupil Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, pupils, and parent(s) or legal guardian(s). School staff shall be trained annually on the Pupil Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of pupil conduct in violation of the district's Policy and Regulation. Information on this Policy and Regulation shall be incorporated into the orientation program for new employees.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;  
18A:37-1 et seq.; 18A:37-13.1 et seq.

N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Cross reference: Policy Guide Nos. 2460, 5500, 8330

Adopted: 16 June 1997

Revised: 20 November 2006; 11 July 2011



### 6150 TUITION INCOME

The Board of Education will charge and assess tuition for pupils attending this school district that are not entitled to receive a free public education in this district or from a pupil's sending district for the pupil attending this school district as provided for by State statute.

A receiving public school district Board and a sending public school district Board will establish a written contractual agreement for the ensuing school year with a tentative tuition charge multiplied by the estimated average daily enrollment in accordance with N.J.A.C. 6A:23A-17.1(f). The sending district is required in the contractual agreement to pay ten percent of the tentative tuition charge no later than the first of each month from September through June of the contract year. Adjustments will be made in accordance with N.J.A.C. 6A:23A-17.1(f).

The Board will, with the consent of the Board upon such terms, admit nonresident pupils on a tuition basis pursuant to N.J.S.A. 18A:38-3.

The School Business Administrator/Board Secretary shall be responsible for the assessment and collection of tuition.

The Executive County Superintendent in the county in which the receiving district is located should be consulted to mediate disputes that arise from tuition matters as defined in N.J.A.C. 6A:23A-17.1(f)5.

N.J.S.A. 18A:38-3; 18A:38-19; 18A:46-21

N.J.A.C. 6A:23A-17.1

N.J.A.C. 6A:23A-17.2 [**New District**]

N.J.A.C. 6A:23A-17.3; 6A:23A-17.4 [**County Vocational School District**]

N.J.A.C. 6A:23A-17.5; 6A:23A-17.6; 6A:23A-17.7 [**County Special Services School District**]

N.J.A.C. 6A:14-7.8

Cross reference: Policy Guide No. 5111

Adopted: 24 January 1994

Revised: July 2011



### 6220 BUDGET PREPARATION

#### M

The annual budget is the financial plan for the effectuation of the educational plan for the district; its preparation is, therefore, one of the most important functions performed by the Board of Education. The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain school district facilities, and to honor continuing obligations of the district.

A proposed budget requires the critical analysis of every member of the Board during its preparation. The administration shall work with the Board to ensure Board members have a thorough understanding of the budget appropriations, budget revenue, the proposed educational program and the budget's impact to the local tax levy. The Board shall also provide for community input during the budget development process.

The annual school district budget and supporting documentation shall be prepared in accordance with the provisions of N.J.S.A. 18A:7F et seq. and N.J.A.C. 6A:23A-8.1 et seq. The Board will obtain approval of the local funding for a non-referendum capital project (school facility project or other capital project) in accordance with the provisions of N.J.A.C. 6A:23A-8.4.

The Board will submit its proposed budget and supporting documentation as prescribed by the Commissioner to the Executive County Superintendent for approval.

The budget will be presented to the Board of Education to allow adequate time for review and adoption. The budget should evolve primarily from the needs of the individual schools as expressed by the Building Principals and the district educational program as expressed by the central administrative staff and be compatible with approved district plans.

The Board shall include in the budget application to the Executive County Superintendent a complete reporting of revenues and appropriations and other requirements pursuant to N.J.S.A. 18A:22-8 and N.J.S.A. 18A:7F-5 through 63.

The Board, upon submission of its budget application to the Executive County Superintendent or by the statutory submission date, whichever is earlier, shall make available upon request for public inspection all budget and supporting documentation contained in the budget application and all other documents listed in N.J.A.C. 6A:23A-8.1 once the budget application has been submitted to the Executive County Superintendent for approval.





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The budget as adopted for the school year pursuant to N.J.S.A. 18A:7F-5 shall be provided for public inspection on the district's Internet site, if one exists, and made available in print in a "user-friendly" plain language budget summary format in accordance with the provisions of N.J.A.C. 6A:23A-8.1(c).

All budgetary and accounting systems used in the school district must be in accordance with double entry bookkeeping and Generally Accepted Accounting Principles as required in N.J.A.C. 6A:23A-16.1 et seq.

N.J.S.A. 18A:7F et seq.; 18A:22-7 et seq.  
N.J.A.C. 6A:23A-8.1 et seq.; 6A:23A-16.1 et seq.

Adopted: 24 January 1994  
Revised: July 2011



### 6311 CONTRACTS FOR GOODS OR SERVICES FUNDED BY FEDERAL GRANTS

Any vendor providing goods or services to the school district to be funded by a Federal grant must be cleared for contract in accordance with the provisions of the Federal Acquisition Regulations (FAR) Subpart 9.4 – Debarment, Suspension, and Ineligibility.

The School Business Administrator/Board Secretary shall be responsible to check the web-based Excluded Parties Lists System (EPLS) maintained by the General Services Administration (GSA). The purpose of the EPLS is to provide a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving Federal contracts or Federally approved contracts or Federally approved subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits.

