
The Somerset Hills School District
Regular Meeting Agenda - October 19, 2022
Executive Session - 6:30 P.M.
Public Input & Action - 7:30 P.M.
Bernards High Media Center

I. Call to Order & Welcome

Welcome to a meeting of the Board of Education of Somerset Hills. Please be advised that this and all meetings of the Board are open to the public and media, consistent with the Open Public Meetings Act: (Chapter 231 Laws of 1975), and that advance notice required therein has been provided. This is a meeting of the Board of Education of Somerset Hills at which formal action may be taken. The public will have an opportunity to be heard as shown on the Agenda.

II. Roll Call

III. Executive Session

WHEREAS the “Open Public Meetings Act:” (Chapter 231 Laws of 1975) authorizes a public body to exclude the public from that portion of a meeting at which specified topics are to be discussed under circumstances where the public consideration of such topics will clearly endanger the public, or where the personal privacy or guaranteed rights of individuals whose activities or affairs are to be discussed would be clearly in danger of unwarranted invasions, and

WHEREAS the matters about to be presented for discussion clearly meet the “circumstances” test of such Act:

RESOLVED that the Board of Education of Somerset Hills now adjourns its public session to reconvene in Executive Session for the purpose of discussing the following: Personnel, Student Matters, Contracts, Negotiations and Litigation.

And, be it further,

RESOLVED that the discussion in Executive Session be disclosed when the Board’s consideration of the subject matter has been closed, or that such matter does not adversely affect the rights of prospective, current, or past public officers, or personnel of the Board, unless such individuals have in writing requested the disclosures of such discussion at a public meeting and provided such a public disclosure will no longer clearly endanger the public interest.

IV. Pledge of Allegiance

V. Roll Call

VI. Report of the Superintendent:

- Student Representatives’ Report
- Academic Report- Dr. Olga Edgerton, *District Testing Coordinator and Supervisor of Math, Science, and Technology*, and Ms. Lindsay Barna, *Supervisor of English Language Arts, Visual and Performing Arts, and Media Specialists*
- Superintendent Search Process - *HYA&Associates*, Monica Browne
- *Brown & Brown* - James Finn

VII. Public Comments for Actionable Agenda Items

We very much welcome input from the public. Public comments are welcome at this time on any actionable agenda item. Towards the end of the meeting there is a second public forum on any

topic. Please state your name and address. Comments are limited to three minutes, but an individual may speak a second time after all others who wish to speak on the topic have been heard. Please understand that our public forums are not structured as question and answer sessions, but are offered as opportunities to share your thoughts with the Board. In instances where the Board feels that there is a misunderstanding or inaccuracy, the Board President or Superintendent may address the comment. In accordance with New Jersey Statute, the Board will not discuss matters regarding specific personnel. Public Comments will be limited to 30 minutes. Thank you for your input.

VIII. Approval of Minutes*

1. Approval of Minutes

Resolved, that the Somerset Hills Board of Education approve the Public Input & Action and Executive meeting minutes for September 21, 2022 and Special Meeting and Executive session minutes for September 28, 2022 and October 12, 2022.

IX. FINANCE

A. Committee Report & Discussion:

B. Action Items:

1. Board Secretary & Treasurer Reports & Board Certification*

WHEREAS, the Board Secretary has received the Reports of the Secretary and Treasurer for the month of August 2022 showing the following balances:

| FUND | Board Secretary Cash Balance (1) | Treasurer Cash Balance (2) |
|----------------------------|---|---------------------------------------|
| (10) General Fund | \$11,525,762.89 | \$11,525,762.89 |
| (20) Special Revenue Fund | (\$586,786.82) | (\$586,786.82) |
| (30) Capital Projects Fund | \$371,191.25 | \$371,191.25 |
| (40)Debt Service Fund | \$547,330.28 | \$547,330.28 |
| Total Government Funds | \$11,857,497.60 | \$11,857,497.60 |

(1) From Secretary's Report (2) From Treasurer's Report

WHEREAS in compliance with N.J.A.C.6A: 23-2.1(c)3 the secretary has certified that, as of the date of the report(s), no budgetary line item account has encumbrances and expenditures which in total exceed the amount appropriated by the district board of education, now, therefore, be it

RESOLVED, the Board of Education accepts the above referenced report and certifications and orders that they be attached to and made part of the record of this meeting, and be it

FURTHER RESOLVED, in compliance with N.J.A.C.6A: 23-3.11(c) 4, the Board of Education certifies that, after review of the secretary's monthly financial reports (appropriation section) and upon consultation with the appropriate district officials, to the best of its knowledge, no major account or fund has been overexpended in violation of N.J.A.C.6A: 23-2.11(b), and that sufficient funds are available to meet the district's financial obligations for the remainder of the year.

2. Approve 2022-2023 Budget Transfers*

Resolved that the Somerset Hills Board of Education approves the attached list of budget transfers for August 2022.

3. Payment of Bills*

WHEREAS, the Board Secretary has presented attached August 2022 check registers with the recommendation that the checks be paid, and Now, therefore, be it Resolved, that the following bills be paid and an itemized list be filed with the minutes of this meeting:

| FUND | |
|----------------------------|-----------------------|
| (10) General Fund | \$1,051,401.42 |
| (20) Special Revenue Fund | \$4,575.25 |
| (30) Capital Projects Fund | – |
| (40) Debt Service Fund | – |
| (60) Cafeteria Fund | \$5,975.23 |
| (90) Agency Fund | – |
| TOTAL | \$1,061,951.90 |

4. Payment of Bills*

WHEREAS, the Board Secretary has presented attached September 2022 check registers with the recommendation that the checks be paid, and Now, therefore, be it Resolved, that the following bills be paid and an itemized list be filed with the minutes of this meeting:

| FUND | |
|----------------------------|-----------------------|
| (10) General Fund | \$3,057,823.36 |
| (20) Special Revenue Fund | \$33,214.34 |
| (30) Capital Projects Fund | – |
| (40) Debt Service Fund | – |
| (60) Cafeteria Fund | \$1,699.72 |
| (90) Agency Fund | \$1,045,978.10 |
| TOTAL | \$4,138,715.52 |

5. Approve Special Education Schools*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following schools for the 2022-2023 school year and/or ESY:

| | Student ID # | School | Location | Cost |
|----|--------------|------------------------------------|----------------|-------------|
| a. | 7859418841 | Frelinghuysen Middle School | Morristown, NJ | \$18,633.00 |
| b. | 4533750176 | Thomas Jefferson Elementary School | Morristown, NJ | \$18,273.00 |

6. Approve Parent Organization Fundraiser

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following parent organization fundraisers for the 2022-2023 school year:

| | Organization | School | Event | Date |
|---|---------------------|---------------|-----------------------------------|-------------|
| a | Bedwell HSA | BES | Winter Holiday Shoppe & Breakfast | 12/3/22 |

7. Approve Parent Organization Fundraiser*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following parent organization fundraisers for the 2022-2023 school year:

| | Organization | School | Event | Date |
|---|------------------------------|---------------|--|-----------------|
| a | BHS HSA - Project Graduation | BHS | KenRent donation-10% back | 22-23 SY |
| b | BHS HSA - Project Graduation | BHS | Ladies Night/Shopping Days at Rebecca Collection | 12/1/22-12/3/22 |

8. Amend the approval of Educational Services Commission of New Jersey Contract*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the contract with the Educational Services Commission of New Jersey, authorizing the administrative personnel of the Commission to conference, discuss and solicit input in the development of the nursing services contract document for the 2022-2023 school year which provides nursing services to the following nonpublic schools located in the Somerset Hills school district:

Far Hills Country Day
School of St. Elizabeth

9. Approve 2022-2023 Non-Public Technology Aid*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the use of funds for Non-Public Security Aid for the following school:

| Non-Public School | Description | Amount |
|--------------------------|--|---------------|
| Far Hills Country Day | Cisco Meraki MR86 - wireless access point - Wi-Fi 6 - cloud-managed | \$6,125.00 |
| Far Hills Country Day | Cisco Meraki Enterprise Cloud Controller - subscription license (3 years)- | \$975.00 |
| Far Hills Country Day | Cisco Meraki Dual-Band Omni Antenna (4 7 dBi Gain) Set - antenna | \$1,380.00 |

10. Approve Professional Development Program*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve Melissa Sadin to provide professional development on trauma informed strategies for district staff during the 2022-2023 school year, in the amount of \$8,000 from ARP-ESSERIII funds.

11. Special Education Providers*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following service providers for the 2022-2023 school year and extended school year:

| Provider | Service | Location | Cost |
|----------------------------|---------------------------------------|-----------------|-------------|
| Horizon Staffing Resources | PT/Speech/OT | Manalapan, NJ | \$97/hr |
| | Paraprofessional | | \$32/hr |
| | Paraprofessional w/ Sub Certification | | \$35/hr |

12. Approve Settlement Agreement*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following Settlement Agreement for Student # 3957424154 for the 2022-2023 school year.

13. Approve Settlement Agreement*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following Settlement Agreement for Student # 5630540819 for the 2022-2023 school year.

14. Approve iReady Partners Curriculum Associates

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve iReady Partners Curriculum Associates Services for math assessment, online instruction, and PD for BMS for the 2022-2023 school year in the amount of \$12,650.50.

15. Approve Rutgers University Center for Effective School Practice*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve professional development facilitated by the Center for Effective School Practices (CESP), Rutgers University for Building-Based Implementation of Multi-Tiered Systems of Support (MTSS) Best Practices throughout the 2022-23 school year in the amount of \$30,500 funded through ARP and Title II funds.

16. Approve Somerset County Vocational & Technical School Tuition Contract*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve Somerset County Vocational & Technical School Tuition Contract for the 2022-2023 school year for Bernardsville, Far Hills, and Peapack Gladstone High School students.

17. Approve Information Technology Consultant Agreement*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the Information Technology Consultant Agreement with Bryan Machado for the 2022 - 2023 school year not to exceed \$25,000.

18. Approve Schools Health Insurance Fund*

WHEREAS, a number of school boards in the State of New Jersey have joined together to form the SCHOOLS HEALTH INSURANCE FUND hereafter referred to as "SHIF", as permitted N.J.S.A. 18A:18B-1 et seq., and;

WHEREAS, the SHIF has received approval by the Commissioner of the Department of Banking and Insurance on August 10, 2015;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a school board joint insurance fund;

WHEREAS, the governing body of Somerset Hills Board of Education hereinafter referred to as "SCHOOL BOARD" has determined that membership in the SHIF is in the best interest of said SCHOOL BOARD.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the SCHOOL BOARD hereby agrees as follows:

- i. SCHOOL BOARD shall become a member of the SHIF for the period outlined in the SCHOOL BOARD's Indemnity and Trust Agreement.
- ii. SCHOOL BOARD will participate in the following type (s) of coverage (s):
 - a.) Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the SHIF's Bylaws, and the SHIF's Plan of Risk Management.
- iii. SCHOOL BOARD accepts and approves the SHIF's Bylaws and agrees to be bound by the terms thereof.
- iv. SCHOOL BOARD shall execute an application for membership and any accompanying certifications.
- v. SCHOOL BOARD agrees to commit to the four principles of the SHIF which are:
 - a.) A long term philosophy on rates.
 - b.) A willingness to work with bargaining units to achieve plan design changes.
 - c.) Professional management with stability and commitment.
 - d.) Rating structure based on actuarial numbers.

BE IT FURTHER RESOLVED that the governing body of the SCHOOL BOARD is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the SHIF as required by the SHIF's Bylaws, and to deliver these documents to the SHIF's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the SCHOOL BOARD by the SHIF.
- ii. Receipt by the SHIF of a Resolution from the SCHOOL BOARD accepting SCHOOL BOARD's SHIF assessment.
- iii. Approval by the Commissioner of the New Jersey Department of Banking and Insurance of SCHOOL BOARD as a member of the SHIF.

19. Approve Benefit Risk Manager*

The Board of Education hereby resolves effective January 1, 2023 to designate James T. Finn, CLU, of Brown & Brown, Inc. as its Benefit Risk Manager for our Schools Health Insurance Fund (SHIF) medical plan.

Brown & Brown, Inc. is authorized as follows:

1. To assist employees and dependents in the resolution of elevated service issues that cannot be resolved by Aetna or SHIF.
2. To advise the Board of Education relative to compliance with Federal and State regulations regarding group benefit plans.
3. To review periodic SHIF financial reports and advise the Board of Education on the financial status of the SHIF and how that relates to the forecasting of future SHIF assessment rates.
4. To advise the Board of Education on the impact of current, proposed, and future changes to by-laws, procedures, or vendors associated with SHIF.

All appropriate Board of Education staff members are authorized to take such action and affect such documentation as necessary to implement these changes.

20. Approve Health and Prescription Drug Benefit Coverage*

The Board of Education hereby resolves effective January 1, 2023 to terminate Health Benefit coverage (medical and prescription drug) with Aetna Life Insurance Company, and subsequently appoint Schools Health Insurance Fund for medical and Heartland Fidelity (Benecard) for prescription drug.

