

POLICY

Revised – New Language

**FRANKLIN TOWNSHIP
BOARD OF EDUCATION**

File Code: 4122

STUDENT TEACHERS/INTERNS

The board encourages the Superintendent to cooperate with colleges and universities in the placement of student teachers/ administrative interns in the district school. The goal is to support novice/student teachers and administrative interns, who can drive student success in the classroom.

The requests for clinical experience or clinical practice (student teaching) in the District are only accepted directly from sponsoring colleges and universities. The superintendent shall recommend and the Board shall approve the selection and placement of student teachers and administrative interns. The placement of a novice/student teacher is based upon the alignment to endorsement area sought and must occur at one school for the entire duration, where possible. The placement process will include the review of the novice/student teacher credentials and resume, a review of the placement request by the Superintendent or designee, and a recommendation by the principal for placement with an experienced, effective teacher. The supervising teacher will need to agree to the placement and to work with program and the novice/student teacher in a collaborative effort to provide acceptable classroom and school experiences. Student teachers shall comply with the requirements of law regarding health examinations. These interns shall also comply with Board Policy # 6162.5/6162.5R (Research).

An administrative intern placement will be based upon the alignment to sought endorsement. The Superintendent shall recommend and the Board shall approve the selection and placement of student teachers and administrative interns. The placement process will include the review of the administrative intern credentials and resume, a review of the placement request by the Superintendent or designee, along with a recommendation for placement with an experienced, effective administrator. The supervising administrator will need to agree to the placement and to work with the program and administrative intern in a collaborative effort to provide acceptable classroom and school experiences. Administrative interns shall comply with the requirements of law regarding health examinations. These interns shall also comply with Board Policy # 6162.5/6162.5R (Research).

The supervising teacher and Principal shall be responsible for the conduct of teachers/administrative interns while serving in the schools of this District.

Student teachers/interns shall be allowed to participate in school activities where their contributions would be appropriate to the educational program of the school.

In order to safeguard student privacy, the District complies with the Family Educational Rights and Privacy Act (FERPA) of 1974, the

Protection of Pupil Rights Amendment (PPRA) of 1974, the Health Insurance Portability and Accountability Act (HIPPA) of 1996, the Children's Internet Protection Act (CIPA), the Privacy Act of 1974 and the Elementary and Secondary Educational Act of 1965 as amended by the No Child Left Behind Act of 2001.

Student teachers/interns are involved in a privileged situation in which they are exposed to a variety of confidential information. Materials, student records, school and classroom problems, and teacher conferences may be of the confidential nature. Public exposure to confidential information is detrimental to the rapport that has been established with cooperating colleges and universities, and in more circumstances, is considered a breach in professional ethics.

All student teachers/interns with access to personally identifiable information (PII) are expected to adhere to all of the District policies and procedures including acknowledgement of their responsibilities related to the student data and PII. This includes the video-taping of students and distribution of surveys to students. In the event that the college and/or university requires the videotaping of a lesson by the student teacher/intern, the District owns that video and will adhere to Board Policy # 5125.1 (Student Data Privacy). The student teacher/intern will not receive a personal copy of the video. The primary role of the supervising teacher is to assure that no students in the class are videotaped without parental permission and the supervising teacher must be present for the recorded lesson.

The Superintendent shall ensure the equitable distribution of student teachers throughout the District.

No remuneration will be provided to student teachers or administrative interns.

N.J.A.C. 6A:9-6.5; 6A:9-10.2; 6A:9-10.3; 6A:9-10.4

Date adopted: 11/20/00
Date revised: 4/6/09
Date revised:

POLICY

Revised

FRANKLIN TOWNSHIP BOARD OF EDUCATION

File Code: 5131

CONDUCT/DISCIPLINE

The board believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of students.

The board of education expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment. Students are required to

- A. Conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others;
- B. Obey constituted authority and respond to those who hold that authority;
- C. *Prepare mentally and physically for the process of learning each day school is in session;*
- D. *Be honest and refrain from all forms of cheating in the completion of school assignments and work;*
- E. *Take responsibility for their own behavior;*
- F. *Use time and other resources efficiently;*
- G. *Willingly share responsibilities when working with others;*
- H. *Meet the daily requirements of each course of study;*
- I. *Be accountable for their own progress toward school objectives; and*
- J. *Communicate with parents/guardians and appropriate school staff members.*

The board of education believes that standards of student behavior must be set cooperatively by interaction among the students, parents/guardians, staff and community, producing an atmosphere that encourages students to grow in self-discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

Board policy requires each student of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. The chief school administrator shall provide to students and their parents/guardians the rules of this district regarding student conduct and the sanctions that may be imposed for breach of those rules.

Provisions shall be made for informing parents/guardians whose primary language is other than English.

The chief school administrator shall establish the degree of order necessary to the educational program in which students are engaged.

Code of Conduct

The chief school administrator shall oversee the development of and the board shall approve a code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The code of conduct shall be based on parent/guardian, student and community involvement, and locally determined core ethical values. The chief school administrator has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.6.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The board shall direct development of detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

The district code of conduct shall contain:

- A. A description of student responsibilities that includes expectations for academic achievement, behavior and attendance;
- B. A description of behaviors that will result in suspension or expulsion;
- C. A description of the students' rights to:
 - 1. Advance notice of behaviors that will result in suspensions or expulsions;
 - 2. Education that supports student development into productive citizens;
 - 3. Attendance in safe and secure school environment;
 - 4. Attendance in school irrespective of marriage, pregnancy, or parenthood;
 - 5. Due process and appeal procedures in accordance with law and board policy;
 - 6. Parent notifications consistent with board policy and law for law enforcement interviews (5145.11 Questioning and Apprehension), short-term and long-term suspension (5114 Suspension and Expulsion), due process and appeal procedures, and attendance (5113 Attendance, Absences and Excuses);
 - 7. Records and privacy protections (5125 Student Records).
- D. A description of behavioral supports that promote positive student development and assist each student in fulfilling the district behavioral expectations established including intervention and referral services, remediation, and intervention and supports services for students with disabilities;

- E. A description of graded responses to violations of the code of conduct that includes remediation, is consistent with law concerning corporal punishment, and is consistent with laws and board policies concerning violence/vandalism (5131.5) and, weapons and dangerous instruments (5131.7);
- F. Cover the board attendance policy (5113) and the harassment, intimidation and bullying policy (5131.1);
- G. Lists community-based health and social service providers, and local legal resources.

