

EAST ORANGE SCHOOL DISTRICT
OFFICE OF THE SUPERINTENDENT
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September 15, 2015

Dear Parents,

The safety and security of our students and staff are a top priority in our school district. Recently, there have been several incidents where students have brought plastic BB guns or toy gun replicas to school to show other students. In one case, a student was injured when the BB gun discharged. These toy guns have reportedly been purchased here in our community or at other venues. The guns include removable clips that house plastic pellets, and may be mistaken for a "real" gun by staff, security guards, law enforcement, or other individuals. Possession of these items creates a danger to both the students and others.

The East Orange School District has a "Zero Tolerance Policy" regarding student possession of any gun, including replicas or toy guns on school property, school buses, or school sponsored events. Pursuant to the policy and state law, appropriate action, including confiscation of the item, suspension, removal from school for a year, or other action must be taken against any student found in possession of such items. Additionally on August 10th, the East Orange City Council passed Ordinance No. 41 banning the sale of realistic looking toy guns.

We request your assistance in helping keep our students and schools safe. Please talk with your children about the dangers of possessing BB guns and toy gun replicas, defined as weapons under district policy and state law, and the consequences of bringing these items to school. Also, please warn your children not to touch or pick up anything that looks like a gun. In the upcoming weeks, we will conduct prevention discussions in your children's classes. We encourage you to work collaboratively and cooperatively with the East Orange Board of Education, city officials, community leaders, law enforcement and other parents to help enforce Ordinance No. 41 and District's "Zero Tolerance Policy".

If you have questions, please feel free to contact me or your building principal.

Yours Truly,



Dr. Gloria Scott
Superintendent of Schools



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8467 WEAPONS

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

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

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

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

Any pupil who possesses, uses, or exchanges a weapon in violation of this policy shall be subject to stringent discipline, which may include expulsion. Any pupil or school employee who suspects or knows of the presence of a weapon in violation of this policy and fails to report the same shall be subject to discipline. Any person who possesses a weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.



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

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

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

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

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

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

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

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

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

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

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

18 U.S.C. 921

20 U.S.C 1415

Adopted: 12 January 2010



R 8467 WEAPONS

A. Definitions

"Weapon" includes:

1. Firearms, which include but are not limited to, any handgun, rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device, or instrument in the nature of a weapon from which may be fired or ejected any solid projectile ball, slug, pellet, missile, or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It also includes any firearm that is in the nature of an air gun, spring gun or pistol or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure a person. Firearms for the purposes of this regulation means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.
2. Components that can be readily assembled into a weapon.
3. Gravity knives, which means any knife that has a blade that is released from the handle or sheath thereof by the force of gravity or the application of centrifugal force.
4. Switchblade knives, which means any knife or similar device that has a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife.
5. Daggers, dirks, pen knives, box cutters, stilettos, and other dangerous knives.
6. Ballistic knives, which means any device capable of lethal use that can propel a knife blade.
7. Billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood.
8. Stun guns, which means any weapon or other device that emits an electrical charge or current intended to temporarily or permanently disable a person.



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9. Any device that projects, releases, or emits tear gas or any other substance intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.
10. Imitation firearms, which means an object or device reasonably capable of being mistaken for a firearm.

B. Confiscation

1. A school employee who confiscates any weapon shall immediately notify the school Principal.
2. The Principal shall immediately notify the Chief of Police of the East Orange Police Department by telephone that a weapon has been confiscated and shall request removal of the weapon by a police officer. The telephone call shall be confirmed in a written letter.
3. The Principal shall safeguard the weapon until a law enforcement officer takes custody of it.
 - a. The Principal shall place the weapon in a box or container.
 - b. The Principal shall record or cause to be recorded on the container or on a document attached to the container,
 - (1) A description of the weapon;
 - (2) The name and signature of the person who confiscated the weapon;
 - (3) The date, time, and place the weapon was confiscated;
 - (4) The circumstances under which the weapon was confiscated; and
 - (5) The name of the pupil or staff member believed to be in possession of the weapon when it was confiscated.
 - c. The container will be placed in a secure location under lock and key and under the Principal's direct control.



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- d. In the event any person other than the Principal is permitted access to the weapon prior to its retrieval by a law enforcement officer, that person shall enter his/her name and signature on the record along with the time and date of inspection and the reason for the access. Access to the weapon will be permitted only in the presence of the Principal.
 - e. The law enforcement officer who takes custody of the weapon shall be required to sign and date the record to indicate his/her receipt of the substance or item.
4. The Principal shall provide to the law enforcement officer who takes custody of the weapon:
- a. All information concerning the manner in which it was confiscated;
 - b. The identity of all persons who had custody of the weapon following its confiscation; and
 - c. The identity of any pupil or staff member believed to have been in possession of the weapon.
- C. Evacuation
1. The Principal shall, in accordance with Regulation No. 8420, direct the immediate evacuation of the school building or the appropriate portion thereof in the event that:
 - a. The presence of an incendiary device or explosive is known or is reasonably reliably suspected;
 - b. A person possessing a firearm or incendiary device or explosive refuses to surrender the weapon and the use of force necessary to confiscate the weapon would place another person at serious risk; or
 - c. The Principal in his/her judgment believes that the school community is at risk and the building should be evacuated.
 2. Regular evacuation routes may be modified as required to protect pupils and staff members from danger.



3. Law enforcement officers shall be summoned immediately to any school building evacuated under this regulation.

D. Removal of Pupils from Educational Program

1. A pupil convicted or found to be delinquent for possessing a firearm on any school property, on a school bus, or at a school-sponsored function or a pupil committing a crime with a firearm shall be immediately removed from the school's regular education program for a period of not less than one calendar year in accordance with Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act and Policy No. 5611.
2. A pupil who assaults a member of the school community with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program in accordance with Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act and Policy No. 5611.
3. Removal of a pupil for reasons enumerated in this Regulation shall be in accordance with Policy and Regulation No. 5611.
4. The Building Principal will immediately notify the pupil's parent(s) or legal guardian(s) if the pupil is found to be in possession of a firearm on school property or if a pupil commits an assault upon members of the school community with a weapon other than a firearm on school property.



5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

The Board of Education is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Education will implement policies and procedures regarding a student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5.

A student, other than a student with a disability, who commits an assault as defined above shall be immediately removed from the school's general education program for a period not exceeding one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9. A student with a disability who commits an assault as defined above shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Principal or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.6(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these offense(s), the student shall be immediately returned to the program for which he or she was removed.

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10.2, until placement is available.

The Superintendent shall make the final determination on whether the general education student removed, in accordance with the requirements of N.J.A.C. 6A:16-5.6 and this Policy, is prepared to return to the general education program or will remain in an alternative education program or receive home or other out-of-school instruction based on the criteria outlined in N.J.A.C. 6A:16-5.6(i).

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident and the circumstance surrounding the removal of students pursuant to N.J.A.C. 6A:16-5.6 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e)1.



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Removal of Students for Assaults with Weapons
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This Policy and Regulation 5613, implementing the requirements of N.J.A.C. 6A:16-5.6, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-1 et seq.

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.6; 6A:16-6.1 et seq.; 6A:16-7.1 et seq.;
6A:16-8.1 et seq.; 6A:16-9.1 et seq.; 6A:16-10.2

Adopted: 14 October 2014



R 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

A. Definitions

“Removal” means the exclusion of a student from the general education program in the school in which the student was assigned and assigning the student to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.

“Suspension” means a temporary exclusion from school, following due process procedures as outlined in State law and administrative code.

“Expulsion” means a permanent exclusion from school which denies a student the free, thorough, and efficient public education provided by the public school district in which the student resides, based on specific conditions and following required due process procedures as outlined in State law and administrative code, including a hearing conducted by the Board of Education.

“School grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. “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. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and 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.

B. Removal of Students for Assaults with Weapons Offenses

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.6, any student, other than a student with a disability, who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5 shall be immediately removed from the school’s general education program for a period not exceeding one calendar year.



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Removal of Students for Assaults with Weapons Offenses

2. The Superintendent may modify on a case-by-case basis the removal of a general education student.
 3. Nothing in N.J.A.C. 6A:16-5.6 shall be construed to prohibit the expulsion of a general education student.
 4. The Board shall immediately remove students with disabilities for assaults with weapons offenses in accordance with N.J.A.C. 6A:14 and applicable Federal regulations.
- C. Procedures – Removal of Students for Assaults with Weapons Offenses
1. The Principal or designee shall:
 - a. Remove a student as set forth in B. above;
 - b. Isolate the student and place him or her under the supervision of school staff until the student's parent or a law enforcement official takes custody of the student;
 - c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice; and
 - e. Notify the student's parent of the following information:
 - (1) The removal action;
 - (2) The law enforcement notification;
 - (3) The change of custody, if it occurs; and
 - (4) A general education student's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.5 or a student with a disability's due process rights, as set forth in N.J.A.C. 6A:14-2.7 and 2.8 and N.J.A.C. 6A:16-7.2 through 7.5.
 2. A student, other than a student with a disability, removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 shall be placed in an alternative education program, according to the requirements of N.J.A.C. 6A:16-9;