All appropriate Board of Education staff members are authorized to take such action and affect such documentation as necessary to implement these changes.

Monthly premium rates will be increased by 11% for Medical and 12.4% for Prescription effective January 1, 2023.

21. Approve to appoint Fund Commissioner*

BE IT RESOLVED BY THE Somerset Hills School Board of Education that Jinnee DeMarco be and is hereby appointed as FUND Commissioner to the Schools Health Insurance Fund to represent Somerset Hills Board of Education.

And

BE IT FURTHER RESOLVED THAT Kathy Mehan be and is hereby appointed as Alternate Fund Commissioner to the Schools Health Insurance Fund effective January 1, 2023.

X. FACILITIES & OPERATIONS

A. Committee Report & Discussion:

B. Action Items:

1. Approve HIB Self Assessment Report*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the Superintendent's report on the New Jersey Department of Education School Self-Assessment for Determining Grades under the Anti-Bullying Bill of Rights District and School Grade Report for the 2021-2022 school year.

XI. CURRICULUM

A. Committee Report & Discussion:

B. Action Items:

1. Approve Field Trips

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following field trips:

| | School | Trip | # of Students | # of Faculty | # of Chaperones |
|---|---------------|---|----------------------|---------------------|------------------------|
| a | BES | Mayo Performing Arts Center - Morristown, NJ | 84 | 4 | 12 |
| b | BES | Red Mill Museum - Clinton, NJ | 80 | 6 | 12 |
| c | BMS | Nature Trail Behind Bedwell - Bernardsville, NJ | 10 | 1 | 0 |

2. Approve Field Trips *

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following field trips:

| | School | Trip | # of Students | # of Faculty | # of Chaperones |
|---|---------------|-------------------------------------|----------------------|---------------------|------------------------|
| a | BHS | Lupa Apothecary - Bernardsville, NJ | 7 | 4 | 0 |

| | | | | | |
|---|-----|---|----|---|---|
| b | BHS | RVCC - Branchburg, NJ | 7 | 4 | 0 |
| c | BHS | 5 Below & Sunrise Luncheonette - Somerville, NJ | 7 | 4 | 0 |
| d | BHS | Great Swamp Wildlife Refuge - Basking Ridge, NJ | 23 | 1 | 1 |
| e | BHS | Lacrosse Training Camp - Clearwater, FL | 26 | 2 | 6 |
| f | BHS | Baseball Training Camp - Orlando, FL | 24 | 2 | 0 |
| g | BHS | Far Hills Municipal Building - Far Hills, NJ | 24 | 1 | 1 |
| h | BHS | Rutgers: Alexander Library - New Brunswick, NJ | 13 | 2 | 0 |

3. Approve Professional Development/School Business

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following professional development/school business, for the 2022-2023 school year:

| | School | Name | Workshop/Conference | Date(s) | Est. Cost |
|---|--------|----------------------|---|---------------------|--------------------------|
| a | BES | Allen, Jazmyn | Educators & Law Enforcement School Safety Seminar | 10/28/22 | \$0 |
| b | BES | Brooten, Darcey | The Gift of Story: Exploring the Affective Side of Reading Life | 2/23/23 | \$181.95 |
| c | BES | DeRoberts, Theresa | Catching Up Your English Language Learners Who Have Fallen Behind | 12/2/22 | \$279 |
| d | BES | Mongno, Megan | Emotional Regulation Supports for Today's World | 10/11/22 | \$22.65 |
| e | BES | Rokosky, Debbie | Reading Reimagined | 12/8/22 | \$197.56 |
| f | BES | Windisch, Mary Clare | Develop and Implement Small Group Work That Moves Readers | 10/27/22 | \$60 (TCRWP contract) |
| g | BMS | Garofalo, Lisa | Educators & Law Enforcement School Safety Seminar | 10/28/22 | \$0 |
| h | BMS | Kimmel, Melissa | A Day for Teaching Grammar and Language Supports | 2/10/23 | \$60 (TCRWP contract) |
| i | BMS | Venezia, David | Nature Walk Behind Bedwell | 11/1/22 11/16/22 | \$0 |

4. Approve Professional Development/School Business*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following professional development/school business, for the 2022-2023 school year:

| | School | Name | Workshop/Conference | Date | Est. Cost |
|---|----------|-------------------|---|----------|-----------|
| a | District | Catelli, Michael | NJ Council for History Education | 12/2/22 | \$90 |
| b | District | Dempsey, Gretchen | Educators & Law Enforcement School Safety Seminar | 10/28/22 | \$0 |

| | | | | | |
|---|----------|----------------------------|---|--|----------|
| c | District | DeMarco, Jinnee | Educators & Law Enforcement School Safety Seminar | 10/28/22 | \$0 |
| d | District | Edgerton, Olga | MUJC STEAM Subcommittee | 10/25/22 1/24/23 | \$0 |
| e | District | Mehan, Kathy | Ed Week Top School Jobs - Job Fair | 10/27/22 | \$1,595 |
| f | BHS | Albanese-DeMair, Christine | Great Swamp Wildlife Refuge | 10/26/22 | \$0 |
| g | BHS | Brothers, David | Spring Break Lacrosse Training Camps | 3/23/23- 3/27/23 | \$0 |
| h | BHS | Cava, Lauren | Somerset County SAC Meetings | 10/20/22, 11/17/22, 12/15/22, 1/19/23, 2/16/23, 3/16/23, 4/20/23, 5/18/23 | \$133.86 |
| i | BHS | Chang, Newstein | Great Swamp Wildlife Refuge | 10/26/22 | \$0 |
| j | BHS | Dolson, Peg | Center for Literacy Development | 2/23/23 | \$187.69 |
| k | BHS | Ellis, Amanda | Kutztown University: Fall Counselor Day | 10/21/22 | \$0 |
| l | BHS | Gajewski, Rick | Coaches Clinic Volleyball | 1/7/23 | \$60 |
| m | BHS | Lavalle, Alexa | The Significance of Data Collection During the Transition Years | 10/26/22 | \$95 |
| n | BHS | Lavalle, Alexa | MUJC Transition Subcommittee | 10/24/22, 1/9/23, 3/20/23, 5/15/23 | \$22 |
| o | BHS | Neigel, Scott | Educators & Law Enforcement School Safety Seminar | 10/28/22 | \$0 |
| p | BHS | Samson, Alyssa | 5 Below & Sunrise Luncheonette | 12/9/22 | \$0 |

XII. PERSONNEL

- A. Committee Report and Discussion.
B. Action Items:

1. Accept Retirement

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the retirement of the following employee:

| | Name | School | Position | Effective |
|---|-------------|--------|--------------------|-----------|
| a | Och, Laurie | BES | Elementary Teacher | 1/1/23 |

2. Accept Resignations*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the resignations of the following employees:

| | Name | School | Position | Effective |
|---|----------------|--------|---------------|-----------|
| a | Lemley, Justin | BHS | Music Teacher | 10/1/22 |

| | | | | |
|---|---------------------------------|----------|---|----------|
| b | Porter, Jacqueline | Olcott | Business Office Assistant Payroll/Benefits Coordinator | 12/3/22 |
| c | Llinas Zambrano, Maria Paula | District | Part Time Custodian | 11/19/22 |

3. Accept Resignations

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the resignations of the following employees:

| | Name | School | Position | Effective |
|---|---------------------|--------|---|-----------|
| a | Gebbia, Janine | BMS | Special Education Paraprofessional B Full Time | 10/29/22 |
| b | Hunashimarad, Deepa | BES | Special Education Paraprofessional B Part Time | 10/22/22 |

4. Approve Appointment Certified Staff

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following non-tenured certified staff for the 2022-2023 school year, *subject to further investigation pursuant to law*:

| | Name | School | Position | Replace | Level | Step | Salary | Effective |
|---|------------------|--------|---------------------------|---------|-------|------|----------|-----------|
| a | Nisch, Christine | BES | Teacher Special Education | Puhak | BA | 4-5 | \$62,205 | 10/20/22 |

5. Amend Leave of Absence

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the following leave of absence:

| | Employee | Bldg | Position | Type of leave | Dated of Leave/Notes |
|---|----------|------|----------|--|--|
| a | 8543 | BES | Teacher | Disability/Sick days FMLA Unpaid Leave Parenthood Leave Anticipated Return | 02/04/22 - 04/01/22 (paid; w/benefits) 04/02/22 - 06/30/22 (unpaid; w/benefits) 09/01/22 - 06/30/23 (unpaid w/ benefits) 09/01/22 - 06/30/23 (unpaid/cobra offered) 09/01/23 |

6. Amend Leave Replacement Teacher

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the following non tenured Leave Replacement Teacher for the 2022-23 school year:

| | Name | School | Position | Replace | Level | Step | Salary | Effective |
|---|---------------|--------|----------|---------|-------|------|----------|------------------------------------|
| a | Riker, Joanna | BES | Teacher | 8543 | BA | 1 | \$60,800 | 9/1/22- 1/23/23 6/30/23 |

7. Approve Appointment Non-Certified Staff*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following non-certified staff for the 2022-2023 school year, *subject to further investigation pursuant to law*:

| | Name | School | Position | Replace | Step | Salary | Effective |
|---|--------------------|--------|-----------------|--------------------------|------|----------|-----------|
| a | Rittipun, Sugunya | BHS | Custodian | Phietwang | 11 | \$41,745 | 10/10/22 |
| b | Wannarut, Siriphan | BHS | Custodian PT | Maria Llinas Zambrano | 16 | \$23,828 | 11/21/22 |

8. Approve Appointment Non-Certified Staff

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following non-certified staff for the 2022-2023 school year, *subject to further investigation pursuant to law*:

| | Name | School | Position | Replace | Step | Salary | Effective |
|---|----------------------|--------|---|----------|------|------------|--------------------------------------|
| a | Price, Caitlin | BES | Special Education Paraprofessional B Full Time | Zavacki | 1 | 17.34/hour | 10/20/22 |
| b | Cronin, Sara | BES | Special Education Paraprofessional B Full Time | Disabato | 1 | 17.34/hour | 10/20/22 <i>Pending clearance</i> |
| c | Villagra, Crystal | BMS | Special Education Paraprofessional B Full Time | Nisch | 1 | 17.34/hour | 10/20/22 <i>Pending clearance</i> |

9. Amend Appointment Non-Certified Staff*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amend the appointment of the following non-certified staff for the 2022-2023 school years, *subject to further investigation pursuant to law*:

| | Name | School | Position | Replace | Step | Salary | Effective |
|---|----------------|--------|--|---------|------|--------------|---------------------------------------|
| a | McGeary, Maura | BHS | Regular Paraprofessional B (lunch aide) | new | 1 | \$16.34/hour | 9/22/22 10/17/22 |

10. Approve Overloads

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following overload for the 2022-2023 school year:

| | Type of Support | Teacher | Term | Periods | Salary | OVERLOAD Salary prorated |
|---|-----------------|-----------------|------------------|---------|----------|-----------------------------|
| a | BMS LAL 5-8 | Boudreau, Derek | 9/27/22-12/23/22 | 2 | \$79,105 | \$1,582.42 |
| b | BMS LAL 5-8 | Kimmel, Melissa | 9/27/22-12/23/22 | 5 | \$74,260 | \$3,713.74 |
| c | BMS LAL 5-8 | Russo, Dawn | 9/27/22-12/23/22 | 5 | \$82,675 | \$4,134.58 |

11. Approve Overload*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following overload for the 2022-2023 school year:

| | Type of Support | Teacher | Term | Periods | Salary | Overload Salary |
|---|---------------------|-----------------|-----------|---------|----------|--------------------|
| a | BHS Science Biology | Chang, Newstein | Full Year | 5 | \$66,300 | \$11,052.21 |

12. Rescind Co-Curricular & Athletic Positions

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, rescind the following co-curricular and athletic positions for the 2022-2023 school year:

| | Name | School | Season | Position | Stipend |
|---|------------------|--------|-------------------|---------------------------------------|--------------|
| a | Och, Laurie | BES | 22-23 school year | Tutor Mentor (8 hour max) Math Club | \$59.11/hour |
| b | Patrylow, Lauren | BES | 22-23 school year | Homework Club (8 hours max) Math Club | \$59.11/hour |

13. Approve Co-Curricular & Athletic Positions

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following co-curricular and athletic positions for the 2022-2023 school year:

| | Name | School | Season | Position | Stipend |
|---|-----------------------|--------|-------------------|---|--------------|
| a | Brooten, Darcey | BES | 22-23 school year | Tutor Mentor (8 hour max) Math Club | \$59.11/hour |
| b | Nicheporuck, Tatianna | BES | 22-23 school year | Homework Club (8 hours max) Math Club | \$59.11/hour |
| c | Mahlik, Philip | BMS | winter | Boys Basketball Assistant | \$3,115 |
| d | Froysland, Megan | BMS | 22-23 school year | Math/Writing Lab Instructor after school: ARP Grant | \$59.11/hour |
| e | Wright, Becky | BMS | 22-23 school year | Math/Writing Lab Instructor after school: ARP Grant | \$59.11/hour |
| f | Doole, Megan | BES | 22-23 school year | B-Well Girls Program | \$59.11/hour |
| g | Klebaur, Grace | BES | 22-23 school year | B-Well Girls Program | \$59.11/hour |
| h | Brooten, Darcey | BES | 22-23 school year | B-Well Girls Program | \$59.11/hour |