Student Behavioral Infractions

Students who display chronic behavioral or academic problems may be referred to the child study team by the chief school administrator for an evaluation to determine disability or the need for other services. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Students so identified shall be provided with appropriate programs and services as prescribed by the child study team.

A student whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended in accordance with N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.3 or expulsion in accordance with N.J.A.C. 6A:16-7.5, following due process. However, one incident alone is not sufficient cause for an expulsion.

Any student who commits an assault (as defined by N.J.S.A. 2C:12-1) upon a board member, teacher, administrator or other employee of the board of education shall be suspended from school immediately according to procedural due process, and suspension in accordance with N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.3 or expulsion in accordance with N.J.A.C. 6A:16-7.5. However, one incident alone is not sufficient cause for an expulsion. Proceedings shall begin no later than 30 calendar days from the date of the student's suspension.

Substance Abuse

In accordance with statute and code, penalties shall be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties shall be graded according to the severity of the offense in accordance with policy 5131.6 Substance Abuse. Infractions shall be reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality shall be protected in accordance with federal and state law.

Weapons Offenses

Any student who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The chief school administrator may modify this suspension on a case-by-case

basis. Each student so removed shall be placed in an alternative educational program or on home instruction pending alternative education program placement and shall be entitled to a hearing before the board. The hearing shall take place no later than 30 days following the day the student is removed from the regular education program and shall be closed to the public.

The principal shall be responsible for the removal of such students and shall immediately report them to the chief school administrator. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The chief school administrator shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with N.J.A.C. 6A:16-5.5(i).

Teaching staff members and other employees of this board having authority over students shall take such lawful means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this board.

Harassment, Intimidation or Bullying

The board expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. This type of behavior interferes with a student's ability to learn and a school's ability to educate its students in a safe environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The board prohibits acts of harassment, intimidation or bullying against any student in accordance with board policy 5131.1 Harassment, Intimidation and Bullying, and law.

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

- ~~A. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students;~~
- B. A reasonable person should know, under the circumstances, will have the effect of physically or mentally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or mental harm to his/her person or damage to his/her property; or
- C. Has the effect of insulting or demeaning any student or group of students;
or

D. Creates a hostile educational environment by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.

"Electronic communication" means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager, that takes place on school grounds, at any school-sponsored function or on a school bus.

Gangs

The Board acknowledges the existence of criminal gangs in our society, and the importance and necessity of deterring all persons from emulating gangs or contributing to the proliferation of gangs. A gang in this policy is defined as "any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying signs, colors, and/or symbols."

A. *The Board prohibits the following on school property or at school related functions, and off school property if it involves intimidation or an attack on another student in the District:*

1. *Wearing of gang apparel, accessories, signs, insignias, or symbols on one's clothing or person;*
2. *Display of gang apparel, accessories, signs, insignias, or symbols on personal property; Communication in any method (verbally or non-verbally) designed to convey gang membership or affiliation;*
3. *Initiating, advocating, or promoting a gang or any gang-related activities;*
4. *Tagging or defacing school property with gang names, slogans and/or insignias;*
5. *Conducting gang initiations;*
6. *Threatening another with bodily injury and/or inflicting bodily injury on another in connection with a gang or gang-related activity;*
7. *Inciting, soliciting, or recruiting others for gang membership or gang-related activities;*
8. *Aiding or abetting any of the above activities by one's presence or support.*

Any student found to have engaged in any of the above shall be subject to school discipline, including but not limited to detention, suspension, and/or expulsion. For any disciplinary matter covered by the above or by any other part of the school's disciplinary code, a finding that the conduct was gang-related or gang-affiliated shall be considered an aggravating factor in determining the appropriate punishment.

The Superintendent, Principal or other administrators shall attend a gang education seminar on how to recognize signs of gang involvement or activity within the first year of initial employment. Any administrator employed prior to October 12, 2007 shall attend the first seminar offered in the County. Administrators shall be exempt from attending the required seminar

if that person has successfully completed a gang education seminar conducted by a public school district, which is equivalent to the required seminar.

Secret Societies

The Board prohibits fraternities, sororities, secret societies or other organizations that organize and perpetuate by selecting members:

- A. Drawn from outside the currently enrolled student body;*
- B. Whose qualifications are based on considerations and/or the exclusion of students for race, creed, color, national origin, ancestry, age, marital status, familial status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, nationality, disability, pregnancy, political beliefs, or socioeconomic status;*
- C. Whole qualifications are based on filing the special aims of such organization rather than the student's free choice;*

All school activities shall be Board approved and conducted according to Board policies 6145 Extracurricular Activities and 6145.1/6145.2 Intramural and Interscholastic Activities. Membership in school activities shall be the free choice of any student and school activities shall not discriminate (see Board policies 2224 and 6121)

Any student who seeks to form or is a member of a fraternity, sorority, society or organization composed in whole or in part of district students shall be subject to discipline according to the Code of Student Conduct (see 5131 Conduct and Discipline Regulation).

Students with Disabilities

Classified students are subject to the same disciplinary procedures as nondisabled students and may be disciplined in accordance with their IEP. However, before disciplining a classified student, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability;*
- B. The program that is being provided meets the student's needs.*

Staff shall comply with state and federal law and the regulations of the New Jersey administrative code in dealing with discipline and/or suspension of all students with disabilities.