The School Business Administrator/Board Secretary, upon opening of bids or upon receipt of proposals for goods or services to be funded by a Federal grant shall review the EPLS to determine if the vendor has been disbarred, suspended, or proposed for disbarment. The School Business Administrator/Board Secretary shall also review the EPLS list immediately prior to the award of a bid or contract to ensure that no award is made to a vendor on the list.

In the event a vendor under consideration to be awarded a bid or contract for goods or services to be funded by a Federal grant is on the EPLS list or proposed for disbarment, the School Business Administrator/Board Secretary shall comply with the contracting restrictions as outlined in FAR Subpart 9.405.

Continuation of current contracts and restrictions on subcontracting with vendors who are on the EPLS list or proposed for disbarment shall be in accordance with the limitations as outlined in FAR Subparts 9.405.1 and 9.405.2.

Any rejection of a bid or disqualification of a vendor who has been disbarred, suspended, or proposed for disbarment shall be consistent with the requirements as outlined in N.J.S.A. 18A:18A – Public School Contracts Law and all applicable State laws.

Federal Acquisition Regulations (FAR) Subpart 9.4

Adopted: July 2011



### 6820 FINANCIAL REPORTS

#### M

The Board of Education directs the School Business Administrator/Board Secretary and the Treasurer of School Moneys, or designee, to make such accurate and timely reports to county, State, and Federal offices as required by law and rules of the State Board of Education. In addition, the School Business Administrator/Board Secretary and Treasurer, or designee, shall report to the Board on the financial condition of the school district in accordance with law and in the manner and form required by the State Department of Education. There shall be a common terminology and classification system used consistently throughout the budget, the accounts, and the financial reports of each fund. The district will establish and implement an adequate internal control structure and procedures for financial reporting.

The School Business Administrator/Board Secretary shall prepare monthly financial statements, reports of financial condition, operating results, and other pertinent information in accordance with directions issued by the Commissioner of Education, to facilitate management control of financial operations, legislative oversight and, where necessary or desired, for external reporting purposes.

In the event the Board has approved a budget with an expanded coding structure, the School Business Administrator/Board Secretary shall present the financial report in two forms. One form shall use the minimum level chart of accounts established by the State Department of Education and the other shall use the expanded chart of accounts approved by this Board in accordance with Policy No. 6220.

If no line item account has encumbrances and expenditures that in total exceed the line item appropriation in violation of N.J.A.C. 6A:23A-16.10(a), the School Business Administrator/Board Secretary shall so certify to the Board each month. If a violation has occurred, corrective action as outlined in N.J.A.C. 6A:23A-16.10(c)3.i shall be taken by the Board

The Board of Education, after review of the monthly financial reports and upon consultation with the appropriate district officials, shall certify in the minutes of the Board each month that no fund has been overexpended in violation of N.J.A.C. 6A:23A-16.10(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year. If the Board is unable to make such a certification, the Superintendent of Schools shall initiate the steps outlined in N.J.A.C. 6A:23A-16.10(b) and shall reflect such directive in the minutes of the Board. If the Board makes such certification but one or more Board members vote no to the certification, the Board



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shall provide to the Executive County Superintendent the Board vote, names of the members that voted no, and the reason for the no vote.

If the reports of the School Business Administrator/Board Secretary and the Treasurer differ in cash receipts or expenditures, the School Business Administrator/Board Secretary shall resolve the difference prior to the next meeting of the Board. Any difference that cannot be rectified shall be referred immediately to the Auditor. In the event the School Business Administrator/Board Secretary is more than two months behind in submitting the financial report to the Board pursuant to N.J.S.A. 18A:17-9, the Superintendent of Schools shall report this non-compliance to the Executive County Superintendent.

N.J.S.A. 18A:17-9; 18A:17-36

N.J.S.A. 54:4-75

N.J.A.C. 6A:23A-16.2; 6A:23A-16.9; 6A:23A-16.10

Cross reference: Policy Guide No. 1320

Adopted: 24 January 1994

Revised: 23 January 2006; July 2011



8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE

### M

The Board of Education shall observe “School Violence Awareness Week” during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession and/or distribution of alcohol or other drugs on school grounds, and any school employee who reports a pupil for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form adopted by the Board to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS).

A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

The Building Principal, for each incident report of violence, vandalism, harassment, intimidation, bullying, alcohol, or other drug abuse, shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.

The majority representative of the school employees’ bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees’ bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.



Two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence, vandalism, harassment, intimidation, bullying, and incidents of alcohol and other drug abuse that occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any pupil engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The Commissioner shall promulgate guidelines for a program to grade schools for the purposes of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and each school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within ten days of the receipt of a grade by the school and district.

Whenever it is alleged a school employee has knowingly falsified the report on violence, vandalism, harassment, intimidation, or bullying required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(g)2. Upon a determination by the Board that an employee has knowingly falsified the report, the Board may take appropriate action as outlined in N.J.A.C. 6A:16-5.3(g)3. Any action taken by the Board shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. Any employee having been found responsible for the falsification of the report by the Board shall have the right to file a



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grievance under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

The Board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements of N.J.S.A. 18A:17-46.