14. Approve Co-Curricular & Athletic Positions*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following co-curricular and athletic positions for the 2022-2023 school year:

| | Name | School | Season | Position | Stipend |
|---|-------------------|--------|---------------------------------|----------------------|---------|
| a | Cummings, Kathryn | BHS | Winter <i>pending clearance</i> | Assistant Swim Coach | \$5,400 |

15. Approve Volunteer*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following volunteer for the 2022-2023 school year, *subject to further investigation pursuant to law*:

| | Name | School | Season | Position | Stipend |
|---|---------------|--------|---------------------------------|----------------------|---------|
| a | Lister, Roger | BHS | Winter <i>pending clearance</i> | Volunteer - Ski Team | n/a |

16. Approve Substitutes*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following substitutes for the 2022-2023 school year *subject to further investigation pursuant to law*:

| | Name | Substitute Position | Certification | Effective |
|---|-------------------|--------------------------|-------------------------------|-----------|
| a | Furfaro, Antonina | Teacher/Paraprofessional | County Substitute Certificate | 10/20/22 |

17. Approve the Attainment of the Superintendent's Merit Goals*

Resolved, that the Somerset Hills Board of Education, with the approval of the County Superintendent, approve the attainment of the Somerset Hills School District Superintendent's 2022-2023 Merit Goal:

| | |
|----|---|
| a. | Coordinate BMS/BHS start times with public transportation |
|----|---|

XIII. POLICY

A. Committee Report and Discussion.

B. Action Items:

1. First Reading*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the first reading of the following bylaw, policy & regulation:

| Policy / Regulation # | Title |
|-----------------------|---------------------------------------|
| P5512 | Harassment, Intimidation, or Bullying |

2. Second Reading*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the second reading of the following bylaw, policy & regulation:

| Policy / Regulation # | Title |
|-----------------------|---|
| P5517 | School District Issued Student Identification Cards |
| R5530 | Substance Abuse |
| R5533 | Pupil Smoking |
| P2425 & R2425 | Emergency Virtual or Remote Instruction Plan |
| P5541 | Anti-hazing |

XIV. Supplementary Matters

XV. Public Comments

Public comments are welcome at this time on any topic. Public Comments will be limited to 3 minutes. Please state your name and address. Thank you for your input.

XVI. Adjournment

***Note: The areas of permitted voting for the Bedminster district representative of the Board of Education are: (a) Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the pupils of the sending district; (b) New capital construction to be utilized by sending district pupils; (c) Appointment, transfer or removal of teaching staff members providing services to pupils of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff; (d) Addition or deletion of curricular and extracurricular programs involving pupils of the sending district; (e) Any matter directly involving the sending district pupils or programs and services utilized by those pupils; (f) Approval of the annual receiving district budget; (g) Any collectively negotiated agreement involving employees who provide services utilized by sending district pupils; (h) Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district pupils; and (i) Any matter concerning governance of the receiving district board of education including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.**

(cf: P.L.1996, c.103, s.1)

Somerset Hills School District

October 19, 2022

ADDENDUM

XII. PERSONNEL

3. Accept Resignations

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the resignations of the following employees:

| | Name | School | Position | Effective |
|---|------------------|--------|--|-----------|
| c | Nisch, Christine | BES | Special Education Paraprofessional B Full Time | 10/19/22 |

4. Approve Appointment Certified Staff

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following non-tenured certified staff for the 2022-2023 school year, *subject to further investigation pursuant to law*:

| | Name | School | Position | Replace | Level | Step | Salary | Effective |
|---|------------------|--------|-------------------------|---------|-------|------|---------------------------|--------------------------------------|
| b | Taesler, Stephen | BHS | Part Time Music Teacher | Lemley | BA | 2 | \$38,312.50 (.625 FTE) | 10/20/22 <i>pending clearance</i> |

8. Approve Appointment Non-Certified Staff

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following non-certified staff for the 2022-2023 school year, *subject to further investigation pursuant to law*:

| | Name | School | Position | Replace | Step | Salary | Effective |
|---|---------------------------|--------|---|---------|------|-----------------------|--|
| a | Price, Caitlin | BES | Special Education Paraprofessional B Full Time | Zavaeki | 1 | 17.34/hour | 10/20/22 <i>see # 18</i> |

13. Approve Co-Curricular & Athletic Positions

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following co-curricular and athletic positions for the 2022-2023 school year:

| | Name | School | Season | Position | Stipend |
|---|--------------------|--------|-------------------|----------------------|--------------|
| i | Acuna, Marixza | BES | 22-23 school year | B-Well Girls Program | \$59.11/hour |
| j | DeRoberts, Theresa | BES | 22-23 school year | B-Well Girls Program | \$59.11/hour |
| k | Paterno, Amy | BES | 22-23 school year | B-Well Girls Program | \$59.11/hour |

Somerset Hills School District

October 19, 2022

ADDENDUM

16. Approve Substitutes*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following substitutes for the 2022-2023 school year *subject to further investigation pursuant to law*:

| | Name | Substitute Position | Certification | Effective |
|---|-----------------------|----------------------------|-------------------------------|--------------------------------------|
| b | Wannarut, Siriphan | Custodian | n/a | 10/20/22 |
| c | Garvin, William | Teacher/Para | County Substitute Certificate | 10/20/22 <i>pending clearance</i> |
| d | Graese Mattos, Nicole | Teacher/Para | County Substitute Certificate | 10/20/22 |
| e | Stabile, Elizabeth | Teacher/Para | Standard Elementary Teacher | 10/20/22 <i>pending clearance</i> |

18. Approve Transfer

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following transfer for the 2022-2023 school year

| | Name | Previous Position/Location | New Position/Location | Effective |
|---|----------------|---|---|------------------|
| a | Price, Caitlin | BES/Part Time Special Education Paraprofessional B | BES/Full Time Special Education Paraprofessional B | 10/23/2022 |

19. Amend Resignations

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amends the resignations of the following employee:

| | Name | School | Position | Effective |
|---|--------------|---------------|------------------------------|--|
| a | Puhak, Emily | BES | Special Education Teacher | 10/24/22 10/20/22 |

20. Approve Clinical Practice Internship

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following clinical practice internship for the 2022-2023 school year:

| | Name | School/Subject | Mentor | Program | Effective |
|---|-------------|------------------------------|---------------|---|--------------------------|
| a | Canny, Emma | BMS/ELA Special Education | Jessica Tynan | Ramapo College of NJ & Morris Union Jointure Commission “TA to Teacher” Program | 2022-2023 school year |

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Harassment, Intimidation, ~~or and~~ Bullying

Oct 22

M

[See POLICY ALERT Nos. 179, 180, 181, 182, 183, 188, 193, 194, 200, 216, 227, and 229]

5512 HARASSMENT, INTIMIDATION, OR ~~AND~~ BULLYING

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A. **Prohibiting Harassment, Intimidation, or Bullying Policy Statement**

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

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s); adoptive parent(s); legal guardian(s); **resource family** ~~foster~~ parent(s); or parent surrogate(s) of a student. When parents are separated or divorced, "parent" means the



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Harassment, Intimidation, ~~or and~~ Bullying

person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided parental rights have not been terminated by a court of appropriate jurisdiction.

B. Definition of Harassment, Intimidation, ~~or and~~ Bullying Definition

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

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



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Harassment, Intimidation, ~~or~~ and Bullying

The Board recognizes that **bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Recognizing “a real or perceived power imbalance” may assist school officials in identifying harassment, intimidation, or bullying within the context and relative positions of the alleged aggressor and target.**

“Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or remotely activating paging device (N.J.A.C. 6A:16-1.3).

In accordance with the Board of Education’s Code of Student Conduct and this Policy, all acts of harassment, intimidation, or bullying that occur off school grounds, such as “cyber-bullying” (e.g., the use of electronic means to harass, intimidate, or bully) is addressed in this Policy.

~~Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).~~

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

C. Student ~~Expectations~~ **Behavior**

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



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Harassment, Intimidation, ~~or~~ and Bullying

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

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

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

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



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Harassment, Intimidation, ~~or and~~ Bullying

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, **school employees, volunteers, students, and community representatives** ~~instructional staff, student support services staff, school administrators, and school volunteers, as well as community organizations, such as faith based, health and human service, business and law enforcement,~~ in the development of this Policy.

Pursuant to N.J.A.C. 6A:16-7.1, ~~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 **developed** ~~must develop~~ guidelines for student conduct, **taking** ~~pursuant to N.J.A.C. 6A:16-7.1.~~ ~~These guidelines for student conduct will take~~ into consideration **the nature of the behavior; the nature of the student's disability, if any and to the extent relevant;** the developmental ages of students; ~~the~~ severity of the offenses and students' histories of inappropriate behaviors; and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

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

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

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



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Harassment, Intimidation, ~~or~~ and Bullying

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 students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student 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 the school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.~~

In every incident found to be harassment, intimidation, or bullying, the school Principal, in consultation with appropriate school staff, may apply disciplinary consequences and/or remedial actions, such as the provision of counseling, behavioral interventions, or other measures.

Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses; consider the developmental ages of the student offenders; the nature of the student's disability, if any and to the extent relevant; and the students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.

The following factors, at a minimum, shall be given full consideration by the school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.

Factors for Determining Consequences

- **Age, disability (if any and to the extent relevant), developmental and maturity levels of the parties involved and their relationship to the school district;**
- **Degrees of harm;**
- **Surrounding circumstances;**
- **Nature and severity of the behaviors;**
- **Incidences of past or continuing patterns of behavior;**
- **Relationships between the parties involved; and**
- **Context in which the alleged incidences occurred.**



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Factors for Determining Remedial Measures

Personal:

- **Life skill deficiencies;**
- **Social relationships;**
- **Strengths;**
- **Talents;**
- **Traits;**
- **Interests;**
- **Hobbies;**
- **Extra-curricular activities;**
- **Classroom participation;**
- **Academic performance;**
- **Relationship to peers; and**
- **Relationship between student/family and the school district.**

Environmental:

- **School culture;**
- **School climate;**
- **Student-staff relationships and staff behavior toward the student;**
- **General staff management of classrooms or other educational environments;**
- **Staff ability to prevent and manage difficult or inflammatory situations;**
- **Availability of programs to address student behavior;**
- **Social-emotional and behavioral supports;**
- **Social relationships;**
- **Community activities;**
- **Neighborhood situation; and**
- **Family situation.**

Examples of Consequences and Remedial Measures

The consequences and remedial measures may include, but are not limited to, the examples listed below:



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Examples of Consequences:

- **Admonishment;**
- **Temporary removal from the classroom (any removal of .5 days or more must be reported in the Student Safety Data System);**
- **Deprivation of privileges;**
- **Classroom or administrative detention;**
- **Referral to disciplinarian;**
- **In-school suspension during the school week or the weekend;**
- **Out-of-school suspension (short-term or long-term);**
- **Reports to law enforcement or other legal action;**
- **Expulsion; and**
- **Bans from receiving certain services, participating in school-district-sponsored programs or being in school buildings or on school grounds.**

Examples of Remedial Measures

Personal:

- **Restitution and restoration;**
- **Peer support group;**
- **Recommendations of a student behavior or ethics council;**
- **Corrective instruction or other relevant learning or service experience;**
- **Supportive student interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;**
- **Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;**
- **Behavioral management plan, with benchmarks that are closely monitored;**
- **Assignment of leadership responsibilities (e.g., hallway or bus monitor);**
- **Involvement of school "disciplinarian;"**
- **Student counseling;**



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- **Parent conferences;**
- **Alternative placements (e.g., alternative education programs);**
- **Student treatment; and**
- **Student therapy.**

Environmental (Classroom, School Building, or School District):

- **School and community surveys or other strategies for determining the conditions contributing to HIB;**
- **School culture change and school climate improvement;**
- **Adoption of research-based, systemic bullying prevention programs;**
- **School policy and procedures revisions;**
- **Modifications of schedules;**
- **Adjustments in hallway traffic;**
- **Modifications in student routes or patterns traveling to and from school;**
- **Supervision of student before and after school, including school transportation;**
- **Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);**
- **Teacher aides;**
- **Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;**
- **General professional development programs for certificated and non-certificated staff;**
- **Professional development plans for involved staff;**
- **Disciplinary action for school staff who contributed to the problem;**
- **Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;**
- **Parent conferences;**
- **Family counseling;**
- **Involvement of parent-teacher organizations;**
- **Involvement of community-based organizations;**
- **Development of a general bullying response plan;**
- **Recommendations of a student behavior or ethics council;**



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- **Peer support groups;**
- **Alternative placements (e.g., alternative education programs);**
- **School transfers; and**
- **Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.**

Consequences and appropriate remedial actions for a student 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 students, as set forth in the Board's approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.