Policy and Procedure Development, Review and Dissemination

The standards and procedures developed to implement this policy shall be aligned with the board approved code of student conduct and accepted board approved core ethical values. Policies, standards and procedures shall be based on parent, student and community involvement which represents, where possible, the composition of the schools and community, in accordance with N.J.A.C. 6A:16-7.1.

This policy shall be reviewed annually and updated along with the code of student conduct. This process shall include:

- A. Parent, student and community involvement which represents, where possible, the composition of the schools and community;
- B. Consideration of the findings of the annual reports of student conduct, suspensions and expulsions; and incidences reported under the Electronic Violence and Vandalism Reporting System.

The chief school administrator shall annually:

- A. Disseminate the code of student conduct to all staff, students and parents;
- B. Report on the implementation of the code of student conduct to the board of a education at a public meeting in accordance with N.J.A.C. 6A:16-7.1(a) 5, i-iv;
- C. Report to the New Jersey Department of Education on student conduct, including all student suspension and expulsion and incidences reported under the Electronic Violence and Vandalism Reporting System.

Implementation

The chief school administrator shall ensure that the rules for this policy are applied consistently with the district's code of student conduct (N.J.A.C. 6A:16-7) and all applicable laws and regulations and that all disciplinary sanctions are carried out with necessary due process.

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

Date adopted: 2/11/02

Date revised: 1/9/12

<u>Legal References:</u>	<u>N.J.S.A. 2A:4A-60 et al.</u> Disclosure of juvenile information; penalties for disclosure
	<u>N.J.S.A. 2C:12-1</u> Definition of assault
	<u>N.J.S.A. 2C:33-19</u> Paging devices, possession by students
	<u>N.J.S.A. 2C:39-5</u> Unlawful possession of weapons
	<u>N.J.S.A. 18A:6-1</u> Corporal punishment of pupils
	<u>N.J.S.A. 18A:11-1</u> General mandatory powers and duties
	<u>N.J.S.A. 18A:25-2</u> Authority over pupils
	<u>N.J.S.A. 18A:36-19a</u> Student records
	<u>N.J.S.A. 18A:37-1 et seq.</u> Discipline of Pupils
	See particularly:
	<u>N.J.S.A. 18A:37-13.2, -14</u>
	<u>N.J.S.A. 18A:37-15 et seq.</u> Harassment, intimidation, and bullying
	<u>N.J.S.A. 18A:40A-1 et seq.</u> Substance Abuse
	<u>N.J.S.A. 18A:54-20</u> Powers of board (county vocational schools)
	<u>N.J.A.C. 6A:14-2.8</u> Discipline/suspension/expulsions
	<u>N.J.A.C. 6A:16-1.1 et seq.</u> Programs to Support Student Development
	See particularly:

N.J.A.C. 6A:16-2.4,
-4.1, -5.1, -5.4, 5.6, 5.7, -6.1,
-6.2, -7.1, -7.5, -7.7, -7.8

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

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

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

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

See also Commissioners' Decisions indexed under "Pupils - Punishment of" in Index to N.J. School Law Decisions

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, 2007), 2007 N.J. LEXIS 184. The New Jersey Supreme Court ruled that a school district may be held liable under the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 to -49, when students harass another student because of his perceived sexual orientation. A district school will be liable for such harassment if it knew or should have known of the harassment but failed to take reasonable remedial actions. The matter was remanded to the Director of the Division on Civil Rights.

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

Possible

Cross References:

*1220 Ad hoc advisory committees
*1410 Local units
3517 Security
*3541.33 Transportation safety
*4131/ Staff development; inservice education/visitation
4131.1 conferences
4148 Employee protection
*4231/ Staff development; inservice/education/visitation
4231.1 conferences
4248 Employee protection
5000 Concepts and roles in pupil personnel
5010 Personal goals and objectives for pupils
*5020 Role of parents/guardians
*5113 Absences and excuses
*5114 Suspension and expulsion
*5124 Reporting to parents/guardians
*5127 Commencement activities
*5131.5 Vandalism/violence
*5131.6 Drugs, alcohol, tobacco (substance abuse)
*5131.7 Weapons and dangerous instruments
5132 Dress and grooming
5145 Rights
5145.2 Freedom of speech/expression
*5145.4 Equal educational opportunity
*5145.6 Pupil grievance procedure
*5145.1 Questioning and apprehension
*5145.1 Search and seizure
*6145 Extracurricular activities
*6164.4 Child study team
*6171.4 Special education

*6172 Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Revised – New Language

FRANKLIN TOWNSHIP BOARD OF EDUCATION

File Code: 5131.1

HARASSMENT, INTIMIDATION AND BULLYING

The board of education believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Since students learn by example, school administrators, faculty, staff, and volunteers are required to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying. 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 environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The board of education expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. The board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The standards of character education are an essential component of the Franklin Township School District's Code of Conduct. The board believes that with the appropriate infusion of character education into the school curriculum, modeling of appropriate behavior by adults; support and assistance of students in school, the community and home; our students will achieve the above standards of character education.

The board prohibits acts of harassment, intimidation or bullying against any student. School responses to harassment, intimidation and bullying shall be aligned with the board approved code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The chief school administrator shall be responsible for ensuring the prompt investigation and response to all reports of harassment, intimidation and bullying committed on school grounds, at school activities and on school buses. In addition, the chief school administrator shall ensure that this policy is applied to incidents of harassment, intimidation and bullying that are committed off school grounds in cases where a school employee is made aware of such actions. The chief school administrator has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.6.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The board directs the chief school administrator or his or her appropriately trained and qualified designee to develop detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

"Harassment, intimidation or bullying" is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived 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, that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds, in accordance with law, that 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, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or
- B. Has the effect of insulting or demeaning any student or group of students; or
- C. Creates a hostile educational environment for the student by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.