N.J.S.A. 18A:17-46; 18A:36-5.1  
N.J.A.C. 6A:16-5.2; 6A:16-5.3

Adopted: 18 March 1996  
Revised: 19 April 2010; July 2011



### 3144 CERTIFICATION OF TENURE CHARGES

#### Filing of Written Charges and Certificate of Determination

##### A. Definition

1. For the purposes of Policy 3144 and this regulation, “day” means business day when the period specified is less than seven days, and calendar day when the period specified is seven days or more; provided however, that calculations do not include the day of the action from which they are computed but do not include the last day of the period being computed unless such day falls on a Saturday, Sunday or holiday, in which case the last day shall be deemed the next business day immediately following. Filings received after the close of business (4:15 p.m.) shall be deemed filed on the next business day.

##### B. Procedures and Timelines

1. In all instances of the filing and certification of tenure charges, other than for reasons of inefficiency, the following procedures and timelines shall be observed:
  - a. Charges shall be stated with specificity as to the action or behavior underlying the charges and shall be filed in writing with the Secretary of the Board of Education or the State District Superintendent, accompanied by a supporting statement of evidence, both of which shall be executed under oath by the person or persons instituting such charges.
  - b. Charges along with the required sworn statement of evidence shall be transmitted to the affected tenured employee and the employee's representative, if known, within three working days of the date they were filed with the Secretary of the Board of Education or the State District Superintendent. Proof of mailing or hand delivery shall constitute proof of transmittal.
  - c. The affected tenured employee shall have an opportunity to submit to the Board of Education or the State District Superintendent a written statement of position and a written statement of evidence,





both of which shall be executed under oath with respect thereto within fifteen days of receipt of the tenure charges.

- d. Upon receipt of the tenured employee's written statements of position and evidence under oath, or upon expiration of the allotted fifteen-day time period, the Board of Education shall determine by a majority vote of its full membership, or the State District Superintendent shall determine, within forty-five days whether there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary.
  - e. The Board of Education or the State District Superintendent shall, within three working days, provide written notification of the determination to the employee against whom the charge has been made, in person or by certified mail to the last known address of the employee and the employee's representative, if known.
  - f. In the event the Board of Education or the State District Superintendent finds that such probable cause exists and the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall, within fifteen days, file such written charges with the Commissioner. The charges shall be stated with specificity as to the action or behavior underlying the charges and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.
  - g. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.
2. In the event the tenure charges are charges of inefficiency, except in the case of Building Principals and Vice Principals in school districts under full State intervention where procedures are governed by the provisions of



N.J.S.A. 18A:7A-45 and such rules as may be promulgated to implement it, the following procedures and timelines shall be observed:

- a. Initial charges of inefficiency shall be stated with specificity as to the nature of the inefficiency alleged and filed by the appropriate administrator with the Secretary of the Board of Education or the State District Superintendent along with a statement of evidence in support thereof executed under oath. In the event the charges are against the Chief School Administrator, they shall be filed, along with the required statement of evidence, by a designated Board member(s) upon the direction of the Board of Education as ascertained by majority vote of the full Board.
- b. The Board of Education, through its Board Secretary, or the State District Superintendent, upon receipt of the charges of inefficiency and the written statement of evidence in support thereof shall cause a copy of same to be transmitted to the affected employee and the employee's representative, if known, within three working days. Proof of mailing or hand delivery shall constitute proof of transmittal.
- c. The Board of Education, through its Board Secretary, or the State District Superintendent shall direct that the employee be informed in writing that, unless such inefficiencies are corrected within the minimal ninety-day period, or any longer period provided by the Board of Education or State District Superintendent, the Board or the State District Superintendent intends to certify those charges of inefficiency to the Commissioner pursuant to N.J.S.A. 18A:6-11.
- d. Concurrent with notifying the employee of such charges of inefficiency, the Board of Education or the State District Superintendent shall direct that there be a modification of the individual professional development plan mandated by N.J.A.C. 6A:32-4.3 or 4.4, to assure that such plan addresses the specific charges of inefficiency and complies with the timelines established for correction.
- e. Upon completion of the minimal ninety-day period for improvement, or such longer period as may be provided by the Board of Education or the State District Superintendent, the administrator(s) responsible for bringing such charges to the



attention of the Board or the State District Superintendent shall notify the Board or the State District Superintendent in writing of what charges, if any, have not been corrected. In the event the charges are against a Chief School Administrator, the Board of Education shall determine by majority vote of the full Board what charges, if any, have not been corrected.