~~The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.~~

~~Consequences—Students~~

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

~~Factors for Determining Consequences—Student Considerations~~

- ~~1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;~~
- ~~2. Degrees of harm;~~



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3. ~~Surrounding circumstances;~~
4. ~~Nature and severity of the behavior(s);~~
5. ~~Incidences of past or continuing patterns of behavior;~~
6. ~~Relationships between the parties involved; and~~
7. ~~Context in which the alleged incidents occurred.~~

~~Factors for Determining Consequences—School Considerations~~

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

~~Examples of Consequences~~

1. ~~Admonishment;~~
2. ~~Temporary removal from the classroom;~~
3. ~~Deprivation of privileges;~~
4. ~~Classroom or administrative detention;~~
5. ~~Referral to disciplinarian;~~
6. ~~In school suspension;~~
7. ~~Out of school suspension (short term or long term);~~
8. ~~Reports to law enforcement or other legal action; or~~
9. ~~Expulsion.~~

~~In accordance with N.J.S.A. 18A:37-15.b.(4), the consequences for a student who commits an act of harassment, intimidation, or bullying may vary depending on whether it is the first act of harassment, intimidation, or bullying by a student, the second act, or third or subsequent acts. If it is the third or subsequent act of harassment, intimidation, or bullying by a student, The Principal, in consultation with appropriate school staff, shall develop an individual student intervention plan **when a student is found to be an offender in three harassment, intimidation, or bullying incidents and each subsequent incident occurring within one school year. The student intervention plan may include disciplinary consequences and/or remedial actions and may require the student, accompanied by a parent, to satisfactorily complete a class or training**~~



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~~program to reduce harassment, intimidation, or bullying behavior. Each student intervention plan must be approved by the Superintendent which shall be approved by the Superintendent or designee, and may require the student, accompanied by a parent, to complete in a satisfactory manner a class or training program to reduce harassment, intimidation, or bullying behavior.~~

While the majority of incidents may be addressed solely by school officials, the Superintendent or designee and the Principal shall report a harassment, intimidation, or bullying incident to law enforcement officials if the conduct rises to the level of a mandatory report as outlined in the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials.

~~Appropriate Remedial Actions—Students~~

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

~~Factors for Determining Remedial Measures~~

~~Personal~~

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



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Environmental

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

~~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 Remedial Measures

Personal— Student Exhibiting Bullying Behavior

1. ~~Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways they can solve the problem and change behaviors;~~
2. ~~Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;~~
3. ~~Explain the long term negative consequences of harassment, intimidation, and bullying on all involved;~~
4. ~~Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;~~
5. ~~Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);~~
6. ~~Develop a learning plan that includes consequences and skill building;~~



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- ~~7. Consider wrap-around support services or after-school programs or services;~~
- ~~8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;~~
- ~~9. Arrange for an apology, preferably written;~~
- ~~10. Require a reflective essay to ensure the student understands the impact of their actions on others;~~
- ~~11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;~~
- ~~12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;~~
- ~~13. Explore age appropriate restorative (i.e., healing, curative, recuperative) practices; and~~
- ~~14. Schedule a follow-up conference with the student.~~

~~Personal Target/Victim~~

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

~~Parents, Family, and Community~~

- ~~1. Develop a family agreement;~~
- ~~2. Refer the family for family counseling; and~~
- ~~3. Offer parent education workshops related to bullying and social-emotional learning.~~



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

1. ~~Analysis of existing data to identify bullying issues and concerns;~~
2. ~~Use of findings from school surveys (e.g., school climate surveys);~~
3. ~~Focus groups;~~
4. ~~Mailings—postal and email;~~
5. ~~Cable access television;~~
6. ~~School culture change;~~
7. ~~School climate improvement;~~
8. ~~Increased supervision in “hot spots” (e.g., locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);~~
9. ~~Adoption of evidence based systemic bullying prevention practices and programs;~~
10. ~~Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;~~
11. ~~Professional development plans for involved staff;~~
12. ~~Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;~~
13. ~~Formation of professional learning communities to address bullying problems;~~
14. ~~Small or large group presentations for fully addressing the actions and the school’s response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;~~
15. ~~School policy and procedure revisions;~~
16. ~~Modifications of schedules;~~
17. ~~Adjustments in hallway traffic;~~
18. ~~Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;~~
19. ~~Modifications in student routes or patterns traveling to and from school;~~
20. ~~Supervision of student victims before and after school, including school transportation;~~
21. ~~Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);~~
22. ~~Targeted use of teacher aides;~~



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- ~~23. Disciplinary action, including dismissal, for school staff who contributed to the problem;~~
- ~~24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;~~
- ~~25. Parent conferences;~~
- ~~26. Family counseling;~~
- ~~27. Development of a general harassment, intimidation, and bullying response plan;~~
- ~~28. Behavioral expectations communicated to students and parents;~~
- ~~29. Participation of the entire student body in problem solving harassment, intimidation, and bullying issues;~~
- ~~30. Recommendations of a student behavior or ethics council;~~
- ~~31. Participation in peer support groups;~~
- ~~32. School transfers; and~~
- ~~33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.~~

Consequences and Appropriate Remedial Actions – Adults

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

Target/Victim Support

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



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

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

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

E. **Reporting** Harassment, Intimidation, ~~or and~~ Bullying ~~Reporting~~ Procedure

The Board of Education requires the Principal at each school to be responsible for receiving **all** complaints alleging **harassment, intimidation, or bullying committed by an adult or youth against a student** ~~violations of this Policy~~. All Board members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report **alleged acts of harassment, intimidation, or bullying** ~~alleged violations of this Policy~~ to the Principal or ~~the Principal's~~ designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, ~~and volunteers~~ and contracted service providers who have contact with students, also shall submit a **New Jersey Department of Education-approved HIB 338 Form** ~~report in writing~~ to the Principal within two school days of the verbal report. **Failure to make the required report(s) may result in disciplinary action.** ~~The written report shall be on a numbered form developed by the New Jersey Department of Education in accordance with N.J.S.A. 18A:37-15.b.(5). A copy of the form shall be submitted promptly by the Principal to the~~



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~~Superintendent.~~ **The HIB 338 Form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal Law.**

The district may not fail to initiate an investigation of harassment, intimidation, or bullying solely because written documentation was not provided. Failing to conduct a harassment, intimidation, or bullying investigation solely because a parent or student did not submit written documentation violates the Anti-Bullying Bill of Rights Act and this Policy. If a parent makes a verbal allegation of harassment, intimidation, or bullying to a district staff member, but does not complete and submit the HIB 338 Form, the staff member or a designee must complete and submit the HIB 338 Form.

The Principal or designee **is required to** ~~will~~ inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. ~~The Principal or designee shall keep a written record of the date, time, and manner of notification to the parents.~~ **Pursuant to N.J.A.C. 6A:16-7.7(a)2.viii.(2), when providing notification to the parents of all students involved,** ~~t~~**The Principal or designee shall take into account the circumstances of the incident when providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense. The Principal or designee shall keep a written record of the date, time, and manner of notification to the parents.**

The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parents, and visitors are encouraged to report alleged **acts** ~~violations~~ of **harassment, intimidation, or bullying** ~~this Policy~~ to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident. **The school district shall provide a person an online means to complete the HIB**



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338 Form to anonymously report an act of harassment, intimidation, or bullying. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.

~~A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The Board will not take formal disciplinary action based solely on the anonymous report. The district shall provide a means for a parent to complete an online numbered form developed by the New Jersey Department of Education to confidentially report an incident of harassment, intimidation, or bullying.~~

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.

The Principal shall promptly submit a copy of each completed HIB 338 Form to the Superintendent.

~~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, **in addition to making the HIB 338 Form available online**, 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, ~~or~~ **and bullying or who determines a reported incident or complaint, assuming all facts presented are true, is a report within the scope of N.J.S.A. 18A:37-14** ~~from a district employee~~, and fails to initiate or conduct an investigation, or who should have known of an incident of



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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. **The district also should consider procedures and disciplinary action when it is found that someone had information regarding a harassment, intimidation, or bullying incident, but did not make the required report(s).**

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

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

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
- b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;
- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
- d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
- e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, ~~or~~ and bullying in the district.



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2. The Principal in each school shall appoint a school Anti-Bullying Specialist. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
 - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
 - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;



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

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

G. **Investigating Allegations of Harassment, Intimidation, or Bullying** ~~Harassment, Intimidation, and Bullying Investigation~~

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



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[Select Option 1 or Option 2]

[Option 1 – Investigate All Reports]

The Board of Education requires a thorough and complete investigation to be conducted for each report of an alleged incident of harassment, intimidation, or bullying. All details of an alleged incident must be populated into the HIB 338 Form. However, completing the form shall not delay beginning the investigation in accordance with the law.

The HIB 338 Form shall be kept on file at the school and will only be added to a student record if the alleged incident is founded, disciplinary action is imposed or is otherwise required to be contained in a student's record under State or Federal law.

The investigation shall be initiated by the Principal or designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school anti-bullying specialist appointed by the Principal. The Principal may appoint additional personnel who are not school anti-bullying specialists to assist the school anti-bullying specialist in the investigation. Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. The anti-bullying specialist may not participate in an investigation regarding their supervisor or staff at a higher administrative level.

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 or from the date of the written notification from the Superintendent to the Principal to initiate an investigation. 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.



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The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and 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, including seeking further information as necessary.

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

Parents of students 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 includes 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. The district may not divulge personally identifying information or any information that could result in the identification of any student other than the child of the parents being notified.

A parent may request a hearing before the Board after receiving the information. Any request by the parents for a hearing before the Board concerning the written information about a harassment, intimidation, or bullying investigation, pursuant to N.J.S.A.



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18A:37-15b(6)(d), must be filed with the Board Secretary no later than sixty calendar days after the written information is received by the parents. The hearing shall be held within ten business days of the request. Prior to the hearing, the Superintendent shall confidentially share a redacted copy of the HIB 338 Form that removes all student identification information with the Board. The Board shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4.1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school anti-bullying specialist and others, as appropriate, regarding the 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 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, no later than ninety days after the issuance of the Board's decision.

A school administrator who receives a report of harassment, intimidation, or bullying, or who determines a reported incident or complaint, assuming all facts presented are true, is a report within the scope of N.J.S.A. 18A:37-14 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 harassment, intimidation, or bullying, may be subject to disciplinary action.

The Board also requires the thorough investigation of complaints or reports of harassment, intimidation, or bullying, occurring on district school buses, at district school-sponsored functions, and off school grounds involving a student who attends an approved private school for students with disabilities. The investigation will be conducted by the Board's anti-bullying specialist in consultation with the approved private school for students with disabilities.]



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[Option 2 – Principal’s Preliminary Determination]

Prior to initiating an investigation regarding a reported incident or complaint, the Principal or designee, in consultation with the anti-bullying specialist, shall make a preliminary determination as to whether a reported incident or complaint, assuming all facts are presented as true, is a report within the scope of N.J.S.A. 18A:37-14.

Should the Principal or designee, in consultation with the anti-bullying specialist, determine that a reported incident or complaint, assuming all facts presented are true, is not a report within the scope of N.J.S.A. 18A:37-14, the incident will be addressed through the Board’s Code of Student Conduct policy. The HIB 338 Form shall be completed, even if a preliminary determination is made not to conduct an investigation of harassment, intimidation, or bullying because the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying, and must be submitted to the Superintendent. The Principal will provide the parents of the alleged offender(s) and victim(s) with formal notice of the decision not to initiate a harassment, intimidation, or bullying investigation.

The HIB 338 Form shall be kept on file at the school and will only be added to a student record if the alleged incident is founded, disciplinary action is imposed or is otherwise required to be contained in a student’s record under State or Federal law.

The Superintendent may require the Principal to conduct a harassment, intimidation, or bullying investigation of the incident if the Superintendent determines that the incident is within the scope of harassment, intimidation, or bullying and shall notify the Principal of this determination in writing. Should the Superintendent require the Principal to conduct a harassment, intimidation, or bullying investigation, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school anti-bullying specialist.



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Additionally, any preliminary determination that finds the incident or complaint is a report outside the scope of N.J.S.A. 18A:37-14 may be appealed to the Board, pursuant to the Board policies and procedures governing student grievances, and thereafter to the Commissioner (N.J.A.C. 6A:16-7.7(a)ix(1) and (a)ix(1)(A)). Should the preliminary determination not to conduct an investigation of harassment, intimidation, or bullying be overturned, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school anti-bullying specialist.