"Electronic communication" means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager.

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

Students

Consequences and remedial measures for a student who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance. Consequences shall be consistent with the board approved code of student conduct and N.J.A.C. 6A:16-7. Consequences and remedial measures shall be designed to:

- A. Correct the problem behavior;
- B. Prevent another occurrence of the problem;

- C. Protect and provide support for the victim of the act; and
- D. Take corrective action for documented systemic problems related to harassment, intimidation or bullying.

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 short and long-term suspension or expulsion, as permitted by law. The consequences and remedial measures may include, but are not limited to:

A. 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 during the school week or the weekend;
- 7. After-school programs;
- 8. Out-of-school suspension (short-term or long-term);
- 9. Legal action; and
- 10. Expulsion.

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;
- f. Supportive student interventions, including participation of the intervention and referral services team;
- g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- h. Behavioral management plan, with benchmarks that are closely monitored;
- i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- j. Involvement of school disciplinarian;
- k. Student counseling;
- l. Parent conferences;
- m. Student treatment; or
- n. Student therapy.

2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Adjustments in hallway traffic;

- h. Modifications in student routes or patterns traveling to and from school;
- i. Supervision of students before and after school, including school transportation;
- j. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- k. Teacher aides;
- l. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- m. General professional development programs for certificated and non-certificated staff;
- n. Professional development plans for involved staff;
- o. Disciplinary action for school staff who contributed to the problem;
- p. Supportive institutional interventions, including participation of the intervention and referral services team;
- q. Parent conferences;
- r. Family counseling;
- s. Involvement of parent-teacher organizations;

Classified students are subject to the same disciplinary procedures as nondisabled students and may be disciplined in accordance with their IEP. However, before disciplining a classified student, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the student's needs.

Staff

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges which could result in suspension or termination. The consequences and remedial measures may include, but are not limited to:

A. Consequences may include

- 1. Conference with the supervisor and the victim if appropriate;
- 2. Corrective action plan;
- 3. Admonishment such as a letter in the personnel file;
- 4. Temporary removal from the classroom;
- 5. Discipline measures such as:
 - a. Withholding of increment;
 - b. Suspension without pay;
- 6. Legal action; and
- 7. Termination

B. Remedial Measures – Personal

- 1. Letter of apology
- 2. Restitution and restoration;
- 3. Mediation;
- 4. Support group;
- 5. Probationary period in which the supervisor in conjunction with the employee may develop and implement the following:
 - a. Corrective action plan;

- b. Behavioral assessment or evaluation;
- c. Behavioral management plan, with benchmarks that are closely monitored;
- 6. Referral for a psychiatric examination (see policy 4112.4/4212.4 Employee Health); and
- 7. Referral for counseling, treatment or therapy.

C. Environmental (Classroom, School Building or School District)

- 1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- 2. School culture change;
- 3. School climate improvement;
- 4. Adoption of research-based, systemic bullying prevention programs;
- 5. School policy and procedures revisions;
- 6. Modifications of schedules;
- 7. Supervision;
- 8. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- 9. General professional development programs for certificated and non-certificated staff;
- 10. Professional development plans for involved staff;
- 11. Disciplinary action;
- 12. Supportive institutional interventions, including participation of the intervention and referral services team;
- 13. Conferences;
- 14. Counseling.

Victim Support

When a student is a victim of harassment, intimidation and/or bullying a range of strategies and resources shall be developed and made available to the victim. As appropriate, the student, parents/guardians and staff members shall be involved in the development of strategies to prevent recurring incidences of bullying. The objectives of the strategies shall be to provide relief to the victim, minimize any stigma that may be associated with the victim, and/or eliminate the risk of further persecution. The type, diversity, location and degree of support shall be directly related to the student's perception of safety.

Sufficient safety measures shall be considered and implemented where appropriate to ensure the victims' physical and social-emotional well-being and protect the student's capacity to learn in a safe, supportive, and civil educational environment.

Examples of support for student victims of harassment, intimidation, and bullying may include but are not limited to:

- A. Teachers aides, hallway and playground monitors;
- B. Assignment of an adult "shadow" to help protect the student;
- C. Seating and schedule changes;
- D. School transfers;
- E. Before-and after-school supervision;
- F. Changes in transportation routes and/or increased supervision during transport;
- G. Counseling, treatment or therapy.

Reporting Harassment, Intimidation and Bullying Behavior

The chief school administrator, principal and/or their designee shall be responsible for receiving complaints alleging violations of this policy.

The board shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report. Any school employee, board member, contracted service provider, student, visitor or volunteer who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying, must report the incident to the building principal or his/her designee.

The following procedures shall apply to the reporting of incidents of harassment, intimidation and bullying:

- A. All acts of harassment, intimidation, or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident;
- B. The principal shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services; and
- C. All acts of harassment, intimidation, or bullying shall be reported in writing to the school principal within two school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying.

A board member, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the building principal and any appropriate school official, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

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

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

District Anti-Bullying Coordinator

The chief school administrator shall appoint a district anti-bullying coordinator. The chief school administrator 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, and bullying of students;
- B. Collaborate with school anti-bullying specialists in the district, the board of education, and the chief school administrator to prevent, identify, and respond to harassment, intimidation, and bullying of students in the district;
- C. Provide data, in collaboration with the chief school administrator, to the Department of Education regarding harassment, intimidation, and bullying of students; and
- D. Execute such other duties related to school harassment, intimidation, and bullying as requested by the chief school administrator.