- f. The Board of Education or the State District Superintendent, upon receipt of the written notification or upon the Board's determination in the case of a Chief School Administrator, shall notify the affected employee in writing that all of the inefficiencies have been corrected or, in the alternative, which of the inefficiencies have not been corrected. The time from the expiration of the minimal ninety-day period, or such longer period as may be provided by the Board of Education or the State District Superintendent, to the notification of the employee by the Board of Education or the State District Superintendent shall not exceed thirty calendar days.
- g. In the event that certain charges of inefficiency have not been corrected, the affected employee shall have an opportunity to respond within fifteen days of the receipt of said notification of inefficiency by filing a statement of evidence under oath in opposition to those charges.
- h. Upon receipt of such written statement of evidence under oath or upon expiration of the allotted fifteen-day time period, the Board of Education shall determine by a majority vote of its full membership, or the State District Superintendent shall determine, within forty-five days, whether there is probable cause to credit the evidence in support of the charges and that such charges, if credited, are sufficient to warrant a dismissal or reduction in salary.
- i. In the event the Board of Education or the State District Superintendent finds that such probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall, within fifteen days, file such written charges with the Commissioner. The charge(s) shall be stated with specificity as to the nature of the inefficiency alleged, and shall be accompanied by the required certificate of determination together



with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

- j. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.

3. The provisions of this section shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.

### C. Format of Certificate of Determination

1. The certificate of determination which accompanies the written charges shall contain a certification by the Board of Education Secretary or the State District Superintendent:
  - a. That the Board of Education or the State District Superintendent has determined the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary;
  - b. Of the date, place, and time of the meeting at which such determination was made and whether or not the employee was suspended and, if so, whether such suspension was with or without pay;
  - c. That such determination was made by a majority vote of the full Board or by the State District Superintendent in accordance with N.J.S.A. 18A:7A-39; and
  - d. In the case of a charge of inefficiency, that the employee was given at least ninety days prior written notice of the nature and particulars of the alleged inefficiency.
2. The provisions of this section shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.



### D. Filing and Service of Answer to Written Charges

1. An individual against whom tenure charges are certified shall have fifteen days from the date such charges are filed with the Commissioner to file a written response to the charges. Except as to the time for filing, the answer shall conform to the requirements of N.J.A.C. 6A:3-1.5(a) through (d).
  - a. Consistent with N.J.A.C. 6A:3-1.5(g), nothing in N.J.A.C. 6A:3-5.3 precludes the filing of a motion to dismiss in lieu of an answer to the charges, provided that such motion is filed within the time allotted for the filing of an answer. Briefing on the motions shall be in the manner and within the time fixed by the Commissioner, or by the Administrative Law Judge (ALJ) if the motion is to be briefed following transmittal to the Office of Administrative Law (OAL).
2. Upon written application by the person against whom charges are filed, the Commissioner may extend the time period for the filing of an answer upon a finding of good cause shown consistent with the provisions of N.J.S.A. 18A:6-16. Such application shall be received prior to the expiration of the fifteen-day answer period, and a copy shall be served upon the charging Board of Education or the State District Superintendent. The Board of Education or State District Superintendent shall promptly notify the Commissioner of any opposition to the request.
  - a. A request for extension which is not filed within the fifteen-day period allotted for answer to tenure charges will be considered only in the event of demonstrated emergency or other unforeseeable circumstance such that the request could not have been made within the requisite filing period.
3. Where no answer is filed within the requisite time period and no request for extension is made, or such request is denied by the Commissioner, or where the charged employee submits an answer or other responsive filing indicating the employee does not contest the charges, the charges shall be deemed admitted by the charged employee.
4. The provisions of this section shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.



E. Determination of Sufficiency and Transmittal for Hearing

1. Within fifteen days of receipt of the charged party's answer or expiration of the time for its filing, the Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary. Where the charges are determined insufficient, they shall be dismissed and the parties shall be notified accordingly. Where the charges are determined sufficient, the matter shall, within ten days of such determination, be transmitted to the OAL for further proceedings, unless the Commissioner retains the matter pursuant to N.J.A.C. 6A:3-1.11 or 1.12.
  - a. A notice of transmittal shall be issued to the parties by the Department of Education on the same date as the matter is transmitted to the OAL.
2. Where a party to a tenure matter so requests, the Commissioner may agree to hold the matter in abeyance at any time prior to transmittal to the OAL. Thereafter, requests to hold the matter in abeyance shall be directed to the OAL Clerk or the ALJ in accordance with the rules of the OAL. Any request for abeyance, whether directed to the Commissioner or the OAL, shall be consistent with the intent of N.J.S.A. 18A:6-16 as amended by P.L. 1998, c.42.