The Board requires a thorough and complete investigation to be conducted for each reported incident or complaint, assuming all facts presented are true, that is determined to be a report within the scope of N.J.S.A. 18A:37-14. The investigation shall be initiated by the Principal or designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school anti-bullying specialist appointed by the Principal. The Principal may appoint additional personnel who are not school anti-bullying specialists to assist the school anti-bullying specialist in the investigation. Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. The anti-bullying specialist may not participate in an investigation regarding their supervisor or staff at a higher administrative level.

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 or ten school days from the date of the written notification from the Superintendent to the Principal to initiate an investigation. 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 Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two



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school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and 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, including seeking further information as necessary.

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

Parents of the students 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 includes 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.

A parent may request a hearing before the Board after receiving the information. Any request by the parents for a hearing before the Board concerning the written information about a harassment, intimidation, or bullying investigation, pursuant to N.J.S.A. 18A:37-15(b)(6)(d), must be filed with the Board Secretary no later than sixty calendar days after the written information is received by the parents. The hearing shall be held within ten business days of the request. Prior to the hearing, the Superintendent shall confidentially share a redacted copy of the HIB 338 Form that removes all student identification information with the Board. The Board shall



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conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school anti-bullying specialist and others, as appropriate, regarding the 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 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, no later than ninety days after the issuance of the Board's decision.

A school administrator who receives a report of harassment, intimidation, or bullying 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.

The Board also requires the thorough investigation of complaints or reports of harassment, intimidation, or bullying, occurring on district school buses, at school-sponsored functions, and off school grounds involving a student who attends an approved private school for students with disabilities. The investigation will be conducted by the Board's anti-bullying specialist in consultation with the approved private school for students with disabilities.]

~~[Option—Principal's Preliminary Determination~~

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



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~~The Principal shall report to the Superintendent if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying. The Superintendent may require the Principal to conduct an investigation of the incident if the Superintendent determines that an investigation is necessary because the incident is within the scope of the definition of harassment, intimidation, and bullying. The Superintendent shall notify the Principal of this determination in writing. An investigation required by the Superintendent must be completed as soon as possible, but not later than ten school days, from the date of the written notification from the Superintendent to the Principal.~~

~~The Principal shall complete the written report form developed by the New Jersey Department of Education, in accordance with N.J.S.A. 18A:37-15.b.(5), even if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:37-14. This written report form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal law.~~

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

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

~~The Superintendent shall provide annually to the Board of Education information on the number of times a preliminary determination was made that an incident or complaint was outside the scope of the definition of harassment, intimidation, or bullying for the purposes of the State's monitoring of the school district pursuant to N.J.S.A. 18A:17-46.]~~



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~~The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. The Superintendent or designee will appoint a staff member to complete investigations involving allegations against a staff member serving in a supervisory or administrative position.~~

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

~~The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and may decide to provide intervention services, order counseling as a result of the finding of the investigation, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, or take or recommend other appropriate action, including seeking further information, as necessary.~~

~~The Superintendent shall report the results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation. The Superintendent's report shall include information on any consequences~~



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~~imposed under the Code of Student Conduct, any services provided, training established, or other action taken or recommended by the Superintendent.~~

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

~~A parent may request a hearing before the Board of Education after receiving the written information about the investigation. Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents. The hearing shall be held within ten business days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination. A redacted copy of the completed written report form developed by the New Jersey Department of Education that removes all student identification information shall be confidentially shared with the Board of Education after the conclusion of the investigation if a hearing with the Board of Education is requested by the parents pursuant to N.J.S.A. 18A:37-15.b.(6)(d).~~

~~At the regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of the investigations to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the~~



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~~Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.~~

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

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

The Board of Education authorizes the Principal of each school to **define the range of ways in which school staff will respond once an incident of** ~~shall establish a range of responses to~~ harassment, intimidation, ~~or and~~ **bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, or bullying, according to the parameters described below and in this Policy.** ~~incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring~~ **that** 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 levels or by law enforcement officials. **Consequences and appropriate remedial actions for a student 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, 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:16-7.4, Expulsions.**



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In considering whether a response beyond the individual 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 student and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

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

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

1. Individual responses can include ~~consistent and appropriate~~ positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) **and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report or other legal action) intended to remediate the problem behaviors.**
2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays ~~(when implemented with sensitivity to a student's situation or involvement with harassment, intimidation, and bullying),~~ research



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projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.

3. School responses can include theme days, learning station programs, ~~“acts of kindness” programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, “natural helper” or peer leadership programs, “upstander” programs, parent programs~~ **and information disseminated to students and parents, such as fact sheets or newsletters** ~~the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices~~ **or strategies for fostering expected student behavior,** ~~and harassment, intimidation, and bullying prevention curricula or campaigns.~~
4. District-wide responses can **include community involvement in policy review and development; professional development programs; adoption of curricular and school-wide programs, coordination** ~~comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development~~ ~~coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement~~ **officials, faith-based organizations); and disseminating information on the core ethical values adopted by the Board’s Code of Student Conduct, per N.J.A.C. 6A:16-7.1(a)2** ~~launching harassment, intimidation, and bullying prevention campaigns.~~

In providing support for victims of harassment, intimidation, or bullying, the district should identify a range of strategies and resources, which may include, but is not limited to, the following actions for individual victims:



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- **Counseling;**
- **Teacher Aides;**
- **Hallway and playground monitors;**
- **Schedule changes;**
- **Before and after school supervision;**
- **School transportation supervision;**
- **School transfers; and**
- **Therapy.**

I. Reprisal or Retaliation ~~Prohibited~~

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

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

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

~~Remedial measures may include, but not be limited to: in or out of school counseling, professional development programs, and work environment modifications.~~



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

J. ~~Consequences and Appropriate Remedial Action~~ for False Accusations of Harassment, Intimidation, or Bullying

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

1. Students - Consequences and appropriate remedial action for a student **could** ~~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** ~~Students~~ and as set forth in N.J.A.C. 6A:16-7.2, Short-term ~~s~~Suspensions, N.J.A.C. 6A:16-7.3, Long-term ~~s~~Suspensions, and N.J.A.C. 6A:16-7.4, Expulsions; ~~and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.~~
2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students ~~found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation~~ could entail discipline in accordance with district policies, procedures, and agreements; ~~and which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out of school counseling, professional development programs, and work environment modifications.~~



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

**K. Additional Policy Requirements ~~Harassment, Intimidation, and Bullying~~
Policy Publication and Dissemination**

The Board of Education requires the Superintendent to annually disseminate this Policy to all school employees, contracted service providers who have contact with students, school volunteers, students and parents who have children enrolled in a school in the school district, along with a statement explaining that this 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 post a link to this Policy that is prominently displayed on the home page of the school district's website. The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post 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. Additionally, the Superintendent shall post the contact information for the School Climate State Coordinator on the school district home page alongside this Policy.



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Each Principal or designee shall post the name, school phone number, school address, and school email address of both the school anti-bullying specialist and the district anti-bullying coordinator on the home page of each school's website.

The Superintendent shall post the New Jersey Department of Education's Guidance for Parents on the Anti-Bullying Bill of Rights Act on the district homepage and on the homepage for each school in the district with a website.

The Superintendent and the Principal(s) shall provide training on the school district's harassment, intimidation, or bullying policies to school employees contracted service providers and volunteers who have significant contact with students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.

The Superintendent shall develop and implement a process for annually discussing this Policy on harassment, intimidation, or bullying with students. The Superintendent and the Principal(s) shall annually conduct a re-evaluation, reassessment, and review of this Policy and any report(s) and/or finding(s) of the school safety/school climate team, with input from the school anti-bullying specialists, and recommend revisions and additions to this Policy as well as to harassment, intimidation, or bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.



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

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

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

~~The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti Bullying Coordinator on the home page of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti Bullying Specialist and the district Anti Bullying Coordinator on the home page of each school's website. The Superintendent or designee shall post the contact information for the New Jersey School Climate State Coordinator on the school district's and on each school's website in the same location as this Policy is posted.~~

~~The Superintendent or designee shall post on the school district's and each school's website the current version of "Guidance for Parents on the Anti-Bullying Bill of Rights Act" developed by the New Jersey Department of Education.~~



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L. Harassment, Intimidation, ~~or and~~ Bullying Training and Prevention Programs

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

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, ~~or and~~ bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

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

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

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



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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, ~~or 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 **New Jersey Student Learning Core Curriculum-Content Standards**, pursuant to N.J.S.A. 18A:37-29.

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

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

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

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



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Harassment, Intimidation, ~~or~~ ~~and~~ Bullying

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

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

NO. School and District Grading Requirements

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

OP. Reports to Law Enforcement

The Superintendent or designee and the Principal shall consult law enforcement, as appropriate, pursuant to the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, if the student's behavior may constitute a possible violation of the New Jersey Code of Criminal Justice.

Some acts of harassment, intimidation, ~~or~~ ~~and~~ bullying may be bias-related-acts and school officials must report to law enforcement officials any bias related acts, in accordance with N.J.A.C. 6A:16-6.3.(e), and pursuant to the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

PQ. 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



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employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.

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

QR. Students with Disabilities

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

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

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

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

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

N.J.A.C. 6A:16-7.1 **through 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 – **August 2022** ~~April 2011~~ – New Jersey Department of Education
Memorandum – ~~New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 16, 2011~~

Adopted:



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School District Issued Student Identification Cards

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[See **POLICY ALERT Nos. 218 and 228**]

5517 SCHOOL DISTRICT ISSUED STUDENT IDENTIFICATION CARDS

The Board of Education recognizes school building security measures are important for the safety and welfare of all students, staff, parents, and community members in school buildings. In recognizing this important responsibility, the Principal or designee may require students to carry a school district issued Identification Card.

An Identification Card will be issued to all students in middle school and high schools.

[Required For Any Grades Seven through Twelve

The Identification Card shall have printed on the back the telephone number for the New Jersey Suicide Prevention Hopeline (NJ Hopeline) and contact information for a crisis text line pursuant to N.J.S.A. 18A:6-113.1. The district may, in addition to the telephone number for the NJ Hopeline and contact information for a crisis text line, provide the contact information for the National Suicide Prevention Lifeline, a school district crisis center, or any other mental health support services pursuant to N.J.S.A. 18A:3B-73.2.]

The Principal or designee may require a student to present their Identification Card at any time during the school day or at any time during a school-sponsored activity on school grounds.



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School District Issued Student Identification Cards

Notwithstanding any provision of this Policy, the Principal or designee may also require students carry their Identification Card at any school-sponsored, off-campus activity, including but not limited to, field trips or interscholastic sports programs pursuant to N.J.S.A. 18A:36-43a. The provisions of this Policy shall not be construed to require a student to carry the Identification Card while participating in an athletic contest or competition, an activity involving fine arts or performing arts, or any other activity that the Commissioner of Education determines does not require the physical possession of an Identification Card. An Identification Card used in accordance with N.J.S.A. 18A:36-43a shall include, but need not be limited to, the following information: the student's name; an up-to-date photograph; and the current school year.

Any student who fails to have the Identification Card in their possession or fails to present it when required may be denied access to an event or activity and may be subject to appropriate discipline.

An Identification Card issued in accordance with this Policy shall not be considered a government record pursuant to P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.), P.L. 2001, c.404 (N.J.S.A. 47:1A-5), or the common law concerning access to government records.

N.J.S.A. **18A:3B-73.2**; **18A:6-113.1**; 18A:36-43

Adopted:



[< Prev](#) [Next >](#)**To Policy**[Search District Regulations](#)[District Regulations TOC](#)**District Regulation****5530 - SUBSTANCE ABUSE (M)**

Section: Students
 Date Created: October 2008
 Date Edited: October 2019

A. Definitions

1. "Evaluation" means procedures used by a certified or licensed professional to make a positive determination of a student's need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the student or the student's family.
2. "Other drugs" mean substances as defined in N.J.S.A. 18A:40A-9 and substances as defined in N.J.A.C. 6A:16-4.1(a).
3. "Parent" means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a student. When parents are separated or divorced, "parent" means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.
4. "Referral for evaluation" means programs and services suggested to a student or his or her family in order to make a positive determination regarding a student's need for services that extend beyond the general school program.
5. "Referral for treatment" means programs and services suggested to a student or to his or her family to help implement the recommendations resulting from an evaluation, pursuant to N.J.A.C. 6A:16-1.3 and 4.1(c)5 and 6; in response to a positive alcohol or other drug test result, pursuant to N.J.A.C. 6A:16-4.4; or in response to the family's request for assistance with a learning, behavior, or health difficulty, pursuant to N.J.A.C. 6A:16-4.1(c)7 and 8.
6. "School grounds" means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central facilities including, but not limited to, kitchens and maintenance shops. "School grounds" also include other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land. "School grounds" also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration as defined in N.J.A.C. 6A:26-1.2.
7. "Substance" as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages, controlled dangerous substances, including anabolic steroids as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
8. "Substance abuse" means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.
9. "Under the influence" of substances means that the student is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.