The district anti-bullying coordinator shall meet at least twice a school year with the school anti-bullying specialists in the district to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

School Anti-Bullying Specialist

The principal in each school shall appoint a school anti-bullying specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the principal shall appoint that individual to be the school anti-bullying specialist. If no individual meeting these criteria is currently employed in the school, the principal shall appoint a school anti-bullying specialist from currently employed school personnel. The school anti-bullying specialist shall:

- A. Chair the school safety team;
- B. Lead the investigation of incidents of harassment, intimidation, and bullying in the school; and
- C. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

School Safety Team

The district shall form a school safety team in each school to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. The school safety team shall meet at least two times per school year.

The school safety team shall be appointed by the principal and consist of the principal or his or her designee who, if possible, shall be a senior administrator; a teacher in the school; the school anti-bullying specialist; 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 team.

The school safety team shall:

- A. Receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;
- B. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- C. Identify and address patterns of harassment, intimidation, or bullying of 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;
- G. Collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of students; and
- H. Execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

No parent/guardian who is a member of the school safety team shall:

- A. Receive complaints of harassment, intimidation or bullying of students that have been reported to the principal;
- B. Receive copies of reports prepared after an investigation of a harassment, intimidation or bullying incident;
- C. Identify and address patterns of harassment, intimidation or bullying of students; or
- D. Participate in any other activities of the team which may compromise the confidentiality of a student.

Investigating Reported Harassment, Intimidation and Bullying

All reported incidents of harassment, intimidation and bullying shall be investigated promptly and in accordance with law and the following procedures:

- A. All investigations shall be thorough and complete, and documented in writing, and shall include, but not be limited to:
 1. Taking of statements from victims, witnesses and accused;
 2. Careful examination of the facts;
 3. Support for the victim; and

4. Determination if alleged act constitutes a violation of this policy.
- B. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. The principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation.
- C. The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.
- D. The results of the investigation shall be reported to the chief school administrator within two school days of the completion of the investigation, and in accordance with law and board policy. The chief school administrator may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action.
- E. The results of each investigation shall be reported to the board of education no later than the date of the next board meeting following the completion of the investigation, and include:
 1. Any services provided;
 2. Training established;
 3. Discipline imposed; or
 4. Other action taken or recommended by the chief school administrator.
- F. The chief school administrator or his or her designee shall ensure that parents or guardians of the students who are parties to the investigation shall receive information about the investigation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the board and include:
 1. The nature of the investigation;
 2. Whether the district found evidence of harassment, intimidation, or bullying; or
 3. Whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying.

Range of Ways to Respond to Harassment, Intimidation or Bullying

The board of education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. 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.

In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom; school building; school district) responses include:

- A. School and community surveys;
- B. Mailings;
- C. Focus groups;
- D. Adoption of research-based bullying prevention program models;
- E. Training for certificated and non-certificated staff;
- F. Participation of parents and other community members and organizations;
- G. Small or large group presentations for staff, students, and the community for fully addressing a positive school climate and culture as well as the issues surrounding harassment, intimidation and bullying in the school community; and
- H. The involvement of law enforcement officers, including school resource officers.

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who committed the act. Responses may include:

- A. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion);
- B. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management;
- C. School responses can include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices;
- D. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs and coordination with community-based organizations (e.g., mental health; health services; health facilities; law enforcement; faith-based).

The range of ways in which the school shall respond once an incident of harassment, intimidation or bullying is identified shall be defined by the principal in conjunction with the school anti-bullying specialist, and shall include an appropriate combination of counseling, support services, intervention services, and other programs as defined by the commissioner.

Retaliation and Reprisal Prohibited

The board prohibits reprisal or retaliation or false accusation against any person who witnesses and/or reports an act of harassment, intimidation or bullying by any student, school employee, board member, contracted service provider, visitor or volunteer. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation or false accusation shall be determined by the chief school administrator and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and board policies and procedures.

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

A. Students

The consequences and appropriate remedial action for a student found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this policy. Consequences may include positive behavioral interventions, notification of the parents/guardians, up to and including short or long-term suspension or expulsion, as permitted by law;

B. School Employees

Consequences and appropriate remedial action for a school employee found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including suspension or dismissal from service;

C. Board Members

Consequences and appropriate remedial action for a board member found to have committed an act of harassment, intimidation, or bullying; or found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including a public sanction or filed ethics charges;

D. Visitors, Volunteers, Contracted Service Providers, and All Other Persons

Consequences and appropriate remedial action for a visitor, volunteer, contracted service providers and all other persons found to have engaged in harassment, intimidation or bullying; or engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined by the chief school administrator after consideration of the nature, severity and

circumstances of the act, including reports to appropriate law enforcement officials.

Consequences and remediation for students, employees, board members, visitors, volunteers, and contracted service providers, engaging in harassment, intimidation or bullying or engaged in retaliation, reprisal and/or false accusations may include the following:

A. Consequences

1. Removal from the classroom or school;
2. The visitor or volunteer may be banned from school buildings and grounds;
3. Immediate suspension and/or expulsion from classrooms or school property;
4. Termination of volunteer privileges;
5. Legal action.

B. Remedial measures to reestablish visitor, volunteer, contracted service providers, assembly/board members or all other persons, privileges may include:

1. Conference with the Principal or chief school administrator;
2. Personal action such as a letter of apology
3. Restitution and restoration.

Visitors, volunteers, contracted service providers, Board members or all other persons in violation of this policy shall not be permitted on school property without the approval of the chief school administrator.

Appeal Process

The parent or guardian may request a hearing before the board after receiving the information from the chief school administrator regarding the investigation. The hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.

At the next board of education meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the chief school administrator's decision. The board's decision may be appealed to the Commissioner of Education, in accordance with law, no later than the 90 days after the issuance of the board's decision.

A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination."

Week of Respect

The week beginning with the first Monday in October of each year is designated as a "Week of Respect" in the State of New Jersey. The district, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing

harassment, intimidation, or bullying as defined by law (N.J.S.A. 18A:37-14). Throughout the school year the district shall provide ongoing age-appropriate instruction focusing on preventing harassment, intimidation, and bullying in accordance with the Core Curriculum Content Standards.

Training

A. School Leaders

Any school leader who holds a position that requires the possession of a chief school administrator, principal, or supervisor endorsement shall complete training on issues of school ethics, school law, and school governance as part of the professional development for school leaders required in accordance with State Board of Education regulations. This training shall also include information on the prevention of harassment, intimidation, and bullying (N.J.S.A. 18A:26-8.2).

B. Teaching Staff Development

Each public school teaching staff member shall complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide (N.J.S.A. 18A:6-112).

C. Board Members

Within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education, a board member shall complete a training program on harassment, intimidation, and bullying in schools, including a school district's responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). A board member shall be required to complete the program only once (N.J.S.A. 18A:12-33).

D. Staff, Student and Volunteer Training

The school district shall:

1. Provide training on the school district's harassment, intimidation, or bullying policy to school employees and volunteers who have significant contact with students;
2. Provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements;
3. Ensure that the training includes instruction on preventing bullying on the basis of the protected categories as required by law (N.J.S.A.18A:37-14) and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying; and
4. Develop a process for discussing the district's harassment, intimidation or bullying policy with students.

Information regarding the school district policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program and shall be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students.

Throughout the school year, the district shall provide ongoing age-appropriate instruction on preventing harassment, intimidation and bullying, consistent with the Core Curriculum Content Standards.

Reporting to the Board

Two times each year between September 1 and January 1 and between January 1 and June 30, the school board shall hold a public hearing at which the chief school administrator will report to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

- A. The number of reports of harassment, intimidation, or bullying;
- B. The status of all investigations;
- C. The nature of the bullying based on one of the protected categories identified in N.J.S.A. 18A:37-14 such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
- D. The names of the investigators;
- E. The type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying; and
- F. Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

Reporting to the Department of Education

The information, including but not limited to, oral reports, written reports or electronic reports shall also be reported once during each reporting period between September 1 and January 1 and between January 1 and June 30, to the Department of Education. The report shall include:

- A. Data broken down by the enumerated categories including the protected categories as listed above and the type of harassment, intimidation and bullying (any gesture; any written, verbal or physical act; or any electronic communication, whether it be a single or series of incidents); and
- B. Data broken down by each school in the district, in addition to district-wide data.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with law (N.J.S.A. 18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district.

Each school shall post the grade received by the school and the overall district grade on the homepage of the school's website. The district shall post all the grades for each school of the district and the overall district grade on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within 10 days of the receipt of a grade by the school and district.

It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The chief school administrator will annually submit the report to the Department of Education utilizing the Electronic Violence and Vandalism Reporting system (EVVRS). The chief school administrator shall accurately report on each incident of violence, vandalism, alcohol and other drug abuse, and incident of harassment intimidation and bullying within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g).

The State Board of Education shall impose penalties on any school employee who knowingly falsifies the report. Therefore, the chief school administrator shall make a reasonable effort to verify reports of violence, vandalism, and harassment, intimidation, or bullying. The board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

Program Assessment and Review

Schools and school districts shall annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members. The programs or approaches shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying.

Policy Development and Review

The district harassment, intimidation and bullying policy shall be adopted through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

The district shall annually conduct a re-evaluation, reassessment, and review of this policy, making any necessary revisions and additions. The board shall include input from the school anti-bullying specialists in conducting its re-evaluation, reassessment, and review. The district shall transmit a copy of the revised policy to the appropriate executive county superintendent within 30 school days of the revision (beginning September 1, 2011).

Publication, Dissemination and Implementation

In publicizing this policy, the community including students, staff, board members, contracted service providers, visitors and volunteers, shall be duly

notified that the rules detailed within apply to any incident of harassment intimidation and bullying that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds that substantially disrupts or interferes with the orderly operation of the school or the rights of other students in accordance with law.

The chief school administrator shall take the following steps to publicize this policy:

- A. Provide a link to this policy on a prominent place on the district website;
- B. Provide a link to this policy on a prominent place on each school's website;
- C. Distribute this policy annually to all staff, students and parents/guardians; and
- D. Print this policy in any district publication that sets forth the comprehensive rules, procedures and standards of student conduct and in student handbooks;

The district shall notify students and parents/guardians that the policy is available on the district's website. The district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the district website. Each school within the district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator and their school anti-bullying specialist on the home page of the school's website. The information concerning the district anti-bullying coordinator and the school anti-bullying specialists shall also be maintained on the Department of Education's website.

Additionally, the district shall make available, in an easily accessible location of its website, the Department of Education's guidance document for the use by parent/guardians, students and district staff to assist in resolving complaints concerning student harassment, intimidation or bullying.

The chief school administrator shall ensure that the rules for this policy are applied consistently with the district's code of student conduct (N.J.A.C. 6A:16-7) and all applicable laws and regulations. All disciplinary sanctions shall be carried out with necessary due process.

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

Date:

Key Words

Harassment, Intimidation, Bullying, False Accusation, Retaliation, Reprisal, Conduct, Discipline, Student Conduct

- Legal References: N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
- N.J.S.A. 10:5-1 et seq. Law Against Discrimination
- N.J.S.A. 18A:6-112 Instruction on suicide prevention for public school teaching staff
- N.J.S.A. 18A:11-1 General mandatory powers and duties
- N.J.S.A. 18A:12-33 Training program; requirements
- N.J.S.A. 18A:17-46 Reporting of certain acts by school employee; annual report; public hearing (acts of violence)
- N.J.S.A. 18A:25-2 Authority over pupils
- N.J.S.A. 18A:26-8.2 School leader defined; training as part of professional development
- N.J.S.A. 18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
- N.J.S.A. 18A:36-19a Student records (Newly enrolled students; transfers of records; identification)
- N.J.S.A. 18A:37-1 et seq. Submission of Pupils to Authority (Discipline)
- N.J.S.A. 18A:37-13 et seq. Anti-Bullying Bill of Rights Act
- See particularly:
- N.J.S.A. 18A:37-14, -15, -17 Harassment, intimidation, and bullying
- N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
- N.J.A.C. 6A:14-2.8 Discipline/suspension/expulsions (students with disabilities)
- N.J.A.C. 6A:16-1.1 et seq. Programs to support student development (includes student conduct code)
- See particularly:
- N.J.A.C. 6A:16-1.4, -7.1, -7.6, -7.9
- N.J.A.C. 6A:32-12.1 Reporting requirements
- N.J.A.C. 6A:32-12.2 School-level planning

Gebser v. Lago Vista Independent School District 524 U.S. 274 (1989) United States Supreme Court addresses the standard by which a district will be held liable for sexual harassment of a student by a school employee under Title IX ---requires actual notice and deliberate indifference.

Davis v. Monroe County Board of Education 526 U.S. 629 (1999) United States Supreme Court establishes the standard under which a school district may be liable under Title IX for sexual harassment of one student by another student. The district will be liable for damages only where the school officials are proven to have been deliberately indifferent to harassment of which it is actually aware. The harassment must be "severe, pervasive and objectively offensive."

Saxe v. State College Area School District 240 F.3d 200 (3rd Cir 2001) A Pennsylvania school district's anti-harassment policy was overly broad and therefore violated the Constitutional guarantee of freedom of speech.

L. W. v. Toms River Regional Schools Board of Education 189 N.J. 381 (2007) The New Jersey Supreme Court held that the standard under which a school district may be liable under the New Jersey Law Against Discrimination for student-on-student bullying or harassment is not the Title IX deliberate indifference standard, but is rather the same standard used under the NJLAD for hostile work environment cases. A district will be judged by whether the district's response met the "reasonable person" test: what would a reasonable person (teacher, supervisor, vice principal, principal, etc.) do in a similar situation. School districts will be shielded from liability under NJLAD when their preventive and remedial actions are reasonable in light of the totality of the circumstances.

Possible

<u>Cross References:</u>	*1220	Ad hoc advisory committees
	*1410	Local units
	3517	Security
	*3541.33	Transportation safety
	*4131/4131.1	Staff development; inservice education/visitation conferences
	4148/4248	Employee protection
	*4231/4231.1	Staff development; inservice education/visitation conferences
	5000	Concepts and roles for students
	5010	Goals and objectives for students
	*5020	Role of parents/guardians
	*5113	Attendance, absences and excuses
	*5114	Suspension and expulsion
	*5124	Reporting to parents/guardians
	*5131	Conduct and discipline
	*5131.5	Vandalism/violence
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	5132	Dress and grooming
	*5142	Student safety
	5145	Rights
	5145.2	Freedom of speech/expression
	*5145.4	Equal educational opportunity
	*5145.6	Pupil grievance procedure
	*5145.1	Questioning and apprehension
	*5145.1	Search and seizure
	*6145	Extracurricular activities
	*6164.4	Child study team
	*6171.4	Special education
	*6172	Alternative educational programs

*Indicates policy is included in the Critical Policy Reference Manual.

POLICY

Revised

FRANKLIN TOWNSHIP BOARD OF EDUCATION

File Code: 6147

STANDARDS OF PROFICIENCY

The chief school administrator, in consultation with teaching staff, shall develop criteria for evaluation, indicators of achievement of the criteria, and acceptable standards of achievement for all grade levels, courses and programs offered by the district. The criteria, indicators and standards must be related to district goals and objectives. Parents/guardians shall be informed in a timely manner whenever their child appears in danger of failing to meet required proficiency levels. Parents/guardians shall be strongly encouraged to participate in designing remedial plans for their children.

These standards of proficiency shall include but not be limited to those Core Curriculum Content Standards identified by the State Department of Education and shall form the basis for the district's grading system.

By the date required by law, the chief school administrator shall annually report to the board and the community at a regularly scheduled meeting an evaluation of pupil achievement toward meeting district and school goals and objectives.

The chief school administrator shall consider additional factors contributing to student achievement such as indicators of student and educator engagement, school climate and/or safety. The chief school administrator may consult with the appropriate staff member in the development and assessment of indicators of engagement, school climate and/or safety, such as teaching staff, the affirmative action officer and the anti-bullying coordinator and/or specialist.

The board shall administer the applicable Statewide assessments, including the six major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight, the Department of Education approved statewide proficiency assessment, the alternative high school assessment (AHSAs) and the alternate proficiency assessment (APA) for students with severe cognitive disabilities. The Statewide assessments shall be administered according to a schedule prescribed by the Commissioner.

All district high school English language learners (ELLs) shall satisfy both state and district requirements for graduation, except that any English language learners may demonstrate attainment of State minimum levels of proficiency through passage of the alternative high school assessment (AHSAs) process in his/her native language and an English fluency assessment approved by the Department of Education or passage of the AHSAs process in English with appropriate accommodations.

Through the individualized education program (IEP) process the board may specify alternative requirements for a state-endorsed diploma for individual students with disabilities.

Low pupil achievement shall be regarded by the board as an indication that revisions are needed in educational programming, general strategy, staff resource use, staff evaluation, and/or other aspects of the learning program.

In the case of state required tests, the individual student results will be used as one of multiple measures employed by the District to identify Gifted and Talented students, and to determine placement in other high achievement programs. Students who do not participate in mandatory state testing will not meet the criteria for this standard measurement, precluding the student's placement in high achievement programs.

Date adopted: 4/25/05

BOE reviewed: 5/18/09

POLICY

Revised

FRANKLIN TOWNSHIP BOARD OF EDUCATION

File Code: 6147.1

EVALUATION OF INDIVIDUAL STUDENT PERFORMANCE

Grading

The chief school administrator, in consultation with the teaching staff, shall develop a marking system to be used uniformly in the same grade level.