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- a. If placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10, until placement is available.
 3. A student with a disability removed pursuant to B. above shall receive a placement in accordance with N.J.A.C. 6A:14.
 4. A student, other than a student with a disability, removed pursuant to B. above shall be entitled to an informal hearing, pursuant to N.J.A.C. 6A:16-7.2 and 7.3, and a hearing before the Board of Education pursuant to N.J.A.C. 6A:16-7.3.
 5. If it is found that the removed student did not commit the offense(s), the student shall be immediately returned to the program from which he or she was removed.
- D. Return to General Education Program
 1. The Superintendent shall make the final determination on whether the general education student is prepared to return to the general education program or will remain in an alternative education program or receive home or other out-of-school instruction based on the following criteria:
 - a. The nature and severity of the offense;
 - b. The Board's removal decision;
 - c. The results of relevant testing, assessment, or evaluation of the student; and
 - d. The recommendation of the Principal or Director of the alternative education program or home or other out-of-school instruction program in which the student has been placed.
- E. Exception
 1. The provisions of N.J.A.C. 6A:16-5.6 shall not apply to a student who has obtained the Superintendent's written authorization to lawfully possess a firearm or other weapon while participating in a school-sponsored function.



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Removal of Students for Assaults with Weapons
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- a. The Superintendent shall not provide authorization to a student who has been convicted or adjudicated delinquent for possession of a firearm or weapon or for a crime involving the use of a firearm.

Adopted: 14 October 2014

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EO ban on realistic-looking toy guns now in effect

By: Chris Sykes - Staff Writer

EAST ORANGE, NJ — The first day of classes for East Orange public schools began Tuesday, Sept. 8, with a guns, courtesy of 3rd Ward Councilman and City Council Vice President Ted Green, Mayor Lester Taylor, B and police Chief William Robinson.

Leneus said Ordinance No. 41, dealing with the sale of realistic looking toy guns, was the result of a collabor government and the community, saying “myself, the board, the district — we’ve been in nonstop meetings.”

“Last year, we had a rash of incidents of suspensions, due to toy guns being brought into the schools, and pa weapon or perceived weapon brought into schools can cause suspensions,” Leneus said Tuesday, Sept. 8, as Hughes Elementary School to welcome parents and children back for the start of a new school year.

“Once the police officers mentioned it, Ted Green took that and created the ordinance and really pushed it a whole group together — superintendent, council people and activists — and, together, we just brainstormed and he took it and has championed the effort and now I’m glad to see that it got pushed through, the first pl

“We talk on a weekly basis because, at the end of the day, the mayor talks about making East Orange a desti performing subpar,” Leneus said. “So we are, as a district, pushing our administrators and they’re accepting for the past few years, but I know that they’re going to exceed even further.”

Green said he is looking forward to the 2015-2016 school year, and that so many in East Orange are doing tl ordinance in place doesn’t mean that job is finished.

“It’s a new law, but I have to thank our mayor for having input in it; the Board of Education; our police Chie ordinance and gave the OK to it,” Green said on Tuesday, Sept. 8. “Now we do have something in place wher “We’re not just going to put the legislation out there and there’s no monitoring. So we want to go down to th those types of toy guns, so we won’t have those types of incidents in East Orange.”

Green sponsored Ordinance No. 41, which passed on second reading Monday, Aug. 10, at the City Council’s Ward Councilwoman Andrea McPhatter abstaining and 4th Ward Councilwoman Sharon Fields absent.

Green said the next step is to take the battle against realistic toy guns into the streets and stores, where they public safety problems.

“We can’t control it all over and outside, but we did send correspondence to Mayor Ras Baraka, Mayor Tony Green said. “We also sent letters to all the legislators — Sheila Oliver, Nia Gill, Tom Giblin and Sen. Ron Ric out, in terms of how we can monitor stores selling those types of look-alike guns, so that way we can at least communities and outside the community, to help prevent an accident.”

Posted by [Chris Sykes](#) on September 13, 2015. Filed under [EAST ORANGE](#). You can follow any responses to this entry through the [RSS](#)

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