B. Discipline

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

If a student and/or parent or legal guardian refuses to submit to a substance screening, it will be considered an automatic positive result. The Student will remain out of school until willing to comply with the consequences detailed below as well as the provisions of N.J.S.A 18A:40A-12 and N.J.A.C. 6A:16-4.3.

a. Level I: Student Under the Influence

Level I First Offense

- (1) High school students: ^{minimum of} four (4) school days of Out-of-School Suspension (OSS); middle school students: four (4) school days of Out-of-School Suspension (OSS) and one (1) transition day upon return.
to a maximum of ten (10) school days of OSS.
 - (a.) 30 calendar day suspension from all school activities. Student cannot participate in or attend any activities including graduation.
 - (b.) 30 calendar day loss of on campus parking privileges.
- (2) Complete extended substance evaluation with Certified Drug and Alcohol Counselor.
- (3) Mandatory compliance with extended substance evaluation recommendations.
- (4) Mandatory re-admittance conference with student, parent(s) or legal guardian(s), administration, and Student Assistance Coordinator (SAC).
- (5) Weekly meeting with SAC for one month after re-admittance.
- (6) Follow-up urine screening at any time one month after re-admittance.

Level I Subsequent Offenses

- (1) Minimum ten (10) school days of OSS to maximum twenty (20) school days of OSS.
 - (a.) 60 calendar day suspension from all school activities. Student cannot participate in or attend any activities including graduation.
 - (b.) Permanent loss of on campus parking privileges.
- (2) Complete extended substance evaluation Certified Drug and Alcohol Counselor.
- (3) Mandatory compliance with extended substance evaluation recommendations.
- (4) Hearing before the Somerset Hills Board of Education will be held at the recommendation of the Superintendent and for all suspensions that exceed ten (10) school days.
- (5) Home instruction begins on day 5.
- (6) Mandatory re-admittance conference with student, parent(s) or legal guardian(s), administration, and SAC.
- (7) Weekly meeting with SAC for two months after re-admittance.
- (8) Follow-up urine screening after re-admittance at any time monthly for the remainder of the school year.

b. Level II: Student in possession of substances for personal use.

Level II First Offense

- (1) Notify the local police, file a formal complaint and follow the procedures set forth in the most current Memorandum of Understanding between Education and Law Enforcement Officials.
- (2) ^{four (4)} Minimum ~~ten (10)~~ school days of OSS to maximum forty-five (45) school days of OSS.
 - (a.) 60 calendar day suspension from all school activities. Student cannot participate in or attend any activities including graduation.
 - (b.) 60 calendar day loss of on campus parking privileges.

- (3) Complete extended substance evaluation Certified Drug and Alcohol Counselor.
- (4) Mandatory compliance with extended substance evaluation recommendations.
- (5) Hearing before the Somerset Hills Board of Education will be held at the recommendation of the Superintendent and for all suspensions that exceed ten (10) school days.
- (6) Home instruction begins on day 5.
- (7) Mandatory re-admittance conference with student, parent(s) or legal guardian(s), administration, and SAC.
- (8) Weekly meeting with SAC for one month after re-admittance.
- (9) Follow-up urine screening at any time one month after re-admittance.

Level II Subsequent Offenses

- (1) Notify the local police, file a formal complaint and follow the procedures set forth in the most current Memorandum of Understanding between Education and Law Enforcement Officials.
- (2) Minimum forty-five (45) school days of OSS to ninety (90) school days of OSS.
 - (a.) One calendar year suspension from all school activities. Student cannot participate in or attend any activities including graduation.
 - (b.) Permanent loss of on campus parking privileges.
- (3) Complete extended substance evaluation Certified Drug and Alcohol Counselor.
- (4) Mandatory compliance with extended substance evaluation recommendations.
- (5) Hearing before the Somerset Hills Board of Education.
- (6) Home instruction begins on day 5.
- (7) Mandatory re-admittance conference with student, parent(s) or legal guardian(s), administration, and SAC.
- (8) Weekly meeting with SAC for two months after re-admittance.
- (9) Follow-up urine screening after re-admittance at any time monthly for six months.

c. Level III: Student in possession with intent to distribute

- (1) Notify the local police, file a formal complaint and follow the procedures set forth in the most current Memorandum of Understanding between Education and Law Enforcement Officials.
- (2) Minimum ninety (90) school days of OSS to maximum placement in alternative education program.
 - (a.) One calendar year suspension from all school activities. Student cannot participate in or attend any activities including graduation.
 - (b.) Permanent loss of on campus parking privileges.
- (3) Complete extended substance evaluation with Certified Drug and Alcohol Counselor.
- (4) Mandatory compliance with extended substance evaluation recommendations.
- (5) Hearing before the Somerset Hills Board of Education.
- (6) High school students: home instruction begins on day 5 or alternate education program; Middle school students: home instruction begins on day 5.
- (7) Mandatory re-admittance conference with student, parent(s) or legal guardian(s), administration, and SAC.
- (8) Weekly meeting with SAC for two months after re-admittance.
- (9) Follow-up urine screening after re-admittance at any time monthly for the remainder of the school year.

d. Level IV: Student in possession and distributing substances

- (1) Notify the local police, file a formal complaint and follow the procedures set forth in the most current Memorandum of Understanding between Education and Law Enforcement Officials.

- (2) Placement in alternative education program.
- (3) Complete extended substance evaluation Certified Drug and Alcohol Counselor.
- (4) Mandatory compliance with extended substance evaluation recommendations.
- (5) Hearing before the Somerset Hills Board of Education.
- (6) High school students: alternate education program; Middle school students: home instruction begins on day 5.
- (7) Mandatory re-admittance conference with student, parent(s) or legal guardian(s), administration, and SAC.
- (8) Weekly meeting with SAC for two months after re-admittance.
- (9) Follow-up urine screening after re-admittance at any time monthly for the remainder of the school year.

C. Identification and Remediation of Students Involved with Substances.

1. Teaching staff members shall be alert to the signs of a student's involvement with substances, in accordance with the training offered in in-service training sessions.
2. If a teaching staff member suspects or has direct knowledge that a student is involved with substances, but not under the influence or in possession of them, he/she should refer the student to a trained resource person (School Nurse, Student Assistance Coordinator (SAC), School Counselor, member of Child Study Team, or another professional staff member, as appropriate). The SAC will then notify the Principal of the referral. If appropriate, the Principal or designee should notify the student's parent(s) or legal guardian(s) of the referral and discuss with the parent(s) or legal guardian(s) the possibility of medical or therapeutic treatment.

3. In accordance with N.J.A.C. 6A:16-4.1(c), the following disciplinary action will be taken in the event the student does not follow through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors:

- a. First Offense: Two (2) days Out of School Suspension with plan for future compliance with the recommendations of the substance abuse evaluation.
- b. Second Offense: Four (4) days Out of School Suspension and mandatory Board of Education Hearing. Student will not be readmitted to school until after BOE hearing and compliance with recommendations of the substance abuse evaluation.
- c. Third offense: Recommendation for alternative placement.

Examples of non-compliance include, but are not limited to: not scheduling an evaluation, not attending an evaluation, not attending recommended therapy sessions, not submitting to required follow-up urine screens at school or a treatment facility, or not meeting with the student assistance counselor.

D. Intervention, Referral for Evaluation, and Referral for Treatment Services

1. The provision of intervention, referral for evaluation, and referral for treatment services for students who are affected by alcohol or other drug use.
 - a. The intervention, referral for evaluation, and referral for treatment services shall be provided by an individual who holds the educational services certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners, or by an individual who holds one of the following educational services certificate endorsements: school nurse; school nurse/non-instructional; school psychologist; school counselor; school social worker; or student personnel services and is trained in alcohol and other drug abuse intervention, assessment, referral for evaluation, and referral for treatment skills.
 - b. The intervention, referral for evaluation, and referral for treatment services shall include one or more of the following:
 - (1) Provisions for a program of instruction, counseling, and related services provided by the district Board of Education while a student receives medical treatment for a diagnosed alcohol or other drug dependency problem;
 - (2) Referral to a community agency, as defined in N.J.A.C. 6A:16-4.1(b), out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or private practitioners authorized by the appropriate drug and alcohol licensing board;
 - (3) Provisions for support services for students who are in, or returning from, medical treatment for alcohol and other drug dependency; or
 - (4) A special class, course or educational program designed to meet the needs of students with alcohol or other drug use problems.

E. Reporting, Notification, and Examination Procedures

1. Students Suspected of Using Anabolic Steroids – N.J.A.C. 6A:16-4.3(b)

- a. Whenever a teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe that a student has used or may be using anabolic steroids, the person shall report the matter as soon as possible to the Principal or, in the Principal's absence, to a person designated by the Principal and either the certified or non-certified school nurse, the school physician, or the student assistance coordinator.
 - b. In response to a report of suspected anabolic steroid use, including instances when a report is made to law enforcement, the Principal or designee shall immediately notify the student's parent and the Superintendent. The Principal or designee shall arrange for an examination of the student by a physician licensed to practice medicine or osteopathy selected by the parent.
 - (1) If the physician chosen by the parent is not available to perform the examination, the examination shall be conducted by the school physician or other physician identified by the Principal.
 - (2) The student shall be examined as soon as possible for the purpose of determining whether the student has been using anabolic steroids.
 - c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to have used or to be using anabolic steroids.
 - (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of anabolic steroids or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities involving anabolic steroids.
 - d. The examining physician shall provide to the parent, Principal, and Superintendent a written report of the examination.
 - e. If it is determined the student has used anabolic steroids, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following educational services certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained to assess alcohol and other drug abuse shall interview the student and others, as necessary, for the purpose of determining the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment.
 - (1) To make this determination, the school staff member(s) identified above may conduct a reasonable investigation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse.
 - f. If results of a referral for evaluation positively determine the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, the school staff member(s) identified in D.1.e. above who is trained to assess alcohol and other drug abuse shall initiate a referral for treatment to appropriate community agencies as defined in N.J.A.C. 6A:16-4.1(b), to out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or to private practitioners certified by the appropriate drug and alcohol licensing board.
2. Students Suspected of Being Under the Influence of Alcohol or Other Drugs Other Than Anabolic Steroids – N.J.A.C. 6A:16-4.3(a)
- a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs on school grounds shall report the matter as soon as possible to the Principal or, in his or her absence, to his or her designee and either the certified school nurse, non-certified school nurse, school physician, or student assistance coordinator, pursuant to N.J.S.A. 18A:40A-12.
 - (1) In instances where the Principal and either the certified school nurse, non-certified school nurse, school physician or the student assistance coordinator are not in attendance, the staff member responsible for the school function shall be immediately notified.
 - (2) The referring staff member shall file with the Principal a report describing the incident. The form shall include all information necessary for a complete, accurate reporting on the Student Safety Data System (SSDS) according to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3.

- b. In response to every report by an educational staff member or other professional of suspected student alcohol or other drug use, including instances when a report is made to law enforcement, the Principal or designee shall:
- (1) Arrange for an immediate medical examination of the student for the purposes of providing appropriate health care and for determining whether the student is under the influence of alcohol or other drugs, other than anabolic steroids.
 - (2) Notify the student's parent and the Superintendent or designee;
 - (3) Any substance screening conducted by the school nurse and/or other staff is not a substitute for the required medical examination required in N.J.S.A. 18A:40A-12.
- c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol or other drugs.
- (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.
- d. This Medical examination must include a urine and/or blood collection for drug/alcohol screening and/or anabolic steroids. This screening may be done at Quest Diagnostics, located in Bernardsville, at the district's expense. If Quest Diagnostics is closed, another local facility will be recommended. If the parent(s) or legal guardian(s) select another lab, the screening will be done at their expense.
- 1) The medical examination may be performed by the school physician at the district's expense or by any other physician licensed to practice medicine or osteopathy selected by the parent(s) or legal guardian(s) at their expense. If the School physician is not immediately available, another local facility will be recommended. If the parent selects a different physician to perform a medical examination, the examination must be initiated within four hours of the parent being contacted by the school official and the screening will be done at their expense. Any attempt by a participant to tamper with the specimen collection process will deem and constitute the specimen as positive.
 - 2) The medical examination may be performed by a physician licensed to practice medicine or osteopathy who is selected by the parent.
- (a) The parent will be provided, in writing, the minimum requirements for the immediate medical examination, which will include, but not be limited to, the substances to be tested by the physician, the cut-off levels of each substance to be tested, the time period the immediate medical examination must be conducted, and any other requirements of the examination.
 - (b) The examination shall be at the expense of the parent and not the district Board of Education.
- e. If the physician chosen by the parent is not immediately available, the medical examination shall be conducted by the school physician.
- (1) If the school physician is not available, the student shall be accompanied by a member of the school staff designated by the Principal to the emergency room of the nearest hospital for examination.
 - (2) The student's parent, if available, shall also accompany the student.
 - (3) When the medical examination is conducted by the school physician or a physician at the emergency room of the nearest hospital, the examination shall be at the expense of the district Board of Education.
- f. The Board of Education will have a plan in place for the appropriate supervision of the student:
- (1) While waiting for a parent to take the student to the physician selected by the parent, or while the student is waiting for and receiving the medical examination by the school physician or the physician in an emergency room; and
 - (2) Provisions will be made for the appropriate care of the student while awaiting the results of the medical examination.
 - (3) If the student is in need of immediate medical attention, uncooperative, and/or if it appears that the student will be difficult to transport, then the local police and/or emergency squad will be called and asked to transport the student to the hospital. The student will be accompanied by the principal or designee while waiting for the parent(s) or legal guardian(s) to arrive.