F. Withdrawal, Settlement, or Mooting of Tenure Charges

1. Once tenure charges are certified to the Commissioner, such charges may be withdrawn or settled only with the Commissioner's approval. Any proposed withdrawal or settlement, whether submitted to the Commissioner or to the ALJ, shall address the following standards established by the State Board of Education in the matter entitled *In re Cardonick*, State Board decision of April 6, 1983 (1990 *School Law Decisions (S.L.D.)* 842, 846):
  - a. Accompaniment by documentation as to the nature of the charges;
  - b. Explication of the circumstances justifying settlement or withdrawal;
  - c. Consent of both the charged and charging parties;



- d. Indication that the charged party entered into the agreement with a full understanding of his or her rights;
  - e. A showing that the agreement is in the public interest; and
  - f. Where the charged party is a teaching staff member, a showing that the teaching staff member has been advised of the Commissioner's duty to refer tenure determinations resulting in loss of position to the State Board of Examiners for possible suspension or revocation of certificate.
2. A settlement agreement shall not propose terms that would restrict access to information or records deemed public by law or result in misrepresentation of the reason for an employee's separation from service. Where tenure charges have been certified to the Commissioner by a Board of Education, any proposed settlement shall indicate, by signature of the Board Attorney or inclusion of a Board of Education resolution authorizing settlement, that the Board of Education has consented to the terms of the settlement.
  3. A proposed withdrawal or settlement of tenure charges shall be submitted to the Commissioner prior to transmittal of such charges to the OAL; thereafter, it shall be submitted to the ALJ in accordance with applicable rules of the OAL.
  4. Where tenure proceedings against a teaching staff member are concluded prior to adjudication because the charged party has unilaterally resigned or retired, the Commissioner may refer the matter to the State Board of Examiners for action against the charged party's certificate as it deems appropriate, when such referral is warranted under the provisions governing resignation or retirement prior to conclusion of tenure charges as set forth in N.J.A.C. 6A:9-17.4.
  5. Where a proposed settlement requires the tenured employee to relinquish a certificate issued by the State Board of Examiners, upon approval of the settlement agreement, the Commissioner shall forward the matter to the State Board of Examiners for proceedings in accordance with N.J.A.C. 6A:9-17.11.

Issued: 18 October 2010  
Revised: July 2011



### 5512 HARASSMENT, INTIMIDATION OR BULLYING INVESTIGATION PROCEDURE

#### M

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

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

1. An investigation shall be initiated by the Principal or the Principal's designee within one school day of the report of the incident and shall be conducted by a school's Anti-Bullying Specialist.
  - a. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist in the investigation.
2. The investigation shall be completed as soon as possible, but not later than ten school days from the date of the written report of the incident of harassment, intimidation, or bullying.
  - a. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the ten-day period, the school Anti-Bullying Specialist may amend the original report of the results of the investigation to reflect the information.
3. The results of the investigation shall be reported to the Superintendent of Schools within two school days of the completion of the investigation, and in accordance with regulations promulgated by the State Board of Education pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).
4. The Superintendent of Schools may decide to provide intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
5. The results of each investigation shall be reported to the Board of Education no later than the date of the next Board of Education Meeting





following the completion of the investigation, along with information on any services provided, training established, discipline imposed, or other action taken or recommended by the Superintendent.

6. Parents or legal guardians of the pupils who are parties to the investigation shall be entitled to receive information about the investigation, in accordance with Federal and State law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.
7. A parent or legal guardian may request a hearing before the Board of Education after receiving the information.
  - a. This hearing shall be held within ten days of the request;
  - b. The Board shall meet in executive session for the hearing to protect the confidentiality of the pupils; and
  - c. At the hearing the Board may hear from the school Anti-Bullying Specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.
8. At the next Board of Education meeting following its receipt of the report, the Board of Education shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with the procedures set forth in law and regulation, no later than ninety days after the issuance of the Board's decision.
9. A parent, pupil, legal guardian, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

Issued: October 2002

Edited: February 2003, April 2009, July 2011



### R 5561 USE OF PHYSICAL RESTRAINT

#### A. Definitions

“Physical restraint” means holding a pupil or otherwise restricting his/her movements.

#### B. Physical Restraint Limitations

Physical restraint shall only be used by a school staff member in an emergency situation with the following limitations:

1. Limited to the use of only the reasonable force needed;
2. Discontinued immediately when the emergency no longer exists;
3. Implemented in such a way as to protect the health and safety of the pupil and others; and
4. Not deprive the pupil of basic human necessities.

#### C. Physical Restraint Training Requirements

The training requirements on the use of physical restraint shall be as follows:

1. Building level administrators and school staff members designated by the Principal likely to be confronted with the need to use physical restraint shall be trained on the use of physical restraint.
  - a. If, in the event of an emergency, a person(s) who has not received training uses physical restraint, training for the person(s) that used such restraint shall occur within thirty days of the incident.
2. Training must include techniques of prevention and de-escalation, as well as alternatives to physical restraint.
3. Training must include current professionally accepted practices and standards regarding behavior management and use of physical restraint.



### D. Interventions

1. Classroom interventions may include, but not be limited to, the following strategies:
  - a. The staff member may ignore the behavior;
  - b. The staff member may redirect the pupil to a task with verbal or non-verbal prompts or gestures. Proximity helps, as may the use of gentle humor, when appropriate;
  - c. The staff member shall be clear, polite, and respectful when requesting the targeted behavior. The staff member may make eye contact and tell the pupil what to do such as “I can’t teach when you are talking, throwing things, ...” or “Please stop and listen, read, write, ...” The staff member should remind the pupil of consequences and rewards if they comply with the staff member’s request;
  - d. The staff member shall be polite at all times. The staff member may repeat steps a. through c. above and/or quietly give the pupil adequate wait time. Sometimes if the staff member moves on with the lesson the pupil may comply after the initial confrontation;
  - e. The staff member may advise the pupil to proceed to a time-out area in the classroom for a limited time (elementary and middle school); and
  - f. If classroom removal is required, the staff member shall follow school discipline procedures for notification and request for assistance if necessary.
2. Security interventions may include, but are not limited to, the staff member:
  - a. Standing quietly in the doorway and asking the pupil to accompany the staff member;



- b. Informing the pupil of the violation of the school discipline code and procedure and assure the pupil they have the choice to leave the classroom quietly; and/or
    - c. Using a minimal and gentle hold on arm to remove the pupil.
- E. Use of Physical Restraint
  1. If the pupil's behavior reaches the level defined as an emergency, physical restraint may be needed.
  2. If necessary, the staff member may utilize approved physical restraint, using the least amount of force necessary.
  3. If necessary, the staff member shall restrain the pupil until the emergency no longer exists (i.e. the pupil stops punching, kicking, spitting, damaging property, etc.).
  4. The staff member shall immediately contact the appropriate administrator and school nurse and complete a written report on the physical restraint the staff member used during the emergency situation.
  5. If physical restraint is used, the Principal or designee shall attempt to notify the parent/legal guardian by telephone of the use of physical restraint on the day it occurs and written notification of the incident shall be mailed to the parent within one school day after the use of physical restraint.
  6. Written documentation, including the Principal's or designee's report and any staff member's report regarding the incident and the use of physical restraint shall be placed in the pupil's school file.
  7. The use of physical restraint is subject to the following requirements:
    - a. The pupil must possess a physical risk to him/herself, or others;
    - b. Physical restraint techniques shall consider the pupil's medical conditions and shall be modified as necessary;
    - c. Staff applying physical restraint shall have been trained in the safe application of physical restraint;



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- d. Pupils will not be subjected to physical restraint for using profanity or other verbal displays or disrespect, or for non-compliance. A verbal threat will not be considered as constituting a physical danger unless a pupil also demonstrates a means of or intent to carry out the threat;
- e. In determining whether a pupil who is being physically restrained should be removed from the area where the restraint was initiated, the supervising staff should consider the potential for injury to the pupil, the pupil's need for privacy, and the educational and emotional well-being of the other pupils in the vicinity;
- f. A pupil shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the pupil is no longer in imminent danger of causing harm to him/herself, others, or imminent property destruction; and
- g. The pupil shall be examined by the school nurse after any restraint.

Issued: July 2011



### 5600 PUPIL DISCIPLINE/CODE OF CONDUCT

#### M

##### A. Purpose

The purpose of these regulations is to achieve the following purposes:

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

##### B. Rules of Conduct

1. All pupils are bound by law, policies of the Board of Education, and the administrative regulations of this school district.
2. In addition, pupils shall not:
  - a. Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority;
  - b. Create disorder or disruptions on school premises;
  - c. Use, threaten, or incite the use of physical force against other pupils, staff members, or visitors to the school;



- d. Steal, damage, or deface the property of other pupils, staff members, or the district;
- e. Engage in the sexual and/or other harassment of pupils or staff members;
- f. Violate codes of conduct adopted for organizations of pupils;
- g. Possess or use weapons or any implement intended to harm others;
- h. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;
- i. Convey information about other pupils or staff members known to be false;
- j. Act so recklessly as to endanger the safety of others;
- k. Procure the property of others by threat or intimidation;
- l. Enter school premises or any specific portion of the premises without permission and without authority;
- m. Vandalize school property, real or personal;
- n. Create litter on school property;
- o. Be truant from school or class;
- p. Cheat or otherwise engage in academic dishonesty;
- q. Persistently refuse to complete homework and other assignments;
- r. Engage in illegal gambling;
- s. Smoke on school property;
- t. Falsify an excuse or any school document;
- u. Set fire to or cause a fire in any way on school premises;



- v. Possess or explode a firecracker or other explosive device on school premises;
  - w. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
  - x. Possess, use, or distribute a substance in violation of Policy No. 5530;
  - y. Join a secret society prohibited by law;
  - z. Commit an act of harassment, intimidation, or bullying; or
  - aa. Engage in any other activity expressly prohibited by a school staff member in authority.
3. Pupils assigned to a school bus must obey all school rules, and
- a. Show respect for the driver at all times;
  - b. Enter and leave the bus in an orderly manner;
  - c. Ride only the bus to which they have been assigned;
  - d. Be and remain seated while the bus is in motion;
  - e. Avoid reckless and boisterous activity at all times, including during waits at pickup points;
  - f. Talk in a reasonable tone of voice and avoid loud noises;
  - g. Extend no portion of the body or other object out a bus window;
  - h. Keep aisles clear at all times;
  - i. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;
  - j. Refrain from smoking, eating, and drinking on the bus; and





k. Possess, use, or distribute no substance in violation of Policy No. 5530.

4. The Building Principal or designee has the right to impose a consequence on a pupil for conduct away from school grounds pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the pupil's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other pupils, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2 or when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

### C. Disciplinary Measures

The following disciplinary measures may be applied as appropriate to the pupil's violation of school rules. The measures are sequential and are organized in order of severity.

#### 1. Admonishment

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

#### 2. Temporary Removal from Classroom

a. The classroom teacher may direct the pupil to report to the office of the administrator in charge of pupil discipline.

b. The teacher will complete a form that indicates the pupil's name, homeroom, and the conduct that has caused the pupil's removal from the room.

c. The administrator in charge of discipline will interview the pupil and determine which, if any, additional disciplinary steps are indicated.



### 3. Deprivation of Privileges

The pupil may be deprived of the privilege of:

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

### 4. Detention

- a. The pupil may be required to report before or after the school day to detention for a period of supervised study.
- b. Transportation will be the responsibility of the pupil's parent(s) or legal guardian(s).
- c. The pupil may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

### 5. Grading

A pupil who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence (paragraph B.2.p. and paragraph B.2.q.) may suffer a reduced grade by virtue of the disqualified work. In no other instance may a pupil's grade be lowered as a direct penalty for misconduct.

### 6. Suspension from School



- a. The pupil may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2, and 6A:16-7.3, and Policy 5610.
- b. Suspension from school is a deprivation of the pupil's right to a thorough and efficient education and will not be imposed without the due process set forth in Policy and Regulation 5610.

### 7. Expulsion

- a. The Board may expel a general education pupil from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.5, and Policy 5620.
- b. Expulsion is an extremely serious disciplinary measure; it deprives the pupil of his/her right to a thorough and efficient education and will not be imposed without the due process set forth in Policies 5610 and 5620.

### D. Remedial Measures

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

#### 1. Restitution and Restoration

- a. The pupil may be required, to:
  - (1) Make restitution, in kind or cost or labor, for any loss he/she has caused; or
  - (2) Restore to its former condition, by his/her own labor, any property the pupil has damaged or defaced.
- b. A pupil who refuses to make restitution or restoration as directed may be disciplined by one or more of the measures included at paragraph C.

#### 2. Counseling



- a. The pupil may be required to consult with school guidance counselors to determine the causes of his/her misconduct and to assess the need for a change in educational placement.
- b. The counselor will explain:
  - (1) Why the pupil's conduct is unacceptable to the school and damaging to the pupil,
  - (2) What the consequences of continued misconduct are likely to be, and
  - (3) Appropriate alternate behaviors.
- c. The counselor may refer the pupil, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:
  - (1) The Child Study Team,
  - (2) Intervention and Referral Team,
  - (3) A public or private social agency, or
  - (4) A legal agency.

### 3. Parent Conferences

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

### 4. Alternate Educational Program

The pupil may be assigned to an alternate educational program as recommended by the pupil's guidance counselor, classroom teacher, Child Study Team, Principal/Superintendent and/or the Board of Education.



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

1. Consequences

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

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

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

2. Remedial Measures

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



F. Chart of Discipline

Please refer to the High Bridge School District Code of Conduct.

G. Disciplinary Procedures

1. The Pupil Discipline/Code of Conduct Policy and Regulation 5600 shall be disseminated annually to all school staff, pupils, and parent(s). Principals will distribute these documents to all pupils on the first day of each school year and to transferring pupils on the first day of their enrollment in this district.
2. Teachers and administrators in charge of pupil discipline shall make every effort to administer these rules consistently and fairly.
3. The staff member who disciplines a pupil for conduct shall, however minimal the offense or the discipline,
  - a. Orally inform the pupil of the conduct for which he/she is being disciplined; and
  - b. Offer the pupil an opportunity to deny the charge or to present extenuating circumstances.
4. Where the discipline is greater than an admonishment, the pupil's parent(s) or legal guardian(s) will be notified verbally or in writing of the offense and of the discipline imposed and will be offered an opportunity to confer with the Principal.
5. Where the offense is serious and the discipline greater than detention, every effort will be made to notify the parent(s) prior to the informal hearing conducted in accordance with paragraph F.3.
6. Violations of the rules regarding pupil conduct on school buses will be handled as follows.
  - a. The teacher/chaperone will report the offensive conduct to the Principal of the school in which the pupil is enrolled by submission of a completed written form that includes the name of the pupil, the school, and the specific offensive conduct.