The system should be clear, easily understood by parents/guardians and pupils, and able to be applied with consistency of interpretation. Evaluation and grading symbols shall be intended to appraise the pupil's progress toward established goals, and shall be a factor in promotion decisions.

The board of education encourages the certified staff, under the direction of the chief school administrator, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring pupil progress, including, but not limited to, written and oral teacher-made tests, performance observation, parent/guardian interviews, formal and informal evaluation techniques, use of cumulative pupil records, and medical examinations. Recognized standardized achievement tests may also be used in grades designated by the board.

The chief school administrator shall have the right to review disputed grades and to adjust them.

Testing

In addition to testing procedures established in policy 5120 Assessment of Individual Needs, the school district shall establish and maintain a general testing program to:

- A. Improve the instructional program to assist pupils in achieving the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards;
- B. Measure the needs and progress of individual pupils;
- C. Measure the achievement of grade levels;
- D. Allow comparison of district pupils with national or other norms;
- E. Aid in evaluation of programs.

The district testing program shall embody at least the tests required by state and federal law. The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district. *In the case of state required tests, the individual student results will be used as one of multiple measures employed by the District to identify Gifted and Talented students, and to determine placement in other high achievement programs. Students who do not participate in mandatory state testing will not meet the criteria for this standard measurement, precluding the student's*

placement in high achievement programs.

School personnel shall not use tests, procedures or other guidance and counseling materials that are differentiated or stereotyped on the basis of race, color, creed, religion, gender, gender identity or expression, affectional or sexual orientation, ancestry, national origin, nationality, disability, marital status, familial status, pregnancy, or social or economic status.

Any requests for surveys, pupil observations, or pupil questionnaires must be forwarded to the chief school administrator's office for approval before any survey or observation can be conducted. If the survey concerns any of the topics described in statute, the chief school administrator shall obtain written consent from parents/guardians of the students being surveyed at least two weeks prior to its administration.

Individual results of standardized tests, including intelligence tests, shall be made available to parents/guardians upon their request, but shall be considered confidential information to be available only to authorized persons. School and district test results shall be discussed in a public meeting.

Date adopted: 2/27/06
BOE reviewed: 5/18/09
Date revised: 12/15/14

POLICY

Revised

FRANKLIN TOWNSHIP BOARD OF EDUCATION

File Code: 6171.2

GIFTED AND TALENTED EDUCATION

The chief school administrator shall develop and the board shall approve criteria* for identifying all gifted and talented students in kindergarten through grade 8. Gifted and talented students shall be provided with appropriate instructional adaptations and services to encourage development of their special abilities in achieving the ~~Core Curriculum Content Standards~~ **New Jersey Student Learning Standards**. Programs shall provide educational challenges to students identified as gifted and talented and shall be reviewed annually.

Such programs shall be designed in terms of the individual learning styles of each student as well as the capacity of a gifted student to create concepts, respond to stimuli in a unique and creative manner, develop higher levels of thinking and influence the behavior of others.

"Gifted and talented students" shall mean those exceptionally able students who possess or demonstrate higher levels of ability in one or more content areas, when compared to their chronological peers in the local district and who require modifications of their educational program if they are to achieve in accordance with their capabilities.

Because early discovery of a gift or talent is important, it is essential that the identification of these students be carried on as a continuing process, since special abilities and skills appear at different times in the development of many children.

The chief school administrator shall coordinate development of appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environment. **The Board directs the chief school administrator to take into consideration the prekindergarten through grade 8. Gifted Programming Standards of the National Association for Gifted Children in developing school and district programs for gifted and talented students.**

He/she shall devise indicators of achievement to evaluate success of each program presented to the board for adoption.

The chief school administrator shall take the appropriate measures to ensure that minority and female students are not underrepresented in gifted and talented or accelerated/advanced courses.

* N.J.A.C. 6:8-3.1 states that,

5. District boards of education shall be responsible for identifying gifted and talented students and shall provide them with appropriate instructional adaptations and services.

i. District boards of education shall make provisions for an ongoing K-12 identification process for gifted and talented students that includes multiple measures.

In the case of state required tests, the individual student results will be used as one of multiple measures employed by the District to identify Gifted and Talented students, and to determine placement in other high achievement programs. Students who do not participate in mandatory state testing will not meet the criteria for this standard measurement, precluding the student's placement in high achievement programs.

Date adopted: 3/13/06

Date revised: 6/8/09

POLICY

Revised

FRANKLIN TOWNSHIP BOARD OF EDUCATION

File Code: 6300

EVALUATION OF THE INSTRUCTIONAL PROGRAM

The board directs the chief school administrator to develop and implement a systematic short-range and long-range plan for the continuing assessment of the progress of the educational program toward the goals established by the district. To this end, he/she shall recommend tests and methods indicated by his/her best professional judgment.

The board reserves the right to review each test and to approve those that serve a legitimate purpose without infringing upon the personal rights of the pupils or their parents/guardians. The results of any evaluation may be released by the chief school administrator using districtwide data. Parents/guardians may obtain an explanation of the results of their child's test from qualified school personnel.

The chief school administrator shall annually recommend improvements in the program and staff based upon the evaluation of the district's program. He/she will ensure that all required data is submitted to the Commissioner for inclusion in the school report card.

The board will cooperate with the Commissioner in the conduct of such state-wide assessment programs as are required by the State Board of Education and shall use the data gained thereby toward the improvement of the schools of this district.

In the case of state required tests, the individual student results will be used as one of multiple measures employed by the District to identify Gifted and Talented students, and to determine placement in other high achievement programs. Students who do not participate in mandatory state testing will not meet the criteria for this standard measurement, precluding the student's placement in high achievement programs.

Date adopted: 1/12/09