- g. A written report of the medical examination of the student shall be furnished to the student's parent, the Principal, and the Superintendent of Schools by the examining physician within twenty-four hours of the referral of the student for suspected alcohol or other drug use.
 - (1) The school district, in cooperation with the school physician or medical professionals licensed to practice medicine or osteopathy, shall establish minimum requirements for the medical report. The minimum requirements for the examination will be periodically reviewed and updated as needed.
 - (2) The report's findings shall verify whether the student's alcohol or other drug use interferes with his or her physical and mental ability to perform in school.

- h. When the medical examination is performed by a physician other than the school physician or at the emergency room of the nearest hospital, the school district will require the parent to verify within twenty-four hours of the notification that the student is suspected of alcohol or other drug use that a medical examination was performed in compliance with this Policy.
 - (1) The verification shall include, at a minimum, the signature, printed name, address, and phone number of the examining physician, the date and time of the medical examination, and the date by which the report required in this Policy will be provided.
 - (2) Refusal or failure by a parent to comply with this requirement shall be treated as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.3(d).

- i. If the written report of the medical examination is not submitted to the parent, Principal, and Superintendent within twenty-four hours of the referral of the student for suspected alcohol or other drug use, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.

- j. If the written report of the medical examination verifies that alcohol or other drugs do not interfere with the student's physical and mental ability to perform in school, the student will be immediately returned to school.

- k. If there is a positive determination from the medical examination, indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school:
 - (1) The student will be returned as soon as possible to the care of the parent;
 - (2) Attendance at school shall not resume until a written report has been submitted to the parent, the Principal, and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student to determine whether alcohol or other drug use interferes with his or her physical or mental ability to perform in school.
 - (a) The report shall verify that the student's alcohol or other drug use no longer interferes with the student's physical and mental ability to perform in school.
 - (3) Removal of a student with a disability shall be made in accordance with N.J.A.C. 6A:14.

- l. While the student is home because of the medical examination or after the student returns to school, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained to assess alcohol and other drug abuse shall:

Prior to returning to school, the student/parent/guardian will set up an appointment with a certified drug and alcohol counselor, who will:

 - (1) Conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse, for the purpose of making a preliminary determination of the student's need for educational programs, supportive services, or treatment that extend beyond the general school program by virtue of the student's use of alcohol or other drugs.
 - (a) The findings of the assessment alone shall not prevent a student from attending school; and
 - (2) Cooperate with community agencies as defined in N.J.A.C. 6A:16-4.1(b) and juvenile justice officials in providing evaluation, referral, and continuity of care for alcohol or other drug abuse treatment.

m. While the student is at home because of the medical examination or after his or her return to school, the Principal or Superintendent may recommend or require alcohol and other drug assessment of the student or evaluation by appropriately certified or licensed professionals to make a positive determination of a student's need for programs and services that extend beyond the general school program, as necessary.

(1) The findings of these additional evaluations alone shall not be used to prevent a student from attending school.

n. If at any time it is determined that the student's use of alcohol or other drugs presents a danger to the student's health and well-being, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained in alcohol and other drug abuse treatment referral shall initiate a referral for alcohol or other drug abuse treatment.

E. Handling of Alcohol or Other Drugs

1. A student's person, effects, or school storage places may be searched for substances in accordance with Board Policy and applicable laws regarding searches in schools.

2. A school employee who seizes or discovers a substance, or an item believed to be a substance or drug paraphernalia, shall immediately notify and turn it over to the Principal or designee.

a. The Principal or designee shall immediately notify the Superintendent or designee who in turn shall notify the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.

b. In accordance with the provisions of N.J.A.C. 6A:16-6.4(a), the school employee, Principal or designee shall safeguard the alcohol, other drug, or paraphernalia against further destruction and shall secure the alcohol, other drug, or paraphernalia until it can be turned over to the County Prosecutor or designee.

c. The Principal or designee shall provide to the County Prosecutor or designee all information concerning the manner in which the alcohol, other drug, or paraphernalia was discovered or seized, including:

(1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and

(2) The identity of the student believed to have been in possession of the substance or paraphernalia.

d. The Principal or designee shall not disclose the identity of a student who voluntarily and on his or her own initiative turned over the alcohol, other drug, or paraphernalia to a school employee, provided there is reason to believe the student was involved with the alcohol, other drug, or paraphernalia for the purpose of personal use and not distribution activities, and further provided the student agrees to participate in an appropriate treatment or counseling program.

(1) For the purposes of N.J.A.C. 6A:16-6.4, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall not constitute a voluntary, self-initiated request for counseling and treatment.

F. Reporting Students to Law Enforcement Agencies

1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of his or her employment, has reason to believe that a student has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.

2. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
3. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the student involved.
4. The Superintendent or designee; however, shall not disclose the identity of a student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem, provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.
5. For the purpose of N.J.A.C. 6A:16-6.3, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.
6. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a student suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical examination, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the student and for determining whether the student is under the influence of alcohol or other drugs or has been using anabolic steroids. The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.
7. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test, pursuant to N.J.A.C. 6A:16-4.3(a)3i and N.J.A.C. 6A:16-4.3(b)3i and N.J.A.C. 6A:16-4.3(a)4, was obtained as a result of the district Board of Education's voluntary random drug testing policy, pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

G. Parent Training Program/Outreach Programs

1. A substance abuse training program will be offered to the parents of students enrolled in the district. The program will be offered at times and places convenient to parents and on school premises or in other suitable facilities.
2. The program shall, at a minimum, provide:
 - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year, with recommendations as to the ways in which the parent may enhance, reinforce, and supplement that program;
 - b. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;
 - c. Instruction to assist the parent in the identification of the symptoms and behavioral patterns that might indicate a child may be involved in substance abuse;
 - d. Information on the State, local, and community organizations which are available for the prevention, early intervention, treatment, and rehabilitation of individuals who show symptoms of substance abuse; and
 - e. A review of the Board Policy and Regulation on substance abuse with attention to the role of parents.
3. The Board will establish an outreach program to provide substance abuse education for the parents of students in the district. In establishing the program, the Board shall consult with such local organizations and agencies as are recommended by the Commissioner. The Board shall insure the program is offered at times and places convenient to the parents of the district on school premises, or at other suitable facilities.
 - a. In addition to the substance abuse education program required pursuant to N.J.S.A. 18A:40A-17, the Board shall provide assistance to parents who believe that their child may be involved in substance abuse.

H. Records and Confidentiality of Records

1. Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330.
2. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, and N.J.A.C. 6A:16-3.2.
3. If a student involved in a school-based drug and alcohol counseling program provides information during the course of a counseling session which indicates the student's parent or other person residing in the student's household is dependent upon or illegally using substances pursuant to N.J.S.A. 18A:40A-7.1 and 7.2, that information shall be kept confidential and may be disclosed only under the circumstances expressly authorized as follows:
 - a. Subject to the student's written consent, to another person or entity whom the student specifies in writing in the case of a secondary student, or to a member of the student's immediate family or the appropriate school personnel in the case of an elementary student;
 - b. Pursuant to a court order;
 - c. To a person engaged in a bona fide research purpose; except that no names or other information identifying the student or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or
 - d. To the Division of Child Protection and Permanency (DCP&P) or to a law enforcement agency, if the information would cause a person to reasonably suspect that the student or another child may be an abused or neglected child in accordance with statute or administrative code.

Any disclosure made pursuant to H.3.a. and b. above shall be limited to that information which is necessary to carry out the purpose of the disclosure, and the person or entity to whom the information is disclosed shall be prohibited from making any further disclosure of that information without the student's written consent. The disclosure must be accompanied by a written statement from the Superintendent or designee advising the recipient that the information is being disclosed from the records the confidentiality of which is protected by N.J.S.A. 18A:40A-7.1 et seq. and that this law prohibits any further disclosure of this information without the written consent of the person from whom the information originated.

Nothing in this Policy or Regulation prevents the DCP&P or a law enforcement agency from using or disclosing the information in the course of conducting an investigation or prosecution. Nothing in this Policy or Regulation shall be construed as authorizing the violation of any Federal law.

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

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

4. Each incident of substance abuse shall be reported to the Commissioner on the SSDS.

Adopted: 1 October 2008
Revised: 15 April 2009
18 January 2012
25 April 2012
20 November 2013
21 January 2015
23 August 2017
13 December 2017

27 February 2019

30 October 2019



REGULATION

Somerset Hills School District

Section: Students
5533. Pupil Smoking
Date Created: March 2010
Date Edited: January 2018

5533. Pupil Smoking

The Board of Education is committed to maintaining a smoke-free environment on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board of Education. The school administration and all school staff members shall strictly enforce this smoking prohibition and will work together to ensure pupils do not smoke in violation of Board Policy 5533 and the law.

A. Notice Provisions

1. A sign shall be posted in every school building indicating smoking is prohibited in any school building or on school grounds. The sign shall also indicate violators will be subject to a fine.
2. Each school's student handbook will indicate smoking is prohibited on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board of Education.
3. A public address announcement will be made, when practicable, at school-sponsored events indicating smoking is prohibited in school buildings and on school grounds.

B. Reporting Procedures

1. Any teaching staff member who observes a pupil smoking in violation of Policy 5533 shall inform the pupil to cease smoking and report the violation to the Principal or designee.
2. Any support staff member who observes a pupil smoking in violation of Policy 5533 shall either inform a teaching staff member, who shall report the violation to the Principal or designee or the support staff member may report the violation directly to the Principal or designee.
3. The Principal or designee will investigate each report received from a staff member and make a determination whether the pupil has violated Board Policy 5533.

C. Violation Consequences

1. In the event the Principal or designee determines a pupil has violated Policy 5533, the pupil will be assigned appropriate discipline in accordance with the school's pupil discipline/code of conduct.
2. The Principal or designee will notify the pupil's parent(s) or legal guardian(s) when discipline is being imposed for a violation of Policy 5533-

D. Possession of electronic smoking device

Students in possession of an electronic smoking device on school grounds or at a school event off-school grounds ^{may} will be subject to the Somerset Hills School District Policy 5530 - Substance Abuse. Possession of an electronic smoking device ^{may} will constitute reasonable suspicion of a student potentially being currently under the influence of controlled dangerous substances on school grounds. Students found to be in violation of Policy 5530 will receive discipline in accordance with Regulation 5530. Students found to be in violation of Policy 5533, but not Policy 5530 will be assigned appropriate discipline in accordance with the school's pupil discipline/code of conduct.

Issued: 24 March 2010

Revised: 13 December 2017

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[See POLICY ALERT Nos. 225 and 229]

2425 EMERGENCY VIRTUAL OR REMOTE INSTRUCTION PROGRAM

The Board of Education is committed to providing a high quality educational program, virtually or remotely, in the event **the State or local health department determines that it is advisable to close, or mandates closure of, the schools of a school district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for more than three consecutive school days, the Superintendent shall have the authority to implement the school district's program of virtual or remote instruction, pursuant to N.J.S.A. 18A:7F-9** ~~a school or the schools of the district are required to close for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure. The district's virtual or remote program of instruction shall be in accordance with N.J.S.A. 18A:7F-9.~~ **In addition, pursuant to N.J.S.A. 18A:7F-9.b. the Commissioner of Education shall allow the district to apply to the 180-day requirement established pursuant to N.J.S.A. 18A:7F-9.a., one or more days of virtual or remote instruction provided to students on the day or days the schools of the district were closed if the program of virtual or remote instruction meets such criteria as may be established by the Commissioner.**

The school district's program of virtual or remote instruction shall be in accordance with the provisions of N.J.S.A. 18A:7F-9; N.J.A.C. 6A:32-13.1; this Policy; and Regulation 2425.

"Remote instruction" means the provision of instruction occurring when the student and the instructor are in different locations due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.



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“Virtual instruction” means the provision of active instruction when the student and the instructor are in different locations and instruction is facilitated through the internet and computer technologies due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.