- b. The parent(s) or legal guardian(s) will be notified, by copy of the form, of the pupil's conduct.
- c. The Principal or designee will determine the discipline to be administered, in accordance with the severity of the infraction. Please refer to the High Bridge School District's Code of Conduct

### H. Pupils with Disabilities

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

### I. Pupil Rights

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

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;
2. Education that supports pupils' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of pupils' marriage, pregnancy, or parenthood;
5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3; and



7. Protections pursuant to 20 U.S.C. §1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Pupil Rights Amendment; N.J.A.C. 6:3-6, Pupil Records; 45 CFR §160, Health Insurance Portability and Accountability Act; 20 U.S.C. §6301, Title IV(A)IV §4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of pupil alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Pupil Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Student Records; as well as other existing Federal and State laws pertaining to pupil protections.
- J. Records
1. Instances of pupil discipline will be recorded in the pupil's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330.
  2. When a pupil transfers to a public school district from another public school district, all information in the pupil's record related to disciplinary actions taken against the pupil by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, disclosure of juvenile information; penalties for disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32-7.5(e)10.iv., and N.J.A.C. 6A:16-7.10.
    - a. The record shall be provided within two weeks of the date that the pupil enrolls in the receiving district.
    - b. Written consent of the parent or adult pupil shall not be required as a condition of the transfer of this information, however, written notice of the transfer shall be provided to the parent or the adult pupil.
    - c. When a pupil transfers to a private school, which includes all sectarian or nonsectarian nonprofit institutional day or residential schools that provide education for pupils placed by their parents and that are controlled by other than public authority, all pupil





disciplinary records, with respect to suspensions or expulsions, shall be provided by the public school district of residence to the private school upon written request from the private school, in the same manner as such records would be provided by a public school district of residence to another public school district, pursuant to N.J.A.C. 6A:16-7.10(b).

- d. The Board shall not use a pupil's past offenses on record to discriminate against that pupil.
- e. All pupil disciplinary records maintained in the district shall conform with the requirements set forth in N.J.A.C. 6A:16-7.10(d).

### K. Annual Report

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

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



# POLICY

**HIGH BRIDGE  
BOARD OF EDUCATION**

Issued: 1 April 1992  
Revised: 20 November 2006; July 2011



8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION,  
BULLYING, ALCOHOL, AND OTHER DRUG ABUSE

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Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a pupil for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS). A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

#### A. Reporting Violence, Vandalism, Alcohol or Other Drug Use

1. For each incident report of violence, vandalism, or alcohol or other drug abuse, the Principal shall:
  - a. Review the incident report for accuracy in indicating the incident type, offender information, victim information, pupil demographics, and incident location;
  - b. Forward a copy of the incident report to the Superintendent; and
  - c. Notify the Superintendent of the action taken regarding the incident.
2. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.
3. The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:17-46.
  - a. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in



instances when school administrators have reason to believe that the safety of a school staff member is at risk.

### B. Reporting Requirements

#### 1. The Superintendent shall:

a. Submit a report to the Department of Education in accordance with the provisions of N.J.S.A. 18A:17-46 of each incident of violence, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS;

(1) Prior to submission, the Superintendent shall review the report to verify that it is an accurate and final report of all incidences of violence and vandalism in all of the schools in the school district;

(2) Verify that the data entered onto the EVVRS are correct and in accordance with N.J.A.C. 6A:16-7.1(a)6; and

(3) Provide for the annual training of staff to prepare them to fulfill the reporting requirements set forth in N.J.A.C. 6A:16-5.3.

### C. Hearing Requirements

The Superintendent shall report to the Board all acts of violence, vandalism, harassment, intimidation, bullying, and incidents of alcohol and other drug abuse that occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46.

### D. Knowingly Falsifying The Annual Violence and Vandalism Report Required Under N.J.S.A. 18A:17-46

1. Whenever it is alleged that a school employee has knowingly falsified the report, the Board shall make a determination regarding whether the employee committed the act.

2. Any employee alleged to have knowingly falsified the report shall be notified in writing of such allegation and shall be entitled to a hearing before the Board.



- a. The hearing shall take place within thirty business days of the date on which the employee is notified of the allegation;
  - b. The employee shall be entitled to be represented by a person of his or her choosing and to present witnesses on his or her behalf; and
  - c. The Board shall notify the employee of its determination in writing within five school days of the hearing.
3. Upon determination by the Board that an employee has knowingly falsified the report, it shall take one or more of the following actions:
- a. Impose minor discipline on a tenured or non-tenured employee notwithstanding any other law to the contrary and if negotiated with the majority representative of the employees in the appropriate collective bargaining unit;
  - b. Withhold a tenured or nontenured employee's increment for predominantly disciplinary reasons, which shall be subject to the grievance procedures established pursuant to law and shall be subject to the grievance procedures of section 8 of N.J.S.A. 34:13A-29;
  - c. File tenure charges with the Secretary of the Board in writing and with a written statement of evidence under oath to support such charges;
  - d. Terminate employment for an employee:
    - (1) For tenured employees, the termination shall be in accordance with the outcome of the proceedings in D.3.c. above; or
    - (2) Impose such other disciplinary sanctions as may be authorized by law.
4. Any action taken by the Board pursuant to D.3. above shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.



# POLICY

## HIGH BRIDGE BOARD OF EDUCATION

5. Any employee having been found responsible for the falsification of the report by the Board shall have the right to:
  - a. File a grievance under their respective bargaining agreements;
  - b. Appeal the Board's determination to the Commissioner of Education in accordance with N.J.A.C. 6A:3-1.3 through 1.17 and subsequently to the State Board of Education; or
  - c. Appeal the decision to the Superior Court of New Jersey.
6. The availability of appeal options shall be based upon the action taken by the Board.

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

Issued: July 2011