~~In the event the school district is required to close a school or the schools of the district for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health related closure, the Commissioner of Education shall allow the district to apply to the 180 day requirement established pursuant to N.J.S.A. 18A:7F-9, one or more days of virtual or remote instruction provided to students on the day or days the schools of the district were closed if the program of virtual or remote instruction meets such criteria as may be established by the Commissioner Education.~~

The Superintendent of Schools shall submit, with Board approval, the school district’s program of virtual or remote instruction to the Commissioner of Education ~~by no later than October 29, 2021 and, annually thereafter~~ **annually**. **If the Board is unable to complete and submit a proposed program of virtual or remote instruction to the Commissioner in accordance with the timeline established by the Commissioner and the school district is required to close its schools for a declared state of emergency, declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Commissioner of Education may retroactively approve the program.**

~~If provided under the district’s A day of virtual or remote instruction, if provided instituted under the district’s Commissioner of Education’s approved program of virtual or remote instruction that has been approved by the Commissioner, of student attendance for a day of virtual or remote instruction, shall be~~ **accounted for in accordance with N.J.A.C. 6A:32-8.4** ~~considered the~~



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~~equivalent of a full day of school attendance~~ for the purposes of meeting State and local graduation requirements, the awarding of course credit, and other ~~such~~ matters as determined by the Commissioner of Education **in accordance with the provisions of N.J.A.C. 6A:32-13.1(d).**

Pursuant to N.J.A.C. 6A:32-13.1(b), if implemented by the Superintendent, ~~Any~~ the school district's program of virtual or remote instruction shall be provided to an enrolled ~~implemented for the general education~~ students, whether a general education student in preschool through grade twelve or a student with a disability aged three to twenty-one shall ~~provide the same educational opportunities to students with disabilities.~~ The school district shall provide students with a disability with the same educational opportunities provided to general education students to the extent appropriate and practicable. ~~Special education and R~~related services, including speech language services, counseling services, physical therapy, occupational therapy, and behavioral services, may be delivered to **general education students and students with a disability ~~disabilities~~ through the use of electronic communication or a virtual or online platform, **as appropriate** ~~and as required by the student's Individualized Education Program (IEP), to the greatest extent practicable.~~**

In the event the State or local health department determines it is advisable to close or mandates closure of the schools of the district due to a declared state of emergency, declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Superintendent shall have the authority to implement the school district's program of virtual or remote instruction. The Superintendent shall consult with the Board prior to such decision, if practicable. The Superintendent shall ensure that students, parents, staff, and the Board are informed promptly of the Superintendent's decision.

Nothing in N.J.S.A. 18A:7F-**9.b., c., or d.**; ~~and this Policy;~~ **and Regulation 2425** shall be construed to limit, supersede or preempt rights, privileges, compensation, remedies, and procedures afforded to public employees or a collective bargaining unit under Federal or State law or any provision of a collective bargaining agreement entered into by the school district.



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In the event of the closure of a school or the schools of the district due to a declared state of emergency, declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for a period longer than three consecutive school days:

1. District employees shall be entitled to compensation, benefits, and emoluments pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(1) and (2).
2. The district shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(3).
3. The district shall be obligated to make payments for benefits, compensation, and emoluments and all payments required pursuant to N.J.S.A. 18A:6-51 et seq., to an educational services commission, county special services school district, and a jointure commission, and under any shared services agreement and cooperative contract entered into with any other public entity pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).
4. An educational services commission, county special services school district, and a jointure commission shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider or a shared services agreement in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).

The provisions of N.J.S.A. 18A:7F-9.e.(1) through (4) and 1 through 4 above shall not apply to any employee whose weekly hours of work are reduced, and to whom unemployment benefits are provided, pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq. A contracted



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service provider, educational services commission, county special services school district, or jointure commission shall notify the district with which it has entered into a contract to provide services of its intent to reduce the hours of work of its employees pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq.

1. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.e.(3) and 3. above, if a contracted service provider reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the contracted service provider shall be reduced by the same amount.
2. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.e.(4) and 4. above, if an educational services commission, county special services school district, or jointure commission reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the educational services commission, county special services school district, or jointure commission shall be reduced by the same amount.

This Policy may be revised as necessary by the Superintendent in accordance with N.J.S.A. 18A:7F-9. The school district's emergency virtual or remote instruction program shall be **posted prominently available** on the school district's website.

N.J.S.A. 18A:7F-9
N.J.A.C. 6A:32-2.1; 6A:32-8.4; 6A:32-13.1

Adopted:



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[See POLICY ALERT No. 229]

R 2425 EMERGENCY VIRTUAL OR REMOTE INSTRUCTION PROGRAM

A. Definitions

1. “Remote instruction” means the provision of instruction occurring when the student and the instructor are in different locations due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.
2. “Virtual instruction” means the provision of active instruction when the student and the instructor are in different locations and instruction is facilitated through the internet and computer technologies due to the closure of the facility(ies) of the Board of Education, charter school, renaissance school project, or approved private school for students with disabilities. The closure of the facility(ies) shall be pursuant to N.J.S.A. 18A:7F-9 or 18A:46-21.1 and for more than three consecutive school days due to a declared state of emergency, a declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure.

- B. Pursuant to N.J.A.C. 6A:32-13.1, if the State or local health department determines that it is advisable to close, or mandates closure of, the schools of a school district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for more than three consecutive school days, the Superintendent shall have the authority to implement the school district’s program of virtual or remote instruction, pursuant to N.J.S.A. 18A:7F-9.



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1. If implemented by the Superintendent, the school district's program of virtual or remote instruction shall be provided to an enrolled student, whether a general education student in preschool through grade twelve or a student with a disability aged three to twenty-one.
 - a. The school district shall provide students with a disability with the same educational opportunities provided to general education students to the extent appropriate and practicable.
 - b. Related services may be delivered to general education students and students with a disability through the use of electronic communication or a virtual or online platform, as appropriate.

2. The Board of Education may apply to the 180-day requirement established pursuant to N.J.S.A. 18A:7F-9.b., one or more days of virtual or remote instruction under the following conditions and in accordance with N.J.A.C. 6A:32-13.1(c)1. through 4. and B.2.a. through d. below:
 - a. Virtual or remote instruction is provided to students on the day(s) that some or all of the programs of instruction of the district were closed to in-person instruction;
 - b. The virtual or remote instruction meets the Commissioner-established criteria for the occurrence of one of the events at N.J.A.C. 6A:32-13.1(b) and B. above;
 - c. The school district's program of virtual or remote instruction:
 - (1) Explains, to the greatest extent possible, the equitable delivery of, and access to, virtual and remote instruction, including descriptions of the following:



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- (a) The design of synchronous and/or asynchronous virtual or remote learning plans that will maximize student growth and learning;
 - (b) How the school district will continuously measure student growth and learning in a virtual or remote instruction environment; and
 - (c) The school district's plan for measuring and addressing any ongoing digital divide issue(s), including a lack of access to the internet, network access, or devices;
- (2) Addresses the needs of students with disabilities and includes descriptions of the following:
- (a) The delivery of virtual or remote instruction in order to implement, to the greatest extent possible, students' individualized education programs (IEPs), including material and platform access;
 - (b) The methods used to document IEP implementation, including the tracking of student progress, accommodations, and modifications;
 - (c) How case managers follow up with parents to ensure services are implemented, to the greatest extent possible, in accordance with IEPs; and
 - (d) How the school district plans to conduct IEP meetings, evaluations, and other meetings to identify, evaluate, and/or reevaluate students with disabilities;



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- (3) Addresses the needs of English language learners (ELLs) and includes descriptions of the following:
 - (a) How the school district includes an English as a Second Language and/or bilingual education program aligned with State and Federal requirements to meet the needs of ELLs;
 - (b) The process to communicate with parents of ELLs, including providing translation materials, interpretative services, and information available at the parent's literacy level;
 - (c) The use of instructional adaptations, for example, differentiation, sheltered instruction, Universal Design for Learning, access to technology, and strategies to ensure that ELLs access the same standard of education as non-ELL peers; and
 - (d) The training for teachers, administrators, and counselors to learn strategies related to culturally responsive teaching and learning, social-emotional learning, and trauma-informed teaching for students affected by forced migration from their home country;
- (4) Accounts for student attendance in accordance with N.J.A.C. 6A:32-13.1(d) and B.3. below and include the following:
 - (a) A description or copy of the school district's attendance policies, including how the school district will determine whether a student is present or absent during virtual or



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remote instruction, and how a student's attendance will factor into promotion, retention, graduation, discipline, and any other decisions that will reflect the student's performance;

- (5) Describes how the school district is communicating with the parents when a student is not participating in virtual or remote instruction and/or submitting assignments;
 - (6) Includes a plan for the continued safe delivery of meals to eligible students;
 - (7) Includes an outline of how buildings will be maintained throughout an extended period of closure; and
 - (8) Includes district-specific factors, including, but not limited to, considerations for Title I extended learning programs, 21st Century Community Learning Center Programs, credit recovery, other extended student learning opportunities, accelerated learning, and social and emotional health of staff and students, transportation, extra-curricular programs, childcare, and community programming; and
- d. The Board of Education submitted a proposed program of virtual or remote instruction to the Commissioner annually.
- (1) If the Board is unable to complete and submit a proposed program annually in accordance with the timeline established by the Commissioner, and the school district is required to close its schools for a declared state of emergency, declared public-health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Commissioner may retroactively approve the program.



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3. If provided under the Board's program that has been approved by the Commissioner, student attendance for a day of virtual or remote instruction shall be accounted for in accordance with N.J.A.C. 6A:32-8.4 for the purpose of meeting State and local graduation requirements, the awarding of course credit, and other matters as determined by the Commissioner.

Adopted:



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[See POLICY ALERT No. 226]

[MANDATED FOR SCHOOL DISTRICTS WITH A MIDDLE SCHOOL AND/OR HIGH SCHOOL AND OPTIONAL FOR SCHOOL DISTRICTS WITH ONLY AN ELEMENTARY SCHOOL(S)]

5541 ANTI-HAZING

A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Hazing is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. The Board of Education prohibits acts of hazing and adopts this Policy against hazing in accordance with N.J.S.A. 18A:37-32.2. The provisions of this Policy apply to high school, middle school and elementary school(s) in the school district.

"Hazing" in a school setting includes, but is not limited to, conduct by an individual(s) who is a member and/or representative of a school-sponsored student organization, club, or athletic team where such individual(s) conditions a student's acceptance as a member into such group on whether the student engages in activities that are humiliating, demeaning, intimidating, and exhausting to the student.

N.J.S.A. 2C:40-3.a. indicates hazing may also include, but is not limited to, the conduct outlined below:

1. An individual(s) causes, coerces, or otherwise induces a student to commit an act that violates Federal or State criminal law;
2. An individual(s) causes, coerces, or otherwise induces a student to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm or is otherwise deleterious to the student's health;
3. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;



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4. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
5. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a sexual nature; or
6. An individual(s) subjects a student to any other activity that creates a reasonable likelihood of bodily injury to the student.

Board of Education members, school employees, and contracted service providers are required to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding such an incident. Students, parents, volunteers, or visitors are encouraged to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident.

Any report of an alleged incident of hazing shall be immediately investigated by the Principal or designee in accordance with procedures used to investigate alleged violations of the Student Discipline/Code of Conduct and Policy and Regulation 5600. A Principal or designee who receives a report of an alleged incident of hazing and fails to initiate or conduct an investigation and fails to minimize or eliminate the hazing may be subject to disciplinary action.

The Principal or designee may identify behavior when investigating an alleged incident of hazing indicating harassment, intimidation, or bullying (HIB) pursuant to N.J.S.A. 18A:37-14 et seq. – the New Jersey Anti-Bullying Bill of Rights Act (ABR). If the Principal or designee identifies behavior indicating HIB, the Principal or designee shall ensure a separate investigation is conducted in accordance with the ABR and Policy 5512.



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The Superintendent or designee shall report to local law enforcement any hazing incident that rises to the level of mandatory reporting under the “Uniform Memorandum of Agreement Between Education Officials and Law Enforcement Officials” or any other agreement between local law enforcement and the school district pursuant to N.J.A.C. 6A:16-5.1(b).

Hazing that involves the participation of a coach, teacher, or other adult may constitute child abuse and shall be addressed in accordance with N.J.S.A. 18A:36-25 and Policy and Regulation 8462.

The Board shall enforce any penalty for violation of this Policy in accordance with the student code of conduct and Policy and Regulation 5600, or any other applicable Board Policy or Regulation. In accordance with N.J.S.A. 18A:37-32.3 appropriate penalties for a violation of this Policy may include, but are not limited to:

1. Withholding of diplomas or transcripts pending compliance with the rules;
2. Rescission of permission for the organization or group whose student member(s) are being penalized under this Policy, to operate on school property or to otherwise operate under the sanction or recognition of the school district; and
3. The imposition of probation, suspension, dismissal, or expulsion of a student member(s).

Any discipline instituted in response to a violation of this Policy may be in addition to discipline for a violation of Policy 5512, Policy and Regulation 5600, and any other applicable Board Policy and Regulation.

The school district shall ensure that students are informed of this Policy, including the rules, penalties, and program of enforcement under this Policy. This Policy shall be posted on the school district’s publicly accessible Internet website.

N.J.S.A. 18A:36-25; 18A:37-13.2; 18A:37-14 et seq.; 18A:37-32.2;
18A:37-32.3
N.J.A.C. 6A:16-5.1

Adopted:

