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5111	Eligibility of Resident/Nonresident Students	10-May-16
5111R	Eligibility of Resident/Nonresident Students	10-May-16
5112	Entrance Age	11 Aug. 2016
5114	Children Displaced by Domestic Violence	11 Oct. 2016
5116	Education of Homeless Children	11 Oct. 2016
5116R	Education of Homeless Children	11 Oct. 2016
5117	Inter-District Public School Choice	10-Sep-13
5117R	Inter-District Public School Choice	10-Sep-13
5120	Assignment of Students and Grade Placement	26-Jun-14
5120R	Assignment of Students and Grade Placement	26-Jun-14
5130	Withdrawal From School	11 Oct. 2016
5130R	Withdrawal From School	11 Oct. 2016
5200	Attendance	12-May-15
5200R	Attendance	12-May-15
5230	Late Arrival and Early Dismissal	11 Oct. 2016
5230R	Late Arrival and Early Dismissal	11 Oct. 2016
5240	Tardiness	11 Oct. 2016
5240R	Tardiness	11 Oct. 2016
5250	Excusal from Class or Program	11 Oct. 2016
5300	Automated External Defibrillators (AEDs)	26-Jun-14
5300R	Automated External Defibrillators (AEDs)	26-Jun-14



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5305	Health Services Personnel	20 Sept. 2016
5306	Health Services To Nonpublic Schools	11-Nov-14
5306R	Health Services To Nonpublic Schools	11-Nov-14
5307	Nursing Services Plan	11 Oct. 2016
5308	Student Health Records	11-Nov-14
5308R	Student Health Records	11-Nov-14
5310	Health Services	10-May-16
5310R	Health Services	13-Oct-15
5320	Immunization	11 Oct. 2016
5320R	Immunization	11 Oct. 2016
5330	Administration of Medication	10 Oct. 2015
5330R	Administration of Medication	20 Sept. 2016
5330.01	Administration of Medical Marijuana	10 May 2016
5330.01R	Administration of Medical Marijuana	10 May 2016
5331	Management of Life-Threatening Allergies in Schools	12-Jan-10
5331R	Management of Life-Threatening Allergies in Schools	12-Jan-10
5335	Treatment of Asthma	12-Jan-10
5337	Service Animals	12-Jan-16
5338	Diabetes Management	14-Sep-10
5338R	Diabetes Management	14-Sep-10
5339	Screening for Dyslexia	20 Sept. 2016
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5350R	Student Suicide Prevention	20 Sept. 2016
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5420	Reporting Student Progress	12-Jan-10
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5440	Honoring Student Achievement	12-Jan-10
5440R	Honoring Student Achievement	12-Jan-10
5460	High School Graduation	20 Sept. 2016
5460.1R	High School Transcripts	12-Jan-16
5464	High School Service Requirements	11 Oct. 2016
5465	Early Graduation	12-May-15
5466	Graduation and Year Book Fees	12-Jan-10
5500	Expectations for Student Conduct	12-Jan-10
5500R	Expectations for Student Conduct	12-Jan-10
5511	Dress and Grooming	12-Jan-10
5512	Harassment, Intimidation, and Bullying	12-Nov-13
5512R	Harassment, Intimidation, or Bullying Investigation Procedure	12-Nov-13
5512.1	Hazing	9-Dec-14
5513	Care of School Property	12-Jan-10
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5514	Students Use of Vehicles on School Grounds	20 Sept. 2016



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5516	Use of Electronic Communication and Recording Devices	12-Jan-16
5517	Student Identification Cards	12-Jan-10
5519	Dating Violence at School	24-Jan-12
5519R	Dating Violence at School	24-Jan-12
5520	Disorder and Demonstration	12-Jan-10
5530	Substance Abuse	11-Nov-14
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5533	Smoking	10-Sep-13
5533R	Smoking	14-Sep-14
5550	Disaffected Students	12-Jan-10
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5560	Disruptive Students	12-Jan-10
5560R	Disruptive Students	12-Jan-10
5561	Use of Physical Restraint	10-Sep-13
5561R	Use of Physical Restraint	10-Sep-13
5570	Sportsmanship	12-Jan-10
5570R	Sportsmanship	12-Jan-10
5600	Student Discipline/Code of Conduct	13-Oct-15
5600R	Student Discipline/Code of Conduct	13-Oct-15
5610	Suspension	14-Oct-14
5610R	Suspension Procedures	14-Oct-14
5611	Removal of Students For Firearms Offenses	14-Oct-14



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5611R	Removal of Students for Firearms Offenses	14-Oct-14
5612	Assaults on District Board of Education Members or Employees	14-Oct-14
5612R	Assaults on District Board of Education Members or Employees	14-Oct-14
5613	Removal of Students for Assaults with Weapons Offenses	14-Oct-14
5613R	Removal of Students for Assaults with Weapons Offenses	14-Oct-14
5615	Suspected Gang Activity	13-Oct-15
5620	Expulsion	14-Oct-14
5700	Student Rights	12-Jan-10
5701	Plagiarism	12-Jan-10
5710	Student Grievance	12-Jan-10
5710R	Student Grievance Procedures	12-Jan-10
5721	Independent Publications	12-Jan-10
5721R	Independent Publications	12-Jan-10
5750	Equal Educational Opportunity	9-Aug-16
5750R	Equal Educational Opportunity	9-Aug-16
5751	Sexual Harassment	10-Sep-13
5751R	Sexual Harassment of Students	10-Sep-13
5752	Marital Status and Pregnancy	12-Jan-10
5755	Equity in Educational Programs and Services	9-Aug-16
5756	Transgender Students	13-Oct-15
5770	Student Right of Privacy	12-Jan-10
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5820	Student Government	12-Jan-10
5830	Student Fund Raising	12-Jan-10
5830R	Student Fund Raising	12-Jan-10
5841	Secret Societies	12-Jan-10
5842	Equal Access of Student Organizations	12-Jan-10
5850	Social Events and Class Trips	12-Jan-10
5850R	Social Events and Class Trips	12-Jan-10
5880	Public Performances by Students	12-Jan-10



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Eligibility of Resident/Nonresident Students

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5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The East Orange Board of Education shall admit to its schools, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education.

Eligibility to Attend School

The Board shall admit students eligible to attend school free of charge that is domiciled within the district as defined in N.J.A.C. 6A:22-3.1

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board shall also admit any student that is kept in the home of a person other than the student's parent(s) or legal guardian(s), where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22 - 3.2 if the student's parent(s) files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, if so required by the Board of Education, a sworn statement that he or she: is domiciled within the district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the student relative to school requirements; and a copy of his or her lease if a tenant, or a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1(c), any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child; and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.



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Eligibility of Resident/Nonresident Students

A student is eligible to attend in this school district free of charge pursuant to N.J.S.A. 18A:38:1(b) if the student is kept in the home of a person domiciled in the school district, who is the parent or guardian, and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or legal guardian returns from active military duty.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38:1(b) if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of a student attending the school district of temporary residence. When one of a student's parents temporarily resides in the district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance, with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A student is eligible to attend this school district free of charge:

1. If the student's parent or legal guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;
3. If the student previously resided in the school district and if the parent or legal guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district, pursuant to N.J.S.A. 18A:38-3(b). The school district shall not be obligated for transportation costs; and
4. If the student resides on federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the



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Eligibility of Resident/Nonresident Students

student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

Proof of Eligibility

The Board of Education shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with N.J.A.C. 6A:22-3.4. The Board of Education district shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.

The Board of Education shall not condition enrollment on the receipt of information or document protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment. However, in the case of a dispute between the school district and the parent or guardian of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district.



Registration Forms and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The Board of Education shall use Commission-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district level administrator designated by the Superintendent shall clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or a nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student's name, the name(s) of the parent/guardian/resident, and the student's address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.



Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student's birth certificate or other proof of a student's identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.1.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student's prior educational record. However, the applicant shall be advised the student's initial educational placement may be subject to revision upon the school district's receipt of records or further assessment of the student.

Notice of Ineligibility

When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22- or the student's initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4 et seq. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.

Removal of Currently Enrolled Students

Nothing in N.J.A.C. 6A:22-4 and this Policy shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal in accordance with the provisions of N.J.A.C. 6A:22-4.3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an "affidavit student"



(as defined in N.J.A.C. 6A:22-1.2) has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult student or resident keeping an "affidavit student", does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the student's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2 Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No student may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

Appeal to the Commissioner

An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1(1), appeals of "affidavit student" eligibility determinations shall be filed by the resident keeping the student.

Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education may assess tuition, for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

If an appeal to the Commissioner is filed and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a). Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2.



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Eligibility of Resident/Nonresident **Students**

Nonresident Students

The admission of a nonresident student to school free of charge must be approved by the Board. No student otherwise eligible shall be denied admission on the basis of the student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship and discipline.

Children Who Anticipate Moving from the District

Students whose parent(s) or legal guardian(s) have moved away from the school district on or after March 1 and twelfth grade students whose parents or guardian have moved away from the school district on or after March 1 may be permitted to finish the school year in this district without payment of tuition. This consideration will only be given to students who have maintained good academic and discipline standards.

A nonresident student otherwise eligible for attendance whose parent or guardian anticipates school district residency and has entered a contract to buy, build, or rent a residence in this school district may be enrolled without payment of tuition for a period of time not greater than 4 weeks prior to the anticipated date of residency. If any such student does not become a resident of the school district within 4 weeks after admission to school, tuition will be charged for attendance commencing the beginning of the 5th week and until such time as the student becomes a resident or withdraws from school.

Children of District Employees

Children of Board of Education employees who do not reside in this school district may be admitted to school in this district with payment of tuition, provided that the educational program of such children can be provided within school district facilities.

Eligibility of Resident/Nonresident Students

Other Nonresident Children

Other nonresident students, otherwise eligible for attendance, may be admitted to this district with payment of tuition and Board approval.

N.J.S.A. 18A:38-1 et seq.; 18A:38-3; 18A:38-3.1

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-2.1 et seq.

Adopted: 12 January 2010

Adopted: 14 September 2010

Adopted: 10 May 2016



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Eligibility of Resident/Nonresident Students

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R 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

A. Definitions

1. "Affidavit student" means a student attending, or seeking to attend, school in a district pursuant to N.J.S.A. 18A:38-1 and N.J.A.C 6A:22-3.2(a).
2. Appeal means contested case proceedings before the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. "Applicant" means a parent, guardian, or a resident supporting an affidavit student who seeks to enroll a student in a school district; or an unaccompanied homeless youth or adult student who seeks to enroll in a school district.
4. "Commissioner" means the Commissioner of Education or his/her designee.
5. "Guardian" means a person to whom a court of competent jurisdiction has awarded guardianship or custody of a child, provided that a residential custody order shall entitle a child to attend school in the residential custodian's school district unless it can be proven that the child does not actually live with the custodian. "Guardian" also means the Department of Children and Families for purposes of N.J.S.A. 18A:38-1(e).

B. Eligibility to Attend School – Students Domiciled in the District

1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district if the student is domiciled within the district:
 - a. A student is domiciled in the school district when he or she is living with a parent or guardian whose domicile is located within the school district.
 - (1) When a student's parent(s) or legal guardian(s) are domiciled within different school districts and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the school district of the parent with whom the student lives for the majority of the school year. This provision shall apply regardless of which parent has legal custody.



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Eligibility of Resident/Nonresident Students

- (2) When a student's physical custody is shared on an equal-time, alternating week/month or other similar basis so the student is not living with one parent or guardian for a majority of the school year, and where there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the present domicile of the parent or guardian with whom the student resided on the last school day prior to October 16 preceding the application date.
 - (a) When a student resided with both parents or guardians, or with neither parent or guardian, on the last school day prior to the preceding October 16, the student's domicile is the domicile of the parent or guardian with whom the parents or guardians indicate the student will be residing on the last school day prior to the ensuing October 16. When the parents or guardians do not designate, or cannot agree upon, the student's likely residence as of that date, or if on that date the student is not residing with the parent or guardian previously indicated, the student shall attend school in the school district of domicile of the parent or guardian with whom the student actually lives as of the last school day prior to October 16.
 - (b) When the domicile of the student with disabilities as defined in N.J.A.C. 6A:14 cannot be determined pursuant to N.J.A.C. 6A:22-3.1, nothing shall preclude an equitable determination of shared responsibility determination of shared responsibility for the cost of such student's out-of-district placement.
- (3) When a student is living with a person other than a parent or guardian, nothing in N.J.A.C. 6A:22-3.1 is intended to limit the student's right to attend school in the parent or guardian's school district of domicile pursuant to the provisions of N.J.A.C. 6A:22.



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Eligibility of Resident/Nonresident Students

- a. A student is not eligible to attend this school district pursuant to this provision unless:
 - (1) The student's parent or legal guardian has filed, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and that the student is not residing with the other person solely for the purpose of receiving a free public education; and
 - (2) The person keeping the student has filed, if so required by the Board of Education:
 - (a) A sworn statement that he or she is domiciled within the school district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the student pertaining to school requirements; and
 - (b) A copy of his or her lease if a tenant, or a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner.
- b. A student shall not be deemed ineligible under this provision because required sworn statements(s) cannot be obtained, when evidence is presented that the underlying requirements of the law are being met notwithstanding the inability of the resident or student to obtain the sworn statement(s).
- c. A student shall not be deemed ineligible under this provision when evidence is presented that the student has no home or possibility of school attendance other than with a school district resident who is not the student's parent or guardian but is acting as the sole caretaker and supporter of the student.
- d. A student shall not be deemed ineligible under this provision solely because a parent or guardian gives occasional gifts or makes limited contributions, financial or otherwise, toward the student's welfare, provided the resident keeping the student receives from the parent or guardian no payment or other remuneration for regular maintenance of the student.



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Eligibility of Resident/Nonresident Students

- e. Pursuant to N.J.S.A. 18A:38-1(c), any person who fraudulently allows a child of another person to use his or her residence, and is not the primarily financial supporter of that child and any person who fraudulently claims to have given up custody of his or child to a person in another school district commits a disorderly persons offense.
2. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or legal guardian, is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency.
 - a. Eligibility under this provision shall cease at the end of the current school year upon the parent or legal guardian return from active military duty.
3. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1(d) if the student's parent or legal guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere:
 - a. When required by the Board of Education, the parent or guardian, shall demonstrate the temporary residence is not solely for purposes of the student's attending the school district of temporary residence;
 - b. When one of a student's parents or guardians temporarily resides in a school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with N.J.A.C. 6A:22-3.1(a)1i. However, no student shall be eligible to attend school based upon a parent or guardian's temporary residence in a school district unless the parent or guardian demonstrates, if required by the Board of Education, the temporary residence is not solely for purposes of a student's attending the school district.



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Eligibility of Resident/Nonresident Students

4. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1 if the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2, Education of Homeless Children.
5. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-2 if the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2. As used in this section, "court order" shall not encompass orders of residential custody, under which claims of entitlement to attend a school district are governed by provisions of N.J.S.A. 18A:38-1 and the applicable standards set forth in N.J.A.C. 6A:22.
6. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-3.b if the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district. A school district admitting a student pursuant to N.J.S.A. 18A:38-3.b shall not be obligated for transportation costs.
7. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend the school district pursuant to N.J.S.A. 18A:38-7.7 et seq. if the student resides on Federal property within the State.
8. In accordance with N.J.S.A. 18A:38-1.1, a student who is not considered homeless under N.J.S.A. 18A:7B-12 and who moves to a new school district during the academic year as a result of a family crisis shall be permitted to remain enrolled in the original school district of residence for the remainder of the school year without the payment of tuition. A student attending an academic program during the summer, who is otherwise eligible except for the timing of the move, shall be permitted to remain in the school district for the remainder of the summer program if it is considered an extension of the preceding academic year.



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Eligibility of Resident/Nonresident Students

- a. For purposes of N.J.A.C. 6A:22-3.2(h) and Policy and Regulation 5111, "family crisis" shall include, but not be limited to:
 - (1) An instance of abuse such as domestic violence or sexual abuse;
 - (2) A disruption to the family unit caused by death of a parent or guardian; or
 - (3) An unplanned displacement from the original residence such as fire, flood, hurricane, or other circumstances that render the residence uninhabitable.
- b. Upon notification of the move by the parent or guardian, the original school district of residence shall allow the student to continue attendance and shall provide transportation services to and from the student's new domicile in accordance with N.J.S.A. 18A:39-1. The original school district of residence may request from the parent or guardian and may review supporting documentation about the reason(s) for the move; however, any such review shall not interrupt the student's continued enrollment in the school district and in the current school of attendance with the provision of transportation.
 - (1) Examples of documentation include, but are not limited to, newspaper articles, insurance claims, police or fire reports, notes from health professionals, custody agreements, or any other legal document.
- c. If the parent or guardian or the relevant documentation indicates the child is homeless pursuant to N.J.S.A. 18A:7B-12, the school district liaison shall assume the coordination of enrollment procedures pursuant to N.J.A.C. 6A:17-2.5 and the student shall not be eligible for enrollment under N.J.S.A. 18A:38-1.1.
- d. If the original school district of residence determines the situation does not meet the family crisis criteria outlined in 8.a. above, the Superintendent or designee shall notify the parent or guardian in writing. The notification shall inform the parent or guardian of his or her right to appeal the decision within twenty-one calendar days of his or her receipt of the notification, and shall state that if such appeal is denied, he or she may be assessed the costs for transportation provided to the new residence during the period of ineligible attendance. It shall also state whether the parent or guardian is required to withdraw the student by the end of the twenty-one day appeal period in the absence of an appeal.



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Eligibility of Resident/Nonresident Students

- (1) The parent or guardian may appeal by submitting the request in writing with supporting documentation to the Executive County Superintendent of the county in which the original school district of residence is situated.
 - (2) Within thirty calendar days of receiving the request and documentation, the Executive County Superintendent shall issue a determination whether the situation meets the family crisis criteria set forth at 8.a. above. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued.
 - (3) If the Executive County Superintendent determines the situation does not constitute a family crisis, the school district may submit to the Executive County Superintendent for approval the cost of transportation to the ineligible student's new domicile. The Executive County Superintendent shall certify the transportation costs to be assessed to the parent or guardian for the period of ineligible attendance.
- e. When the original school district of residence determines the situation constitutes a family crisis pursuant to N.J.S.A. 18A:38-1.1, the Superintendent or designee shall immediately notify the parent or guardian in writing.
- (1) When the original school district of residence anticipates the need to apply for reimbursement of transportation costs, it shall send to the Executive County Superintendent a request and documentation of the family crisis for confirmation the situation meets the criteria set forth at 8.a. above.
 - (2) Within thirty days of receiving the school district's request and documentation, the Executive County Superintendent shall issue a determination of whether the situation meets the criteria for a family crisis. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued, and shall not be reimbursed for additional transportation costs unless the Executive County Superintendent determines the situation is a family crisis or as directed by the Commissioner upon appeal.



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- f. In providing transportation to students under N.J.S.A. 18A:38-1.1, the Board shall use the most efficient and cost-effective means available and in conformance with all laws governing student transportation.
 - g. At the conclusion of the fiscal year in which the Executive County Superintendent has determined the situation constitutes a family crisis, the original school district of residence may apply to the Executive County Superintendent for a reimbursement of eligible costs for transportation services.
 - (1) Eligible costs shall include transportation for students who are required to be transported pursuant to N.J.S.A. 18A:39-1.
 - (2) The school district shall provide documentation of the transportation costs for the eligible student(s) to the Executive County Superintendent who shall review and forward the information to the Department's Office of School Facilities and Finance for reimbursement payment(s) to the school district.
 - (3) Payment to the school district shall be made in the subsequent fiscal year and shall equal the approved cost less the amount of transportation aid received for the student(s).
 - h. Nothing in N.J.A.C. 6A:22-3.2 shall prevent the Board of Education from allowing a student to enroll without the payment of tuition pursuant to N.J.S.A. 18A:38-3.a.
 - i. Nothing in N.J.A.C. 6A:22-3.2 shall prevent a parent or school district from appealing the Executive County Superintendent's decision(s) to the Commissioner in accordance with N.J.A.C. 6A:3-1.3. If the Commissioner of Education determines the situation is not a family crisis, his or her decision shall state which of the following shall pay the transportation costs incurred during the appeal process: the State, school district, or parent.
- D. Housing and Immigration Status
- 1. A student's eligibility to attend school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.



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2. Except as set forth in a. below, immigration/visa status shall not affect eligibility to attend school. Any student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, who is domiciled in the school district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, immigration status.
 - a. However, the provisions of N.J.S.A. 18A:38-1 and N.J.A.C. 6A:22 shall not apply to students who have obtained, or are seeking to obtain, a Certificate of Eligibility for Nonimmigrant Student Status (INS Form I-20) from the school district in order to apply to the INS for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1" Visa).
3. F-1 Visa Students

The school district will permit the attendance of F-1 Visa students into the school district without the payment of tuition.
- E. Nothing in Policy and Regulation 5111 or N.J.A.C. 6A:22 shall be construed to limit the discretion of the Board to admit nonresident students, or the ability of a nonresident student to attend school with or without payment of tuition, with the consent of the district Board pursuant to N.J.S.A. 18A:38-3.
- F. Proof of Eligibility
 1. The Board of Education shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district:
 - a. Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
 - b. Voter registrations; licenses; permits; financial account information; utility bills; delivery receipts; and other evidence of personal attachment to a particular location;
 - c. Court orders; State agency agreements; and other evidence of court or agency placements or directives;
 - d. Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location, or to support the student;



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- e. Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating, family or economic hardship, or temporary residency;
 - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
 - g. Documents pertaining to military status and assignment; and
 - h. Any other business record or document issued by a governmental entity.
2. The Board of Education may accept forms of documentation not listed above, and shall not exclude from consideration any documentation or information presented by an applicant.
 3. The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents, without regard to other evidence presented.
 4. The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school. They include, but are not limited to:
 - a. Income tax returns;
 - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b);
 - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
 - d. Social security numbers.
 5. The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in 4. above, or pertinent parts thereof if voluntarily disclosed by the applicant. However, the Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.



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6. In the case of a dispute between the school district and the parents or guardians of a student in regard to a student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district.
- G. Registration Forms and Procedures for Initial Assessment
1. The Board of Education shall use Commissioner-provided registration forms, or locally developed forms that:
 - a. Are consistent with the forms provided by the Commissioner;
 - b. Do not seek information prohibited by N.J.A.C. 6A:22 or any other provision of statute or rule;
 - c. Summarize, for the applicant's reference, the criteria for attendance set forth in N.J.S.A. 18A:38-1, and specify the nature and form of any sworn statement(s) to be filed;
 - d. Clearly state the purpose for which the requested information is being sought in relation to the criteria; and
 - e. Notify applicants that an initial eligibility determination is subject to a more thorough review and evaluation, and that an assessment of tuition is possible if an initially admitted applicant is later found ineligible.
 2. The Board of Education shall make available sufficient numbers of registration forms, and trained registration staff to ensure prompt eligibility determinations and enrollment. Enrollment applications may be taken by appointment, but appointments shall be promptly scheduled and shall not unduly defer a student's attendance at school.
 - a. If the school district uses separate forms for affidavit student-applications rather than a single form for all types of enrollment, affidavit student forms shall comply in all respects with the provisions of G.1. above. When affidavit student forms are used, the school district shall provide them to any person attempting to register a student of whom he or she is not the parent or guardian, even if not specifically requested.



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- (1) The Board of Education or its agents shall not demand or suggest that guardianship or custody must be obtained before enrollment will be considered for a student living with a person other than the parent or guardian; since such student may qualify as an affidavit student.
 - (2) The Board of Education or its agents shall not demand or suggest that an applicant seeking to enroll a student of whom the applicant has guardianship or custody produce affidavit student proofs.
- b. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.
3. Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.
 - a. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.
 - b. When a student appears ineligible based on information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and intent to appeal to the Commissioner.
 - (1) An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board; if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.



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4. When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement that the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for purposes of ensuring compliance with compulsory education laws, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student's name, the name(s) of the parent/guardian/resident, and the student's address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.
5. Enrollment or attendance in the school district shall not be conditioned on advance payment of tuition in whole or part when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information.
6. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2 - Education of Homeless Children.
7. Enrollment or attendance in the school district shall not be denied based upon absence of a certified copy of the student's birth certificate or other proof of his or her identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.
8. Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.
9. When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student's prior educational record. However, the applicant shall be advised the student's initial educational placement may be subject to revision upon the school district's receipt of records or further assessment of the student.



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H. Notice of Ineligibility

1. When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district shall immediately provide notice to the applicant that is consistent with Commissioner-provided sample form(s) and meets the requirements of N.J.A.C. 6A:22-4 et seq.
 - a. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside.
2. Notices of ineligibility shall include:
 - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made;
 - (1) The description shall be sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal; and
 - (2) The description shall identify the specific subsection of N.J.S.A. 18A:38-1 under which the application was decided.
 - b. In cases of provisional eligibility, a clear description of the missing documents or information that still must be provided before a final eligibility status can be attained under the applicable provision of N.J.S.A. 18A:38-1;
 - c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the notice date, along with an informational document provided by the Commissioner describing how to file an appeal;
 - d. A clear statement of the student's right to attend school for the twenty-one day period during which an appeal can be made to the Commissioner. It also shall state the student will not be permitted to attend school beyond the twenty-first day following the notice date if missing information is not provided or an appeal is not filed;
 - e. A clear statement of the student's right to continue attending school while an appeal to the Commissioner is pending;



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- f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating the student's right to attend the school district, or the applicant withdraws the appeal, fails to prosecute or abandons the appeal by any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;
 - g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3 that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal:
 - (1) If removal is based on the student's move from the school district, the notice of ineligibility shall also provide information as to whether district Policy permits continued attendance, with or without tuition, for students who move from the school district during the school year.
 - h. The name of a contact person in the school district who can assist in explaining the notice's contents; and
 - i. When no appeal is filed, notice that the parent or guardian shall still comply with compulsory education laws. In the absence of a written statement from the parent or guardian that the student will be attending school in another school district or non-public school, or receiving instruction elsewhere than at a school, school district staff shall notify the school district of actual domicile/residence, or the Department of Children and Families, of a potential instance of "neglect" pursuant to N.J.S.A. 9:6-1. For purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25), staff shall provide the student's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere.
- I. Removal of Currently Enrolled Students
- 1. Nothing in N.J.A.C. 6A:22 and this Regulation shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.



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2. When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal.
 - a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2. However, the notice shall also provide for a hearing before the Board of Education prior to a final decision on removal.
 3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an "affidavit student," has been informed of his or her entitlement to a hearing before the Board of Education.
 4. Once the hearing is held, or if the parent, guardian, adult student, or resident keeping an "affidavit student," does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the student's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2.
 5. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board of Education or a Board committee, at the discretion of the full Board. If the hearing is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. However, no student shall be removed except by vote of the Board of Education taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.
- J. Appeal to the Commissioner
1. An applicant may appeal to the Commissioner of Education a school district determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition, which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3.
 - a. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of "affidavit student" ineligibility determinations shall be filed by the resident keeping the student.
- K. Assessment and Calculation of Tuition



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1. If no appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an "affidavit" student following notice of an ineligibility determination, the Board of Education may assess tuition for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner.
 - a. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.
2. If an appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an "affidavit" student and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition for the period during which the hearing and decision on appeal were pending, and for up to one year of a student's ineligible attendance in a school district prior to the appeal's filing and including the twenty-one day period to file an appeal.
 - a. Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition for up to one year of ineligible attendance pursuant to N.J.A.C. 6A:22-6.1(a) plus the period of ineligible attendance after the appeal was filed. If the record of the appeal includes a calculation reflecting the tuition rate(s) for the year(s) at issue, the per diem tuition rate for the current year, and the date on which the student's ineligible attendance began, the Commissioner may order payment of tuition as part of his or her decision. In doing so, the Commissioner shall consider whether the ineligible attendance was due to the school district's error. If the record does not include such a calculation and the Board of Education has filed a counterclaim for tuition, the counterclaim shall proceed to a hearing notwithstanding that the petition has been abandoned.
 - b. An order of the Commissioner assessing tuition is enforceable through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division, in accordance with N.J.S.A. 2A:58-10.



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3. Tuition assessed pursuant to the provisions of N.J.A.C. 6A:22-6 shall be calculated on a per-student basis for the period of a student's ineligible enrollment, up to one year, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23A-17.1. The individual student's record of daily attendance shall not affect the calculation.
4. Nothing in N.J.A.C. 6A:22 shall precludes an equitable determination, by the Board of Education or the Commissioner that tuition shall not be assessed for all or part of any period of a student's ineligible attendance in the school district when the particular circumstances of a matter so warrant. In making the determination, the Board of Education or Commissioner shall consider whether the ineligible attendance was due to the school district's error.

Issued: 12 January 2010
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Adopted: 10 May 2016



5112 ENTRANCE AGE

The Board of Education will admit to this district children otherwise eligible by law or Board policy who have attained the age requirements set by law and this Board of Education. The Board requires documentary verification of the age and birth date of any child for whom admission to this district is sought.

Prekindergarten (3)

1. Any child residing in the district shall be 3 years old by October 1 of that school year is eligible for the 3 year old preschool program;
2. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within thirty days from date of entry into the school; and
3. The child shall have been examined by a private physician, and the results shall be furnished to the school.

PreKindergarten (4)

1. Any child residing in the district shall be 4 years old by October 1 of that school year is eligible for the 4 year old prekindergarten program;
2. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within thirty days from date of entry into the school; and
3. The child shall have been examined by a private physician, and the results shall be furnished to the school.

Kindergarten

Any child residing in the district shall be admitted to the Kindergarten provided:

1. The child will have attained the age of five years on or before October 1 of that school year;
2. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within thirty days from date of entry into the school; and



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Entrance Age

3. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

Grade One

Any child residing in the district shall be admitted to grade one provided:

1. The child will have attained the age of six years on or before October 1 of that school year;
2. He/she has been in the first grade in another public school;
3. He/she has completed Kindergarten in a public school and been recommended for placement in first grade; and
4. Proof has been furnished of immunization against communicable diseases.

N.J.S.A. 18A:36-19; 18A:38-5; 18A:38-6; 18A:44-1;
18A:44-2; 18A:46-6; 18A:46-6.1

N.J.A.C. 6A:14-3.3

Adopted: 12 January 2010

Adopted: 11 August 2015



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Children Displaced by Domestic Violence

5114 **CHILDREN DISPLACED BY DOMESTIC VIOLENCE**

The Board of Education will cooperate with the County Office of Education, as appropriate and feasible, in the education of children temporarily displaced by domestic violence. Any student attending the schools of this district, whether regularly enrolled in this or another district, who has been admitted to a shelter for victims of domestic violence will be permitted and encouraged to continue an appropriate educational program with minimal disruption.

The Board will cooperate with other educational institutions in the sharing of pertinent student records and in the establishment of sending-receiving relationships on behalf of displaced children. The confidentiality of all matters concerning displaced children will be strictly observed, and no information regarding the present residence of the child will be released.

N.J.S.A. 18A:38-1 et seq.

Adopted: 12 January 2010

Adopted: 11 October 2016



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Education of Homeless Children

5116 EDUCATION OF HOMELESS CHILDREN

The Board of Education will admit and enroll homeless children in accordance with State laws and New Jersey Administrative Code. The Board of Education adopts this policy to be in compliance with law and Code to ensure the enrollment of homeless children in school and to respond to appeals made by parent(s) or legal guardian(s) or other parties related to their enrollment.

The district will determine a child is homeless when he or she resides in a publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers. A child is also determined homeless when he or she resides in a public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles excluding mobile homes; tents or other temporary shelters; temporary shelters provided to migrant workers and their children on farm sites; and the residence of relatives or friends with whom the homeless child is temporarily residing out of necessity because the family lacks a regular or permanent residence of its own.

The district of residence for a homeless child is responsible for the education of the child and will assume all responsibilities as required in N.J.A.C. 6A:17-2.4 et seq. The district of residence is the district in which the parent(s) or legal guardian(s) last resided prior to becoming homeless. The district liaison for the education of homeless children is the Director of Student Services **or his/her designee**. The liaison will facilitate communication and cooperation between the district of residence and the district where the homeless child is temporarily residing and will develop procedures to ensure that a homeless child temporarily residing in the district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.6.

When a homeless child is living temporarily in the school district, the district liaison, upon receiving notification from the parent(s) or legal guardian(s), the Department of Human Services, a shelter director, an involved agency, or a case manager, will notify the liaison of the district of residence within twenty-four hours of the notification. Upon notification of the need for enrollment of a homeless child, the liaison in the district of residence will coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.6(b).

The Superintendent or designee of the district of residence shall decide the district of enrollment of the homeless child in accordance with N.J.A.C. 17-2.6 et seq.

Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 et seq.



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If a dispute occurs regarding the determination of homelessness, the Superintendent of the involved district(s) or the parent of the child must immediately notify the County Superintendent of Schools, who will decide the status of the child within two working days. If a dispute remains between the parent and/or the districts following the County Superintendent's determination, the parent or the involved Board(s) of Education may appeal to the Commissioner of Education for determination pursuant to N.J.A.C. 6A:3 et seq.

If the district is designated as the district of residence and disputes such designation, or where no designation can be agreed upon by districts, the Superintendents of the involved districts shall immediately notify the County Superintendent of Schools who will make a determination within two working days. The district may appeal the County Superintendent's determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2(d), (e), and (f).

If a dispute occurs regarding the determination of the district of enrollment made by the district of residence, the Superintendent of the district of residence shall immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child shall be enrolled based on the child's best interest pursuant to N.J.A.C. 6A:17-2.6(b). If the County Superintendent's decision is disputed, the Department of Education shall provide for mediation in accordance with N.J.A.C. 6A:17-2.8(c)1.

A dispute or appeal will not delay the homeless child's immediate entrance into school. The homeless child will be enrolled in the district designated by the County Superintendent pending resolution of the dispute or appeal. Disputes and appeals involving the services provided to a homeless child with educational disabilities will be made pursuant to N.J.A.C. 6A:14.

Financial responsibility, including the payment of tuition for the homeless child, will be in accordance with N.J.A.C. 6A:17-2.9 et seq. The district of residence shall list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 for as long as the parent remains homeless and the child is enrolled in another school district. If a district of residence cannot be determined for a homeless child or if a district of residence is outside of the State, the State will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12(d). The State will pay the tuition, in accordance with N.J.A.C. 6A:17-2.9(c)1., to the school district in which the child is currently enrolled for as long as the child and his or her parent remain homeless.

N.J.A.C. 6A:17-2.1 et seq.

Adopted: 12 January 2010

Adopted: 11 October 2016



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Education of Homeless Children

R 5116 EDUCATION OF HOMELESS CHILDREN

A. Definitions

1. "District liaison for the education of homeless children" means the person identified in each school district that facilitates all of the activities needed to ensure the enrollment of homeless children.
2. "District of residence" means the district in which the parent last resided prior to becoming homeless.
3. "Homeless child" means a child or youth who lacks a fixed, regular and adequate residence, pursuant to N.J.S.A. 18A:7B-12 and N.J.A.C. 6A:17-2.3.
4. "Parent" means the natural or adoptive parent, legal guardian, foster parent, surrogate parent, and person acting in the place of a parent such as the person with whom the child legally resides or a person legally responsible for the child's welfare.
5. "Superintendent" means Superintendent and/or Chief School Administrator.

B. Determination of Homeless Status

1. The district will determine a child is homeless when he or she resides in any of the following:
 - a. A publicly or privately operated shelter designed to provide temporary living accommodations, including: hotels or motels; congregate shelters, including domestic violence and runaway shelters; transitional housing; and homes for adolescent mothers.
 - b. A public or private place not designated for or ordinarily used as a regular sleeping accommodation, including: cars or other vehicles excluding mobile homes; tents or other temporary shelters; temporary shelters provided to migrant workers and their children on farm sites.
 - c. The residence of relatives or friends with whom the homeless child is temporarily residing out of necessity because the family lacks a regular or permanent residence of its own.



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Education of Homeless Children

C. Responsibilities of the District of Residence

1. The district of residence for a homeless child is responsible for the education of the child and will:
 - a. Determine the district in which the child shall be enrolled after consulting with the parent pursuant to N.J.A.C. 6A:17-2.6;
 - b. Pay the cost of tuition pursuant to N.J.A.C. 6A:23-3.1 when the child attends school in another district; and
 - c. Provide for transportation for the child pursuant to N.J.A.C. 6A:27-6.2.
2. The determination of the homeless child's district of residence will be made by the Superintendent or designee of the school district(s) involved pursuant to N.J.A.C. 6A:17-2.5. This determination will be based upon information received from the parent, the Department of Human Services, a shelter provider, another school district, an involved agency or a case manager.
3. The district Board of Education identified as the district of residence in accordance with N.J.S.A. 18A:7B-12 for a homeless child is the district of residence for as long as the parent remains homeless.

D. Designation of District Liaisons and Their Responsibilities

1. The Superintendent identifies the Director of Student Services as the district liaison for the education of homeless children. The liaison will facilitate communication and cooperation between the district of residence and the district where the homeless child is temporarily residing. The district liaison will develop procedures to ensure a homeless child temporarily residing in the district is enrolled and attending school pursuant to N.J.A.C. 6A:17-2.6.
2. When a homeless child is living temporarily in a school district, the district liaison, upon receiving notification from the parent, the Department of Human Services, a shelter director, an involved agency, or a case manager, will notify the liaison of the district of residence within twenty-four hours of the notification.
3. Upon notification of the need for enrollment of a homeless child, the liaison in the district of residence will coordinate enrollment procedures immediately based upon the best interest of the child pursuant to N.J.A.C. 6A:17-2.6(b).



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E. District Enrollment

1. The Superintendent or designee of the district of residence will decide in which district the homeless child will be enrolled as follows:
 - a. To continue the homeless child's education in the school district of last attendance if the district of last attendance is not the district of residence;
 - b. To enroll the homeless child in the district of residence; or
 - c. To enroll the homeless child in the school district where the child is temporarily living.
2. The Superintendent of the district of residence will decide the district of enrollment of a homeless child based on what is determined to be in the best interest of the child after considering:
 - a. The continuity of the child's educational program;
 - b. The preference of the parent as to where the child should attend school;
 - c. The eligibility of the child for special instructional programs, including but not limited to bilingual, gifted and talented, special education, early childhood and vocational programs; and
 - d. The distance, travel time, and safety factors in coordinating transportation services from the temporary residence to the school.
3. The Superintendent of the district of residence will determine the child's district enrollment in a timely manner after consultation with the parent as follows:
 - a. Enrollment decisions will be made within three school days of notification of the need for enrollment. When the decision is made, the child will be enrolled immediately; and
 - b. Consultation with the parent regarding the enrollment decision and the right to appeal the decision will be documented in writing.



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4. When a decision is made to enroll the child in a district other than the district of residence, the Superintendent of the district of residence will forward to the new district all relevant school and health records. When the parent is homeless due to conditions of domestic violence, the transfer of student records will be subject to the provisions of N.J.A.C. 6:3-6.
 5. When a homeless child with educational disabilities is enrolled in a district other than the district of residence, the child will be placed in a program consistent with the goals and objectives of the child's individualized educational program. Within thirty days after placement, the district where the child is placed will review and revise the individualized educational program pursuant to N.J.A.C. 6A:14.
 6. When the district of residence for a homeless child cannot be determined, the Superintendent of the district in which the child is temporarily residing will enroll the child immediately in the district of temporary residence or the district of last attendance.
- F. Parental Rights
1. Unless parental rights have been terminated by a court of competent jurisdiction, the parent retains all rights under N.J.A.C. 6A:17-2.1 et seq.
- G. Disputes and Appeals
1. If a dispute occurs regarding the determination of homelessness, the Superintendent of the involved district(s) or the parent of the child will immediately notify the County Superintendent of Schools, who will decide the status of the child within two working days. If a dispute remains between the parent and the involved district(s) following the County Superintendent's determination, the parent or the involved Board(s) of Education may appeal to the Commissioner of Education for a determination pursuant to N.J.A.C. 6A:3.
 2. If a district designated as the district of residence disputes such designation, or where no designation can be agreed upon by the involved districts, the Superintendents of the involved districts will immediately notify the County Superintendent of Schools who will make a determination within two working days. The district may appeal the County Superintendent's determination to the Department of Education pursuant to N.J.A.C. 6A:23-5.2 (d), (e), and (f).



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3. If a dispute occurs regarding the determination of the district of enrollment made by the district of residence, the Superintendent of the district of residence will immediately notify the County Superintendent of Schools. The County Superintendent will determine within two working days where the child will be enrolled based on the child's best interest pursuant to N.J.A.C. 6A:17-2.6(b).
 - a. If the County Superintendent's decision is disputed, the Department of Education will provide for mediation as follows:
 - (1) The request must be made to the Department of Education in writing.
 - (2) Requests for mediation will cite the issues in dispute and the relief sought.
 - (3) A mediation conference must be conducted within five school days after the request is made at a time and place reasonably convenient to all parties in the dispute.
 - (4) If the mediation does not result in an agreement, an appeal may be made to the Commissioner of Education pursuant to N.J.A.C. 6A:3 et seq.
4. Any dispute or appeal shall not delay the homeless child's immediate entrance into school. The homeless child will be enrolled in the district designated by the County Superintendent pending resolution of the dispute or appeal.
5. Disputes and appeals involving the services provided to a homeless child with educational disabilities will be made pursuant to N.J.A.C. 6A:14.

H. Tuition

1. If the homeless child is enrolled in a district other than the district of residence, the district of residence will pay the costs of tuition for the child to that district pursuant to N.J.S.A. 18A:38-19 and N.J.A.C. 6A:23-3.1.
2. The district of residence will list the child on its annual Application for State School Aid (ASSA) pursuant to N.J.S.A. 18A:7F-33 for as long as the parent remains homeless and the child is enrolled in another school district.



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3. If the district of residence cannot be determined for a homeless child or if the district of residence is outside of the State, the State will assume fiscal responsibility for the tuition of the child pursuant to N.J.S.A. 18A:7B-12(d). The State will pay the tuition to the school district in which the child is currently enrolled for as long as the child and his or her parent remain homeless.
 - a. When the State assumes fiscal responsibility for the tuition of a homeless child, the State will pay to the district in which the child is enrolled the appropriate T&E amount, pursuant to N.J.S.A. 18A:7F-3, and any appropriate additional cost factor for special education, pursuant to N.J.S.A. 18A:7F-19.

Issued: 12 January 2010
Issued: 11 October 2016



5117 INTERDISTRICT PUBLIC SCHOOL CHOICE

Introduction

New Jersey's Interdistrict Public School Choice Program Act provides interested New Jersey school districts an opportunity to apply to the New Jersey Department of Education to become a public school choice district that can make available classroom seats within the school district for the Board to accept non-resident students. A choice district may enroll students across district lines in designated schools of the choice district.

A proposed choice school district shall submit an application to the Commissioner of Education no later than April 30 in the year prior to the school year in which the choice program will be implemented.

The Commissioner shall notify a choice district of the approval or disapproval of its application no later than July 30, and the reasons for disapproval shall be included in the notice. The Commissioner shall notify the New Jersey State Board of Education of the approval of a choice district application and the State Board shall include a public notice of the approval on the next agenda for its public monthly meeting.

The Commissioner may take appropriate action, consistent with State and Federal law, to provide that student population diversity in all districts participating in a choice district program is maintained in accordance with the provisions of N.J.S.A. 18A:36B-17b.

The Commissioner shall evaluate an application submitted by a proposed choice district in accordance with the provisions of N.J.S.A. 18A:36B-18.

The parent or guardian of a student shall notify the sending district of the student's intention to participate in the choice program and shall submit an application to the choice district, indicating the school the student wishes to attend, no later than the date specified by the Commissioner.

A choice district may evaluate a prospective student on the student's interest in the program offered by a designated school. The district shall not discriminate in its admission policies or practices on the basis of athletic ability, intellectual aptitude, English language proficiency, status as a handicapped person, or any basis prohibited by State or Federal law.



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Interdistrict Public School Choice

A choice district shall not prohibit the enrollment of a student based upon a determination that the additional cost of educating the student would exceed the amount of additional State aid received as a result of the student's enrollment. A choice district may reject the application for enrollment of a student who has been classified as eligible for special education services pursuant to Chapter 46 of Title 18A of the New Jersey Statutes if that student's individualized education program could not be implemented in the district, or if the enrollment of that student would require the district to fundamentally alter the nature of its educational program, or would create an undue financial or administrative burden on the district.

A student whose application is rejected by a choice district shall be provided with a reason for the rejection in the letter of notice. The appeal of a rejection notice may be made to the Commissioner. Once a student is enrolled in a designated school, the student shall not be required to reapply each school year for enrollment in any designated school of choice district and shall continue to be permitted to be enrolled until graduation. A student shall be permitted to transfer back to a school of the sending district or may apply to a different choice district during the next application period.

The Board of Education of a sending district may adopt a resolution to restrict enrollment of its student in a choice district to a maximum of ten percent of the number of students per grade level per year and/or fifteen percent of the total number of students enrolled in the sending district. This resolution shall be subject to approval by the Commissioner upon a determination that the resolution is in the best interest of the district's students and that it will not adversely affect the district's programs, services, operations, or fiscal conditions, and that the resolution will not adversely affect or limit the diversity of the remainder of the student population in the district who do not participate in the choice program.

Enrollment restriction percentages adopted by the resolution shall not be compounded from year to year and shall be based upon the enrollment counts for the year preceding, the sending district's initial year of participation in the choice program, except that in any year of the program in which there is an increase in enrollment, and the result added to the preceding year's count of students eligible to attend a choice district. If there is a decrease in enrollment at any time during the duration of the program, the number of students eligible to attend a choice district shall be the number of students enrolled in the choice program in the initial year of the district's participation in the program, provided that a student attending a choice district school be entitled to remain enrolled in that school until graduation.

The calculation of the enrollment of a sending district shall be based on the enrollment count as reported on the Application for State School Aid in October preceding the school year during which the restriction on enrollment that be applicable.



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Interdistrict Public School Choice

A choice district shall not be eligible to enroll students on a tuition basis pursuant to N.J.S.A. 18A:38-3 while participating in the Interdistrict Public School Choice Program. Any student enrolled on a tuition basis prior to the establishment of the choice program shall be entitled to remain enrolled in the choice district as a choice student.

Transportation, or aid in lieu of transportation, shall be provided to an elementary school student who lives more than two miles from the choice district school of attendance and to a secondary school student who lives more than two and on-half miles from the choice district school of attendance, provided more than choice district school is not more than twenty miles from the residence of the student.

Transportation, or aid in-lieu-of transportation, shall be the responsibility of the sending district. The choice district and the sending district may enter into a shared service agreement in accordance with the "Uniform Shared Services and Consolidation Act," sections 1 through 35 of P.L. 2007, c.63 (c.40A:65-1 through C.40A:65-35). Notwithstanding the provisions of section 20 of P.L. 2007, c.260 (C.18A:7F-62) to contrary, the sending district shall receive State aid for transportation calculated pursuant to section 15 of P.L. 2007, c.260 (C.18A:7F-57) for a student transported or receiving aid-in-lieu of transportation pursuant to N.J.S.A. 18A:36B-22.

A choice district shall establish and maintain a parent information center. The center shall collect and disseminate information about participating programs and schools and shall assist parents and guardians in submitting applications for enrollment of students in an appropriate program and school. The information about participating programs and schools shall be posted on the choice district's website.

The Commissioner shall annually report to the State Board of Education, the Legislature, and the Joint Committee on the Public Schools on the effectiveness of the Interdistrict Public Choice Program. The Commissioner's annual report shall be posted on the New Jersey Department of Education's website and on the website of each choice district.

N.J.S.A. 18A:36B-14 through 18A:36B-24

N.J.A.C. 6A:12-1.1 et seq.

Approved: 8 May 2012

Approved: 10 September 2013



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Interdistrict Public School Choice

R5117 INTERDISTRICT PUBLIC SCHOOL CHOICE

A. Definitions

1. “Choice of District” means a public school district established pursuant to Chapter 8 or Chapter 13 of Title 18A of the New Jersey Statutes that is authorized under the Interdistrict Public School Choice Program to open a school or schools to student from a sending district.
2. “Choice program” means the Interdistrict Public Choice Program authorized in N.J.S.A. 18A:36B-14 et seq.
3. “Choice student” or “choice student” means an out-of-district student who is accepted into a choice district/
4. “Commissioner” means the New Jersey Commissioner of Education.
5. “Department” means New Jersey Department of Education.
6. “Non-public school student” or “non-public school student” means any student who is obtaining academic instruction outside of a public school at the time of his or her application to the choice district.
7. “Sending district” means the choice student’s district of residence, charter school, or any school the student is required by law to attend.

B. Eligibility Criteria for Boards of Education

1. A Board of Education is eligible to participate in the choice program if it has classroom space available, completes an application form provided by the Department pursuant to N.J.A.C. 6A:12-1.1 et seq., and receives approval from the Commissioner to participate.

C. Eligibility Criteria for Students

1. To be eligible to participate in the program, a student shall be enrolled at the time of application in grades pre-school through twelve in a public school of the sending district and have attended school in the sending district for at least one full year immediately preceding enrollment in a choice district including time spent at any school that a student in a particular district of residence is required by law to attend.



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- a. If a student attends public school in his or her district of residence and is counted in that district's October Application for State School Aid and the student's family moves during the school year and the student attends public school in his or her new district of residence for the remainder of the school year, the student shall have satisfied the one-year eligibility requirement for application to the school choice program.
 - b. The one-year requirement shall not apply to a student applying to enroll in Kindergarten in a choice district if that student already has a sibling enrolled in and attending the choice district and if the district of residence of the student does not offer a public pre-school program.
2. A public school student who does not meet the eligibility requirements found in 1. above or a non-public school student may apply to enroll in a choice school district pursuant to N.J.S.A. 18A:36B-20.a. If a choice district allows for non-public school enrollment, it may not make distinctions between such students on the basis of where they receive this academic instruction.
 3. Students residing out of New Jersey may not participate in the choice program.
- D. Choice Program Application Procedures
1. An eligible applicant for a choice district shall complete an Interdistrict Public School Choice Program application, which shall be made available by the New Jersey Department of Education and which shall be submitted pursuant to N.J.S.A. 18A:36B-17.
- E. Sending District Procedures
1. A sending district may not restrict the participation of its students in the choice program where the district's student provide written notice of intent to apply to a specialized educational program that is offered by the choice district and not offered in the sending district.
 2. The calculation of the enrollment of a sending district shall be based on the enrollment count as reported on the Application for State School Aid in October preceding the school year during which the restriction on enrollment shall be applicable.



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- a. Students from the sending district who are already enrolled in and attending a school choice program shall not be included in the newly calculated number of students eligible to attend a school choice district.
 - b. When the multiplication of the grade level enrollment by the percentage established in the sending district's resolution adopted pursuant to N.J.S.A. 18A:36B-21.a(1) results in a number with a decimal, the number will be rounded to the next whole number.
 - c. The sending district's resolution restricting its students' participation may not be applied to the final grade level available in the sending district.
3. Where a Board of Education of a sending district has adopted a resolution pursuant to N.J.S.A. 18A:36B-21.a(1) to impose a limit on the number of students participating in the choice program, and when student notices of intention to participate in the choice program exceed that limit, the sending district shall:
- a. Hold a public lottery to determine the selection of students for participation in the choice programs;
 - b. Notify the parent of guardian of every student who has submitted notice of intent to participate in the choice program of the date and time of the lottery;
 - c. Assign a number to each student participating in the lottery and notify the parent or guardian of the number assigned to their child(ren); and
 - d. Develop a waiting list based on the lottery.
4. Where a Board of Education of a sending district has adopted a resolution to impose a limit on the number of its students participating in the choice program, and when student notices of intention to participate in the choice program exceed that limit, before conducting the lottery, the sending district may give preference to siblings of its resident students already enrolled in and attending the choice district.



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- a. In the event the sending district elects to give preference to siblings of its resident students already enrolled in and attending the choice district and there are more sibling applicants than there are available spaces, the sending district shall conduct a lottery first for the siblings only to determine the selection of students for participation and for placement on the waiting list.
 - b. In the event the sending district elects to give preference to siblings of its resident students already enrolled in and attending the choice district and there are no spaces available after granting permission to participate in the choice program to siblings of resident students already enrolled in and attending the choice district, the sending district shall conduct a lottery for the remaining applicants to assign them a place on the waiting list.
 5. Prior to any lottery that may be held, the sending district shall verify the student is enrolled in the sending district and was reported on the Application for State School Aid in October of the current school year.
 6. Prior to any lottery that may be held, the sending district shall notify the applicants of the date and time of such lottery.
 7. Any lottery held must be held prior to the deadline set by the Commissioner for written notification to the parent that the student is eligible to participate in the school choice program.
- F. Choice District Procedures for Students Meeting the Eligibility Requirements
1. Choice districts shall admit choice students on a space available basis.
 - a. A Board of Education shall not prevent students from participating in the school choice program.
 - b. A choice district may not impose admission criteria upon prospective choice program students other than those permitted by statute.
 - c. A choice district may give preference for enrollment to siblings of enrolled students.
 - d. When a choice district receives more application than there are spaces available, the choice district shall hold a public lottery to determine the selection of students for participation in the choice program.



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- (1) The choice district shall develop a waiting list based on the lottery.
- (2) The choice district shall notify the parent or guardian of every student who has submitted an application to participate in the choice program of the date and time of the lottery.
- (3) The choice district shall assign a number to each student participating in the lottery and shall notify the parent or guardian of the number assigned to their child(ren).
- (4) Before conducting the lottery, the choice district may give preference to siblings of students already enrolled in and attending the choice district.
 - (a) In the event the choice district elects to give preference to siblings of students already enrolled in and attending the choice district and there are no spaces available after granting permission to participate in the choice program to siblings of student already enrolled in and attending the choice district, the choice district shall conduct a lottery first for the sibling only to determine the selection of students for participation and placement on the waiting list.
 - (b) In the event that choice district elects to give preference to siblings of students already enrolled in and attending the choice district and there are no spaces available after granting permission to participate in the choice program to siblings of students already enrolled in and attending the choice district, the choice district shall conduct a lottery first for the remaining applicants to assign them a place on the waiting list.

G. Choice Student Application Procedures

1. The Commissioner shall establish a student application timeline each year no later than September 1.
2. Within five business days of the due date set by the Commissioner pursuant to the timeline in 1 above, the choice district shall provide to the Department of Education electronic notification of the number of students who enroll.



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3. The choice district shall provide written notification of receipt of each notice of enrollment to each sending district's Board of Education within ten days of the due date for receipt of such notice of enrollment from a choice student resident in that sending district.
 4. A choice student applicant may seek from the Commissioner by a showing of good cause a waiver of the student application deadlines established in the timeline in 1 above.
- H. Choice District Procedures for Students not Meeting Eligibility Requirements
1. If seats remain available in a choice district after exhausting the list of applicants who meet the requirements of N.J.A.C. 6A:12-2.2(a), including those on any waiting list that has been established through the application process, then the choice district may elect to fill the seats with public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and with non-public school students.
 2. Choice districts may accept applications from public school students who do not meet the requirements of N.J.A.C.6A:12-2.2(a) and/or non-public school students up until the deadline set by the Commissioner.
 3. Upon the receipt of an application from a public school who does not meet the requirements if N.J.A.C.6A:12-2.2(a) or a non-public school student, the choice district shall send a letter to the parent of the student including the following:
 - a. Whether the choice district will consider public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and non-public school students for admission to the district. If the choice district has not yet decided, it shall inform the parents of when the decision is expected to be made;
 - b. That public school students who do not meet the requirements of N.J.A.C. 6A:12-2(a) and non-public school students will not be considered for admission until the choice district has conducted the application cycle and has exhausted its waiting list of students who meet the requirements of N.J.A.C. 6A:12-2.2(a) for the grade level to which they have applied;



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- c. That the choice district may need to conduct a lottery to select the students to be offered admission to the choice district depending on the seats available and the number of applications received from public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and/or nonpublic school students; and
- d. That the parents of those public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and nonpublic school students will be fully informed of the lottery process in the event that a lottery is required, the date it will be held, and what number has been assigned to the applicant.

I. Choice Student Enrollment

1. Once enrolled in a school district, the choice student may remain enrolled and is not required to submit annual or periodic applications.
2. Upon acceptance of a choice student, the choice district is obligated to retain the choice student until graduation or until the choice student voluntarily withdraws.
3. In the event of termination of the choice program in that district or Statewide, any student enrolled in that choice district shall be entitled to remain enrolled in that district until graduation.
4. In the event a public school student who is currently a choice student attending school in a choice district moves to another district, that public student is eligible to remain in the choice district as a choice student without application.
5. A resident student of a choice district who moves during the school year may be allowed to remain in the choice district until the end of the school year. The student may apply to the choice program as a funded student for the next school year. If the student moves after the application deadline or otherwise is unable to receive funding as a choice student in the school district for the subsequent school year, the choice school district may enroll the student as an unfunded choice student in that year, and automatically convert the student's enrollment to a funded choice student if he or she remains in the choice program.

J. Appeals from Commissioner of Education Determinations



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Interdistrict Public School Choice

1. An appeal of any determination by the Commissioner not to grant an application for participation in the choice program may be filed by an eligible choice district applicant according to N.J.A.C. 6A:4.
- K. Appeals from Denial of Enrollment
1. An appeal of any denial of a choice student applicant for enrollment in a choice district may be filed by the parent or legal guardian with the Commissioner in accordance with N.J.A.C. 6A:3.
- L. General Provisions
1. Choice districts shall accept all credits toward graduation that were awarded by another Board of Education for each choice student it accepts.
 - a. Choice districts shall award a diploma to a choice student participating in the program if that student meets the graduation requirements of the choice district and of the State of New Jersey.
 2. A Choice district shall establish and maintain a parent information center.
 - a. The center shall collect and disseminate information about participating programs and schools, and shall assist parents and legal guardians in submitting applications for enrollment of students in an appropriate program and school.
 - b. The information about participating programs and schools shall be posted on the choice district's website.
 3. A choice district shall file reports with the Department at the end of each application cycle. A choice district's reports shall include demographic and student participation information, fiscal and programmatic information, and updates on the number of available openings.
- M. Student Transportation
1. Each sending district shall have the responsibility for the transportation of enrolled choice students who are eligible for transportation services both to and from the choice school in which that student is accepted. Each sending district shall provide transportation or aid in lieu of transportation in accordance with N.J.S.A. 18A:36A-13 and N.J.A.C. 6A:27-4.



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N. General Provisions

1. Choice students participating in this program shall qualify for State aid pursuant to N.J.S.A. 18A:36B-14 - Interdistrict Public School Choice Program Act. The sending district will receive transportation aid pursuant to N.J.A.C.6A:12-8.1.
2. The sending district shall maintain fiscal responsibility for any choice student enrolled in or determined to require a private day or residential school, except that the choice district will be required to contribute any State aid received for such a student and the sending district will be responsible for the balance.

Issued: 10 September 2013



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and Grade Placement

5120 ASSIGNMENT OF STUDENTS AND GRADE PLACEMENT

The East Orange School District implements a plan placing all students in Grades pre-K – 5 in their neighborhood school based on attendance areas. Students in Grades 6 – 12 are placed in one of the comprehensive middle schools or Campus High School unless they are selected to attend Houston, STEM (application), or Tyson Middle/High via the audition or application process.

The following regulations apply to the school assignment of students residing within the East Orange School District:

1. All students (current and new) in grades pre-K -5 will be assigned to their neighborhood school or partner school as designated below:

Banneker → Hughes
Bowser → Jackson
Cochran → Houston

Garvin → Parks
Louverture → Warwick
Gibson

Wahlstrom
Carver
Tyson Elementary

2. Parents of pre-K students will be provided with a choice of placement with a collaborating daycare provider or the neighborhood school.
3. Assignments to Gibson or Wahlstrom are based on reaching full capacity at the neighborhood school.
4. Students will not be accepted in the following schools unless they have met all requirements of the auditioning/application process:
 - a. Grades 6 – 8 Houston Academy
 - b. Grades 6 – 12 STEM Academy (application)
 - c. Grades 6 – 12 Tyson Middle/High School

Grade Placement upon Entrance to the School District

The following regulations apply to the grade placement of students residing within the East Orange School District:

1. Grades two through eight: Any student who transfers to an East Orange school with a recommended promotion to the next succeeding grade will be placed in such grade. In case the child comes with no such recommendation or if there are reasons to doubt the child's ability, the placement shall be made by the Principal in the best interests of the child based upon proper assessment of student and status.



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2. Transfers from private and parochial schools: Students entering the ninth grade in September from a private or parochial schools shall be admitted. Those who have not taken tests prior to admission shall take them and then be properly placed.
3. Transferals of special education students: When a child is transferred to East Orange from a special education class in another district, he/she should be referred to the Director of Special Education who will assign him/her to an appropriate program.
4. Students registering who were previously home schooled will be placed in an age appropriate placement. If there are reasons to doubt the child's ability, the placement shall be made by the Principal in the best interests of the child based upon proper assessment of student and status.

In the case of other transferring students for whom special education appears desirable, the child shall be admitted to school and the same procedures shall be followed as for in-district transfers to special education programs.

N.J.S.A. 18A:36-38

Adopted: 12 January 2010
Adopted: 10 September 2013
Adopted: 26 June 2014



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R 5120 ASSIGNMENT OF STUDENTS AND GRADE PLACEMENT

The enrollment of East Orange students into the East Orange School District will be accomplished using the procedures described below.

Students shall generally attend the school located in the attendance area of their residence. The Superintendent may assign a student to a school other than that designated by the attendance area when such an exception is justified by circumstances and/or is in the best interest of the student. Every effort will be made to continue a student in the same elementary school once the student has been enrolled in that elementary school.

- Students presently attending schools within the District will continue in their current school (providing it is their neighborhood) for all succeeding years through grade 5.
- The Division of Operations will send out placement letters to all students advancing to kindergarten – Grade 1 informing them of their upcoming placement by May 15 of each school year. By August 31 of each school year, a letter will be mailed home to the parent of every child in the EOSD informing them of the child's September placement.
- New students to the District will be assigned to their neighborhood or partner school.

Hardship/Appeals

A parent/guardian whose child has been assigned to their neighborhood school and believes they will suffer a hardship as a result of the assignment has the option to file a hardship appeal with the Division of Operations. **Please note, the filing of a hardship does not guarantee a space in the requested school.** All placements are dependent on space availability.

Process

Parents will receive written documentation that the hardship form was received by the Division of Operations. Unless the hardship has been approved there will not be any additional correspondence from the office. Once received, with the exception of requests to attend the neighborhood school, all hardships will be reviewed by the Director of Student Support Services. The purpose of the review is to prioritize and/or deny requests. All hardship appeals will remain on file through September 30.

Procedures

1. Hardship requests to attend the neighborhood school will be reviewed on a weekly basis. Students will be replaced based on availability. **Priority**
2. Sibling request for the **neighborhood school** will be a priority.



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3. Once a month (May – September), based on the priority status and date of the request, hardship requests will be reviewed to assign students outside of their neighborhood.
 - a. No more than 5% of each grade in each school will consist of students living outside of the neighborhood.
 - b. Parents that request and receive a hardship appeal to attend a school outside of their neighborhood will be responsible for the transportation of their child to the requested school.
 - c. Once a hardship is granted a parent may not request a hardship to another school; however, the parent may choose for the student to attend their neighborhood school.
 - d. Hardship requests cannot be made for Grades 6 – 12.

Pre-K Registration Requirements

- Child must be at least 3 or 4 years old by October 1st of the current school year
- Birth certificates are mandatory
- Immunization (shot records) are mandatory
- Age appropriate vaccinations for children entering Preschool are as follows: (without exception)
- 18 months-4 years
 - 4 doses DTaP
 - 3 doses Polio
 - 1 dose MMR
 - 1 dose HIB (minimum of 1 dose after the 1st birthday)
 - 1 dose Varicella
 - 1 dose PCV7 (minimum of 1 dose after the 1st birthday)
 - 1 dose Influenza (annually between September 1st to December 31st each year)
 - 3 doses of Hepatitis B
- *Lead Testing*

The state of New Jersey requires all PreK students get lead tested. Please have your child tested prior to registering. Lead Poisoning can cause learning and behavior problems in children. Lead can also cause slowed growth, anemia and hearing problems. A child might have lead in his or her blood, but still look healthy. Prevent lead poisoning. Know your child's lead number by talking with your physician or your local health department. (East Orange Health Department Lead Program 973-266-5489).



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Kindergarten Registration Requirements

- Child must be 5 years old by October 1st of the current school year
- Birth certificates are mandatory
- Immunization (shot records) are mandatory
- Age appropriate vaccinations for children entering Kindergarten are as follows: (without exception)
 - 4 doses DTaP with one dose given on or after the 4th birthday or any 5 doses
 - 3 doses Polio with one dose given on or after the 4th birthday or any 4 doses
 - 2 doses of MMR
 - 1 dose HIB (age 12-59 months) minimum 1 dose given after the 1st birthday
 - 3 doses of Hepatitis B
 - 1 dose Varicella
 - 1 dose of PCV 7 (age 12-59 months) minimum of 1 dose after the 1st birthday
 - 1 dose Influenza (age 6-59 months) annually between September 1st to December 31st each year

Grades 1st thru 5th

- A transfer from another school district
- Current report card
- Standardized test scores
- Birth certificates are mandatory
- Immunization (shot records) are mandatory (see Immunization Requirements)*

Immunization Quick Reference Guide

Students Entering Grades K Through 5:

- DPT series (Diphtheria, Tetanus, and Pertussis): A minimum of four (4) doses is required provided one dose is given on or after the 4th birthday.
- Polio series: A minimum of three (3) doses is required provided one dose is given on or after the 4th birthday.
- MMR series (Measles, Mumps, Rubella): Two (2) doses of Measles, One (1) dose of Mumps and Rubella or two (2) MMR series.
- Hepatitis B series: Three (3) doses appropriately spaced.



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- Varicella (Chicken Pox): One (1) dose
- TB TESTING: Required for foreign-born students from select countries. See TB regulations explained below.

Grades 6th thru 8th

- A transfer from another school district
- Current report card
- Standardized test scores
- Birth certificates are mandatory
- Immunization (shot records) are mandatory (see Immunization Requirements)*
- DPT series (Diphtheria, Tetanus, and Pertussis): A minimum of four (4) doses is required provided one dose is given on or after the 4th birthday.
- Polio series: A minimum of three (3) doses is required provided one dose is given on or after the 4th birthday.
- MMR series (Measles, Mumps, Rubella): Two (2) doses of Measles, One (1) dose of Mumps and Rubella or two (2) MMR series.
- Hepatitis B series: Three (3) doses appropriately spaced.
- Varicella (Chicken Pox): One (1) dose
- TB TESTING: Required for foreign-born students from select countries. See TB regulations explained below.

All of the above PLUS: Tdap Booster and Meningococcal Vaccination

Grade 9th

- 8th grade diploma *
- Current report card
- Standardized test scores
- Birth certificates are mandatory
- Immunization (shot records) are mandatory (see Immunization Requirements)*



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- DPT series (Diphtheria, Tetanus, and Pertussis): A minimum of four (4) doses is required provided one dose is given on or after the 4th birthday.
- Polio series: A minimum of three (3) doses is required provided one dose is given on or after the 4th birthday.
- MMR series (Measles, Mumps, Rubella): Two (2) doses of Measles, One (1) dose of Mumps and Rubella or two (2) MMR series.
- Hepatitis B series: Three (3) doses appropriately spaced.
- Varicella (Chicken Pox): One (1) dose
- TB TESTING: Required for foreign-born students from select countries. See TB regulations explained below.

All of the above PLUS: Tdap Booster and Meningococcal Vaccination

Grades 10th thru 12th

- An unofficial transcript
- Transfer from another school district
- Current report card
- Standardized test scores
- Birth certificates are mandatory
- Immunization (shot records) are mandatory (see Immunization Requirements)*
- DPT series (Diphtheria, Tetanus, and Pertussis): A minimum of four (4) doses is required provided one dose is given on or after the 4th birthday.
- Polio series: A minimum of three (3) doses is required provided one dose is given on or after the 4th birthday.
- MMR series (Measles, Mumps, Rubella): Two (2) doses of Measles, One (1) dose of Mumps and Rubella or two (2) MMR series.
- Hepatitis B series: Three (3) doses appropriately spaced.
- Varicella (Chicken Pox): One (1) dose
- TB TESTING: Required for foreign-born students from select countries. See TB regulations explained below.



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All of the above PLUS: Tdap Booster and Meningococcal Vaccination

- Children must be present at the time of registration
- Registration must be done by the parent or a legal guardian (guardianship papers must be presented at the time of registration)
- Proof of residency in East Orange is mandatory (see Residency Requirements)*

All persons coming to register children must bring three proofs of residency. Verification of a child's residency requires the presentation of:

- A. One of the following documents with an East Orange address:
- ◆ Homeowner – East Orange property tax bill, mortgage statement, or signed Contract of Purchase.
 - ◆ Tenant – Lease; if residing as a tenant without a lease, a signed, notarized Sworn Statement of Tenancy (Affidavit) completed by the landlord.
 - ◆ Child is Domiciled with an East Orange Resident Other than Parent – Affidavit Form A executed by East Orange resident and Affidavit Form B executed by parent or guardian. **
 - ◆ Child and Parent Living with an East Orange Resident – Signed, notarized Sworn Statement of Residency (Affidavit) completed by the East Orange resident and parent or guardian. **
 - ◆ Child Placed in East Orange by Court – Court order placing child in home of East Orange resident.
- B. In addition, any two of the following documents containing an East Orange address:
- ◆ Driver's license plus vehicle registration plus auto insurance card;
 - ◆ Current utility bill;
 - ◆ Current cable television bill;
 - ◆ Current credit card bill;
 - ◆ Written statement from realtor stating parent/guardian has signed a contract to purchase or rent in East Orange;
 - ◆ Official mail (bank statement, government correspondence: Internal Revenue, Division of Taxation, Social Security Administration);
 - ◆ Public assistance documents A.F.D.C. (Aid For Dependent Children) and W.I.C. (Women, Infants and Children);
 - ◆ Income tax return (current year sent thru the mail)



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- ◆ Voter registration card/records;
- ◆ Unemployment benefit verification;
- ◆ Recent paycheck/stub

***Must be picked up from the Enrollment Center located at 74 Halsted Street*

- *If your child has been accepted to a Charter school in addition to the required documents you must bring the Charter acceptance letter with you*
- *If your child has auditioned and was accepted into one of the Performing Arts Schools you must bring the acceptance letter with you*
- *If your child has been accepted to STEM Academy in addition to the required documents you must bring the STEM acceptance letter with you*
- *If your child has an active/current IEP you must contact the Special Education Dept. at (973)266-5785 for registration requirements*

Issued: 12 January 2010
Issued: 10 September 2013
Issued: 26 June 2014



5130 WITHDRAWAL FROM SCHOOL

The Board of Education believes that the educational goals of this district are best implemented by a student's exposure to the entire educational program and that every student enrolled in this district should be encouraged to complete the program of instruction appropriate to his/her needs. No student below the age of sixteen will be permitted to withdraw from school.

The Superintendent shall alert teaching staff members to identify those students who may consider eighth grade graduation the termination of their education. Any student who indicates that he/she may drop out of school before entry to the ninth grade should be reported to the Building Principal and be provided with counseling.

The Board directs that efforts be made to determine the underlying reason for a student's decision to withdraw from school before the completion of the instructional program. A potential dropout student will be offered counseling and an opportunity to plan an instructional program appropriate to his/her career goals. No student under the age of eighteen will be permitted to withdraw without the written consent of the student's parent.

Counseling services and information regarding high school equivalency programs will be made available to any student sixteen years of age or older who decides to withdraw from school before completion of the requirements for a diploma. A student who has withdrawn from school may apply for readmission at any time prior to his/her twentieth birthday, provided application for readmission is made at the beginning of a school term.

Adopted: 12 January 2010

Adopted: 11 October 2016



R 5130 WITHDRAWAL FROM SCHOOL

Every student in this district shall be encouraged to complete the program of instruction in which he/she is enrolled, in cooperation with school staff members. Although the enrollment and attendance of persons over the age of sixteen cannot be compelled by law, school personnel shall make every reasonable effort to determine whether the school is meeting the educational needs of a student who requests withdrawal.

A. Request for Permanent Withdrawal

1. The student must obtain a withdrawal form from the Building Principal to be taken home for the signature of his/her parent.
2. The student must meet with the Building Principal to discuss the reasons for the requested withdrawal.
3. The Building Principal will review the student's file to determine whether the student has received the educational services to which he/she is entitled.
4. The student will be offered an exit conference with the Building Principal, at which the student will be informed of:
 - a. The desirability of continuing education at some future time toward the award of a high school diploma through an Adult High School Program,
 - b. The possibility of readmission until the student is twenty years of age (or, if the student is disabled, until the end of the school year in which his/her twenty-first birthday occurs),
 - c. The possibility of further education in the Armed Forces of the United States and the application of such training toward a high school diploma pursuant to N.J.A.C. 6:27-4.1, and
 - d. The continuing availability of high school counseling services.
5. The Building Principal will report the withdrawal and the reasons for the withdrawal to the Superintendent to satisfy state reporting requirements.



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Withdrawal from School

B. Transferring Students

1. A student requesting transfer to another school, public or private, must obtain from the Building Principal a transfer form for approval by the student's parent.
2. A parent who withdraws a student from this district shall be asked to designate the name and location of the school or school district in which he/she intends to enroll the student. The Principal shall be alert to the receipt of a request for records from that school district, for the purpose of implementing Policy No. **8330**.

C. Student's Responsibilities

A student who withdraws, permanently or by transfer, must:

1. Return all books, uniforms, and other school property to the appropriate school staff member, who shall give a proper receipt for returned items;
2. Clear out his/her locker(s) and turn in any locks owned by the district;
3. Clear any obligations, for materials or fines, to the school library;
4. Pay any fines due for damaged or lost textbooks; and
5. Submit a properly authorized withdrawal or transfer form.

D. Records

1. The records of a student who transfers to another school will be sent to that school in accordance with Regulation No. 8330.
2. The permanent records of a student who withdraws from school will be retained in accordance with Regulation No. 8330.

Issued: 12 January 2010
Issued: 11 October 2016



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Attendance

5200 ATTENDANCE

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The East Orange Board of Education supports the concept that increased students time on academic tasks will improve academic achievement. The intent attendance policy is to reduce student absenteeism and ensure increased student time on academic tasks.

The Board of Education requires students enrolled in the school district attend school regularly in accordance with the laws of the State.

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

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

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

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

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



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Attendance

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

N.J.S.A. 18A:36-14; 18A:38-25
N.J.S.A. 34:2-21.1 et seq.
N.J.A.C. 6A:16-7.6; 6A:32-8.3

Adopted: 12 January 2010
Adopted: 14 October 2014
Adopted: 12 May 2015



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Attendance

R 5200 ATTENDANCE

A. Definitions

1. For the purposes of school attendance, a “day in session” shall be a day on which the school is open and students are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is closed for such reasons as holidays, teachers’ institutes, and inclement weather shall not be considered as days in session.
2. A “school day” shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day of Kindergarten.
3. “A day of attendance” shall be one in which the student is present for a full day under the guidance and direction of a teacher while school is in session.
 - a. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of students in each session, a student attending for all of either session shall be regarded as having attended for the full day. An excused absence for any reason shall not be counted as a day of attendance in the school register.
4. A “half-day class” shall be considered the equivalent of a full day’s attendance only if in session for four hours or more, exclusive of recess periods or lunch periods.

B. Attendance Recording

1. A record of the attendance of all students on roll in a school register shall be kept each day that school is in session by a teacher or other authorized person. It shall be the duty of this person to keep the attendance records according to these rules and the specific instructions issued by the Commissioner of Education.
2. No student shall be recorded as present unless the school is in session and the student so recorded is under the guidance and direction of a teacher in the teaching process.
3. A student shall be recorded as absent in the school register when not in attendance at a session of the school while a member of the school, except students excused due to religious holidays who shall be recorded as excused.



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4. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the student enters until the date the student is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.
 5. The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis.
 6. The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with N.J.A.C. 6A:32-8.3. In a school which is in session during both the forenoon and the afternoon, a student shall be present at least one hour during both the forenoon and the afternoon in order to be recorded as present for the full day. In a school which is in session during either the forenoon or the afternoon, a student shall be present at least two hours in the session in order to be recorded as present for the full day.
 7. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.
- C. Unexcused Absences That Count Toward Truancy/Excused Absences
1. "An unexcused absence that counts toward truancy" is a student's absence from school for a full or a portion of a day for any reason that is not an "excused absence" as defined below.
 2. "An excused absence" is a student's absence from school for a full day or a portion of a day for the observance of a religious holiday pursuant to N.J.S.A. 18A:36-14 through 16, or any absence for the reasons listed below:-
 - a. The student's illness supported by a written letter from the parent upon student's return to school;
 - b. The student's required attendance in court;
 - c. Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. §§794 and 705(20), and individualized health care plans;
 - d. The student's suspension from school;



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- e. Family illness or death supported by a written letter from the parent upon the student's return to school;
 - f. Visits to post-secondary educational institutions;
 - g. Interviews with a prospective employer or with an admissions officer of an institution of higher education;
 - h. Examination for a driver's license;
 - i. Take Our Children to Work Day;
 - j. An absence considered excused by an New Jersey Department of Education rule;
 - k. Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;
 - l. An absence for a reason not listed above, but deemed excused by the Principal upon a written request by the student's parent stating the reason for the absence and requesting permission for the absence to be an excused absence;
3. "Truancy" means ten or more cumulative unexcused absences that count toward truancy of a student between the ages of six and sixteen as determined by the Board's Attendance Policy and Regulation pursuant to N.J.A.C. 6A:16-7.6(a)4.iii. and the definition of school day pursuant to N.J.A.C. 6A:32-8.3. Any absence not counted toward truancy listed in C.2. above shall be an unexcused absence counted toward truancy.
 4. "Unexcused tardiness" may constitute an unexcused absence that counts toward truancy in accordance with Policy 5240.
- D. Notice to School of a Student's Absence
1. The parent or adult student is requested to call the school office before the start of the student's school day.
 2. The parent of the student or an adult student who will attend the morning session, but will not attend the afternoon session should call or provide notice to the school office before the start of the afternoon session.



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3. The parent or adult student who anticipates a future absence or anticipates that an absence will be prolonged should notify the school office to arrange make-up work.

E. Readmission to School After an Absence

1. A student returning from an absence of any length of time must provide a written statement that is dated and signed by the parent or adult student listing the reasons for the absence.
2. A note explaining a student's absence for a noncommunicable illness for a period of more than five school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
3. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.

F. Instruction

1. Teachers shall cooperate in the preparation of home assignments for students who anticipate an excused absence of five school days duration. The parent or student must request such home assignments.
2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy ~~No.~~ 2412. The parent must request home instruction.
3. Students absent for any reason are expected to make up the work missed. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students will be allowed a reasonable amount of time as determined by the teacher to make up missed work.
5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test.

G. Denial of Course Credit



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1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absences in determining a final grade, except absences for the observance of a religious holiday or absence for a student's suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.
2. A secondary student may be dropped from a course or denied course credit when he/she has been absent from eighteen or more of the class sessions, whatever the reason for the absence, except that excused absences or absences caused by a student's suspension will not count toward the total.

Exceptions to this rule may be made for students who have demonstrated to the teacher through completion of make-up assignments that they have mastered the proficiencies established for the course of study.

A secondary student who has been dropped from a course of study may be assigned to an alternate program.

A secondary student denied course credit after completing the course will be permitted to attend a credit completion session to regain the denied credit, provided the student has not been absent from the class more than eighteen times.

3. An elementary student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent eighteen or more school days, whatever the reason for the absence, except that excused absences and absences due to student's suspension will not count toward the total.

Exceptions to this rule may be made for students who have demonstrated through completion of home assignments and/or home instruction that they have mastered the proficiencies established for the assigned courses of study.

H. School District Response To Unexcused Absences During the School Year That Count Toward Truancy

1. For up to four cumulative unexcused absences that count toward truancy, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;



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- b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially missing or abused child situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between five and nine cumulative unexcused absences that count toward truancy, the Principal or designee shall:
- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
 - c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. above;
 - d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - (2) Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
 - (3) Consider an alternate educational placement;
 - (4) Make a referral to or coordinate with a community-based social and health provider agency or other community resource;



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- (5) Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - (6) Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potential missing or abused child situation is detected; and
 - (7) Engage the student's family.
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
3. For ten or more cumulative unexcused absences that count toward truancy, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
 - a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
 - b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
 - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
4. A court referral may be made as follows:
 - a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or
 - b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.



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- (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.
 5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plans under 29 U.S.C. §§794 and 705(20); and individualized health care plans and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.
 6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences.
 - a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.
 - (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above, as appropriate.
- I. Discipline
1. Students may be denied participation in co-curricular activities if the Board establishes attendance standards for participation.
 2. Students may be denied participation in athletic competition if the Board establishes attendance standards for participation.
 3. No student who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.
- J. Recording Attendance
1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.



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2. A record shall be maintained of each excused absence, and each unexcused absence that counts toward truancy, as defined in Policy and Regulation 5200.
 3. A report card will record the number of times the student was absent and tardy in each marking period.
 4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.
- K. Appeal
1. Students may be subject to appropriate discipline for their school attendance record.
 2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.
 3. A student who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:
 - a. The student shall file a written appeal to the Principal or designee within five school days of receiving notice of the action. The appeal should state the reasons for each absences, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.
 - b. The Principal or designee will respond in writing no later than seven school days after receiving the student's appeal.
 - c. If the student is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.
 - d. On a student's request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review Committee. The Attendance Review Committee shall meet informally to hear the student's appeal. The student's and teacher(s) may attend the meeting.
 - e. The Attendance Review Committee shall decide the appeal and inform the student in writing within seven school days of the meeting.



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- f. The student may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education, in accordance with Policy 5710, Student Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.
- L. Attendance Records
1. Attendance records for the school district and each school will be maintained and attendance rates will be calculated as required by the New Jersey Department of Education. The school district will comply with all attendance requirements and any improvement plans as required by the Department of Education

Issued: 12 January 2010
Issued: 14 October 2014
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Late Arrival and Early Dismissal

5230 LATE ARRIVAL AND EARLY DISMISSAL

The Board of Education requires that students be in attendance for the full school day in order to benefit from the instructional program. That requirement will be waived only when compelling circumstances require that a student be late to school or dismissed from school before the end of the school day.

The Principal may excuse for cause the late arrival and early dismissal of a student on the prior written request of the student's parent(s) or legal guardian(s). Good cause may include, but need not be limited to, medical and dental appointments that cannot be scheduled outside the school day, medical disability, a motor vehicle driver's test, interviews for college entrance or employment, and court appearances.

Truancy

The board will report to the appropriate authorities' infractions of the law regarding the attendance of students below the age of sixteen. The district will then take appropriate action in dealing with truant students. Repeated infractions by enrolled students may result in, but not limited to, suspension or expulsion of the student. It shall be the policy of the board to consider the effectiveness and appropriateness to his/her needs of the educational program that is offered each student who is habitually and repeatedly absent from his/her assigned program and to consult with the Child Study Team (CST), Intervention and Referral for Student Services (I&RSS) Committee, and the Attendance Review Committee for their recommendations.

Adopted: 12 January 2010

Adopted: 11 October 2016



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Late Arrival and Early Dismissal

R 5230 LATE ARRIVAL AND EARLY DISMISSAL

A. Definitions

1. "Late arrival" means the arrival of a student after the beginning of the student's school day for an excused purpose. A late arrival is not an instance of tardiness for the purpose of applying Regulation No. 5240.
2. "Early dismissal" means the release of a student from school prior to the end of the student's school day for an excused purpose; "early dismissal" includes the release of a student for a period of time that occurs during the student's school day. An early dismissal is not an absence for the purpose of applying Regulation No. 5200.
3. "Dismissal from class" means a student's brief absence from his/her assigned class for a reason that has been approved in advance. A "dismissal from class" is not a class "cut" for the purpose of applying Regulation No. 5200.

B. Acceptable Excuses

The following circumstances justify a student's late arrival. The list is not meant to be exhaustive, and the Principal should use his/her best judgment in determining whether or not there is good cause for the student's late arrival.

1. The student's disability from illness or injury, including any necessary emergency visits to a physician or dentist;
2. A bona fide family emergency;
3. The observance of a religious holiday;
4. Religious instruction;
5. Family emergency;
6. Medical or dental appointment that cannot be scheduled at a time other than during the school day;
7. Motor vehicle driver's examination that cannot be scheduled at a time other than during the school day;
8. The student's required attendance in court;



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Late Arrival and Early Dismissal

9. Private lessons in music, art, or dance or private practice sessions in preparation for competitive events, such as in figure skating or gymnastics; and
10. An interview with a prospective employer or with an admissions officer of an institution of higher education.

C. Late Arrival

1. A student's late arrival in school should be approved by the Principal in advance.
2. The parent or adult student shall submit a written request for approval of a late arrival to the Principal/designee. The request must include the reason for the student's late arrival and a statement of why it is necessary to delay the student's arrival at school.
3. A student who arrives late at school shall report to the Principal's office and pick up a late arrival permission slip, signed by the Principal/designee. The permission slip will include the date and the time of the student's arrival. The student will proceed to his/her assigned class and present the permission slip to the teaching staff member in charge, who will verify the date and time.

D. Early Dismissal Generally

1. A student's early dismissal must be approved by the Principal in advance. Except for emergencies, an early dismissal that is not approved in advance will be considered to be an absence.
2. The parent or adult student shall submit a written request for approval of an early dismissal to the Principal/designee. The request must include the reason for the student's early dismissal and a statement of why it is necessary to excuse the student before the end of the student's school day.
3. A student must obtain an approved early dismissal permission slip from the Principal/designee and present the slip to the teaching staff member in charge of the class or activity from which the student is to be dismissed. The permission slip will include the date and time of approved dismissal. The teaching staff member in charge must verify the date and time.



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E. Early Dismissal for Illness or Injury

1. A student who suffers a significant illness or injury during the course of the school day will be treated in accordance with Policy and Regulation No. 8441.
2. A student who suffers a minor illness or injury will be sent to the school nurse. A student in grades Pre-Kindergarten through three who is sent to the school nurse must be accompanied by an adult or responsible student. If the nurse's office is unattended, the student should report to the Principal's office.
3. If the school nurse determines that an elementary student should be sent home, the student's parent(s) or legal guardian(s) or the responsible adult designated by the parent(s) or legal guardian(s) will be telephoned to pick up the student.
4. No student shall be released from school before the end of the school day except in the presence of the student's parent(s) or legal guardian(s) or an agent of the parent(s) or legal guardian(s).

F. Early Dismissal for Family Emergency

1. A student's parent(s) or legal guardian(s), or caretaker may request the student's early release for a bona fide family emergency. Early dismissal for family emergency must be approved by the Principal.
2. A student will be released to a parent(s) or legal guardian(s) who reports to the school office and explains satisfactorily to the Principal that good and sufficient reason justifies the student's release from school before the end of the student's school day.
3. A student will be released to an agent of the parent(s) or legal guardian(s) provided the parent(s) or legal guardian(s), or a caretaker personally known to the Principal has requested the student's release by:
 - a. Written request signed by the parent(s) or legal guardian(s), or caretaker and verified by telephone call to the signer, or
 - b. A telephone call that is verified by a return telephone call to the student's residence or, if the call does not originate in the student's home, by interrogation of the caller to test his/her knowledge of specific facts about the student.



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Late Arrival and Early Dismissal

4. The Principal shall verify the identity of the agent to whom the student is released by examination of documents or by verification of characteristics supplied by the parent(s) or legal guardian(s), or caretaker.
5. If the Principal believes that a genuine emergency may exist but cannot verify the identity of the person who requests release of the student, the Principal shall arrange for the student's transportation by a school staff member directly to the custody of the parent(s) or legal guardian(s), or designated agent of the parent or legal guardian.
6. The Principal shall maintain a record of each student's parent(s) or legal guardian(s). The record shall include any legally sufficient notice given the Principal by a parent(s) or legal guardian(s) in sole custody that the noncustodial parent's access to the student has been limited. In the absence of such notice, the Principal shall presume that the student may be released into the care of either parent(s) or legal guardian(s).

Issued: 12 January 2010



5240 TARDINESS

The Board of Education believes that promptness is an important element of school attendance. Students who are late to school or to class miss essential portions of the instructional program and create disruptions in the academic process for themselves and other students.

Tardiness to school or class that is caused by a student's illness, an emergency in the student's family, the observance of a religious holiday, a death in the student's family, or by the student's compliance with a request or directive of an administrator will be considered justified and is excused. All other incidents of tardiness will be considered unexcused.

A student who develops a pattern of tardiness, excused or unexcused, will be offered counseling with an appropriate staff member to determine **and correct** the cause of the tardiness.

N.J.S.A. 18A:36-14; 18A:36-15; 18A:36-25 et seq.

Adopted: 12 January 2010

Adopted: 11 October 2016



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Tardiness

R 5240 TARDINESS

A. Definitions

The orderly conduct of class activity is predicated upon the prompt and precise beginning of each class. Tardiness hinders the proper conduct of such activity, imposes a distraction, which leads to a loss in instructional time for students properly in attendance and demotes school time loss by the tardy study. Students in all grades will be required to present a written note from the parent/guardian explaining the tardiness, upon arrival at school.

1. Grades 1 – 6: Three (3) unexcused tardies will **result in a parent conference**.
2. Grades 7 – 12: Tardy to class after the first **fifteen (15)** minutes of the instructional time and not in possession of an authorized excuse will be charged with one (1) **cut**. Students less than ten (10) minutes late will be charged with one tardy. Three unexcused tardies will **result in progressive discipline**. Any tardiness, which is unauthorized by or unacceptable to the school administrator, will be considered unexcused.
3. A student who is late to school or class for an excused purpose pursuant to Policy No. 5230 is not tardy for the purpose of this regulation.

B. Procedures for Tardy Arrivals

1. A student who is tardy to school must report to the attendance office **or school designee** to present a written note explaining the reason for the tardiness. The student must sign in and receive a late pass for admission to class.
2. A student who is tardy to class may be sent by the teacher to the attendance office to explain the reason for the tardiness and obtain a late pass for admission to class.
3. No student who arrives at school after attendance has been taken will be admitted to class without a late pass.



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Tardiness

C. Discipline

1. A student who has been tardy from school or class 3 times in any (marking period, semester, year other) will be reported to the I&RS Committee for counseling. The student's parent will be notified and will be requested to attend a conference with the administration.

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Excusal from Class or Program

5250 EXCUSAL FROM CLASS OR PROGRAM

The Board of Education directs that a student be excused from any part of the instructions in health education, family life education, sex education, or science that the parent(s) of the student or the adult student finds morally, conscientiously, or religiously offensive. A request for excusal must be presented in a signed statement and submitted to the Building Principal.

An excused student shall be assigned to an alternate class of independent study on a substitute topic within the health education, family life education, or sex education program. The parent's or legal guardian's right of excusal applies to any alternate class as well.

No excused student will be penalized by loss of credit as a result of his/her excusal, but a student will be held accountable for successful completion of any alternate class assigned.

N.J.S.A. 18A:35-4.7

Adopted: 12 January 2010

Adopted: 11 October 2016



5300 **AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)**

The American Heart Association estimates many lives could be saved if defibrillators were more widely available. Due to technological advances, automated external defibrillators (AEDs) may be used by lay persons without any training to provide defibrillation within the first minutes of cardiac arrest thereby increasing the victim's chances of survival. In accordance with N.J.S.A. 18A:40-41.a, the Board of Education shall ensure every school in the school district has an AED as defined in N.J.S.A. 2A:62A-24. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which students of the school district are participating. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

A teach coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of N.J.S.A. 2A:62A-25.a. The school district shall be deemed to be in compliance with N.J.S.A. 2A:62A-25.a, if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

Each AED in the school district shall be tested and maintained according to the manufacturer's operational guidelines. Notification shall be provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location in accordance with N.J.S.A. 2A:62A-25.b and c.

The school district and its employees shall be immune from civil liability in the acquisition and used of AEDs pursuant to the provisions of N.J.S.A. 2A:62A-27.

In accordance with the provisions of N.J.S.A. 18A:40-41.b, the Superintendent of Schools or designee shall establish and implement an Emergency Action Plan applicable to each school in the school district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary. The Emergency Action Plan shall be consistent with the provisions of N.J.S.A. 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of an AED. This list shall be updated, if necessary, at least once in



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Automated External Defibrillators (AEDs)

each semester of the school year. The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event; calling 911; starting cardio-pulmonary resuscitation; retrieving and using the AED; and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

N.J.S.A. 18A:40-41.a; 18A:40-41.b

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Automated External Defibrillators (AEDs)

R 5300 AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

- A. Automated External Defibrillator (AED)
1. Every school in the school district shall have an AED as defined in N.J.S.A. 2A:62A-24.
 2. For the purposes of this Policy and Regulation, “automated external defibrillator” or “defibrillator” or “AED” means a medical device heart monitor and defibrillator that:
 - a. Has received approval of its pre-market notification filed pursuant to 21U.S.C.§360(k) from the United States Food and Drug Administration;
 - b. Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and
 - c. Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual’s heart.
- B. Location and Availability of AED
1. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign.
 2. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which students of the school district are participating.
 3. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.
- C. Training requirements for Using an AED
1. A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the used of the AED in accordance with the provisions of N.J.S.A. 2A:62A-25.a.



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Automated External Defibrillators (AEDs)

- a. The school district shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.
 - b. Prior to using an AED a school employee must have successfully completed and hold a current certification from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and the use of an AED.
 - c. The Board of Education shall not be liable for any act or omission of any lay person who uses the defibrillator in the rendering of emergency care.
2. Each AED shall be maintained and tested according to the manufacturer's operational guidelines.
 3. The Principal or designee shall notify the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider that the school has acquired an AED, the type acquired, and its location.
 4. Prior to purchasing an AED, the Superintendent of Schools or designee will provide the prescribing licensed physician with documentation that the school district has a protocol in place to comply with the requirements of 2, 3, and 4. above.
- D. Immunity from Civil Liability
1. Any person who uses an AED shall request emergency medical assistance from the appropriate first aid, ambulance, or rescue squad as soon as practicable. However, a lay person who, in good faith, fails to request such emergency medical assistance shall be immune from civil liability for any personal injury that results from that failure.
 2. The school district and its employee shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of N.J.S.A. 2A:62A-27.
 - a. Any person or entity who, in good faith, acquires or provides an AED, renders emergency care or treatment by the use of an AED, assists in or supervises the emergency care or treatment by the use of an AED, attempts to use an treatment, and who has complied with the requirements of Policy and regulation 5300, N.J.S.A. 18A:40-41.a and b, and N.J.S.A. 2A:62A-23 through 2A:62A-267 shall be immune from civil liability for any personal injury as a result of that care or treatment, or as



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a result of any acts or omissions by the person or entity in providing, rendering, assisting in, or supervising the emergency care or treatment.

b. A person or entity providing or maintaining an AED shall not be liable for any act or omission involving the use of an AED in the rendering of emergency care by a lay person.

3. The immunity provided in 2. above shall include the prescribing licensed physician and the person or entity who provided training in cardio-pulmonary resuscitation and used of the AED.

4. N.J.S.A. 2A:62A-27 shall not immunize a person for any act of gross negligence or willful or wanton misconduct. It shall not be considered gross negligence or willful or wanton misconduct to fail to use a defibrillator in the absence of an otherwise pre-existing duty to do so.

E. Emergency Action Plan

1. The Superintendent of Schools or designee shall establish and implement an Emergency Action Plan applicable to each school in the district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary.

a. The Emergency Action Plan shall be consistent with the provisions of N.J.S.A. 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers in each school building who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of the AED. This list shall be updated, if necessary, at least once in each semester of the school year.

b. The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to:

(1) The identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event;

(2) Calling 911;

(3) Starting cardio-pulmonary resuscitation;



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Automated External Defibrillators (AEDs)

- (4) Retrieving and using the AED; and
- (5) Assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Issued: 26 June 2014



5305 **HEALTH SERVICES PERSONNEL**

The Board of Education shall appoint at least one school physician pursuant to N.J.S.A. 18A:40-1. The Board may appoint a lead school physician to serve as health services director if more than one school physician is required. The school physician shall be currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy whose training and scope of practice includes child and adolescent health and development. The school district shall conduct a criminal history background check on any physician before entering into an agreement for delivery of services.

The school physician shall provide, at a minimum, the following services:

1. Consultation in the development and implementation of school district policies, procedures, and mechanisms related to health, safety, and medical emergencies pursuant to N.J.A.C. 6A:16-2.1(a);
2. Consultation to school district medical staff regarding the delivery of school health services, which includes special health care needs of technology supported and medically fragile children, including students covered by 20 U.S.C. §§ 1400 et seq., Individuals with Disabilities Education Improvement Act;
3. Physical examinations conducted in the school physician's office or other comparably equipped facility for students who do not have a medical home or whose parent has identified the school as the medical home for the purpose of a sports physical examination;
4. Provision of written notification to the parent stating approval or disapproval of the student's participation in athletics based upon the medical report;
5. Direction for professional duties of other medical staff;
6. Written standing orders that shall be reviewed and reissued before the beginning of each school year;
7. Establishment of standards of care for emergency situations and medically-related care involving students and school staff;
8. Assistance to the certified school nurse or non-certified nurse in conducting health screenings of students and staff and assistance with the delivery of school health services;



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9. Review, as needed, of reports and orders from a student's medical home regarding student health concerns;
10. Authorization of tuberculin testing for conditions outlined in N.J.A.C. 6A:16-2.2(c);
11. Review, approval, or denial with reasons of a medical home determination of a student's anticipated confinement and resulting need for home instruction; and
12. Consultation with the school district certified school nurse(s) to obtain input for the development of the school nursing services plan pursuant to N.J.A.C. 6A:16-2.1(b).

The Board shall employ a certified school nurse to provide nursing services while school is in session pursuant to N.J.S.A. 18A:40-1 and 3.3. The certified school nurse shall work under the direction of the school physician and Superintendent of Schools.

The certified school nurse shall possess a standard educational certificate with a school nurse endorsement or school nurse/non-instructional endorsement pursuant to **N.J.A.C. 6A:9B-14.3 or 14.4**. The certified school nurse shall possess a current New Jersey registered professional nurse license issued by the New Jersey State Board of Nursing; a bachelor's degree from a regionally accredited college or university; a current Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillator (AED) certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health to comply with the American Heart Association's CPR guidelines.

The certified school nurse shall complete training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma, and Immunology.

The role of the certified school nurse shall include, but not be limited to:

1. Carrying out written orders of the medical home and standing orders of the school physician;
2. Conducting health screenings which include height, weight, blood pressure, hearing, vision, and scoliosis pursuant to N.J.A.C. 6A:16-2.2 and monitoring vital signs and general health status for emergent issues for students suspected of being under the influence of alcohol and controlled dangerous substances pursuant to N.J.S.A. 18A:40-4 and 12;



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3. Maintaining student health records, pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;
4. Recommending to the school Principal students who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the child's immunization according to the schedules specified in N.J.A.C. 8:57-4;
5. Annually reviewing student immunization records to confirm with the medical home that the medical condition for the exemption from immunization continues to be applicable, pursuant to N.J.A.C. 8:57-4.3;
6. Recommending to the school Principal exclusion of students who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7, 8 and 10;
7. Directing and supervising the emergency administration of epinephrine and glucagon, and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6 and 12.14;
8. Administering asthma medication through use of a nebulizer;
9. Directing and supervising the health services activities of any school staff to whom the certified school nurse has delegated a nursing task;
10. Providing classroom instruction in areas related to health pursuant to N.J.A.C. **6A:9B-14.3**;
11. Reviewing and summarizing available health and medical information regarding the student and transmitting a summary of relevant health and medical information to the Child Study Team for the meeting pursuant to N.J.A.C. 6A:14-3.4(h);
12. Writing and updating, at least annually, the individualized health care plan and the individualized emergency healthcare plan for students' medical needs and instructing staff as appropriate;
13. Writing and updating, at least annually, any written healthcare provisions required under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a), for any student who requires them;
14. Assisting in the development of and implementing healthcare procedures for students in the event of an emergency;



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15. Instructing teachers on communicable disease and other health concerns, pursuant to N.J.S.A. 18A:40-3; and
16. Providing other nursing services consistent with the nurse's educational services certification endorsement as a school nurse issued by the State Board of Examiners and current license approved by the State Board of Nursing.

A certified school nurse who possesses the school nurse/non-instructional certificate is not authorized to teach in areas related to health pursuant to N.J.A.C. **6A:9B-14.4**.

The Board may appoint a non-certified nurse under the supervision of a certified school nurse to supplement the services of a certified school nurse in accordance with the provisions of N.J.A.C. 6A:16-2.3(c). The non-certified nurse shall be assigned to the same school building or complex as the certified school nurse pursuant to N.J.S.A. 18A:40-3.3(a) and is limited to providing services only as permitted under the non-certified nurse's license issued by the State Board of Nursing.

N.J.A.C. **6A:9B-14.3**; **6A:9B-14.4**; 6A:16-2.3

Adopted: 12 January 2010

Adopted: 11 November 2014

Adopted: 20 September 2016



5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to students enrolled full-time in a nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.

The Board shall provide for the extension of emergency care provided to public school students and to full-time non-public school students who are injured or become ill at school or during participation on a school team or squad pursuant to 6A:16-2.1(a)4. The Board may provide additional services to those required under N.J.A.C. 6A:16-2.5(a) and under conditions as outlined in N.J.A.C. 6A:16-2.5(c).

The nursing services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, third-party contractor, or an independent contractor. The nursing services provided to nonpublic school students shall not include instructional services.

A nonpublic school may decline nursing services required or permitted under N.J.A.C. 6A:16-2.5 by submitting to the Board of Education notification signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29. A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.

The Board shall consider the provision of health services to nonpublic schools based upon the considerations outlined in N.J.A.C 6A:16-2.5(h)1 through 3. The Superintendent or designee shall confer annually with the administrator of the nonpublic school to advise the nonpublic school of the amount of funds allocated by the Department of Education to the nonpublic school; to agree on the basic health services that shall be provided and the additional medical services that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.; to inform the nonpublic school the County Office of Education shall provide assistance in the event an agreement cannot be reached regarding the health services and additional medical services to be provided to the nonpublic school; to assure the nonpublic school receiving services receives a copy of N.J.S.A. 18A:40-23 to 31 and N.J.A.C. 6A:16-2.5; and to assure that a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.



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Health Services To Nonpublic Schools

The Board providing health services to a nonpublic school(s) shall submit information to the Executive County Superintendent on or before October 1 annually that includes: a written statement verifying the required annual conference was held with the nonpublic school; a copy of the contract with another agency to provide the services, if applicable; a copy of the Board meeting minutes approving the contract; and a description of the type and number of services that were provided during the previous school year on a Commissioner of Education approved form. A copy of the information submitted to the Executive County Superintendent shall also be provided to the Chief School Administrator of each nonpublic school within the school district boundaries.

N.J.S.A. 18A:40-23 et seq.

N.J.A.C. 6A:16-2.5 et seq.

Adopted: 12 January 2010

Adopted: 11 November 2014



R 5306 **HEALTH SERVICES TO NONPUBLIC SCHOOLS**

A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to students enrolled in the nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.

1. The school district shall provide services to students who are enrolled full-time;
 2. Services shall be made available only to students of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year;
 3. The provision of nursing services shall include:
 - a. Assistance with medical examinations including dental screening;
 - b. Screening of hearing;
 - c. Maintenance of student health records and notification of local or county health officials of any student who has not been properly immunized; and
 - d. Scoliosis examinations of students between the ages of ten and eighteen.
- B. The Board of Education shall provide for the extension of emergency care provided to public school students and to full-time students nonpublic school students who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16 and 2.1(a)4.
- C. The Board of Education may provide additional services to those required under A. above under the following conditions:
1. Additional medical services may be provided only when all basic nursing services required under A. and B. above have been or will be provided;
 2. Additional medical services may include the necessary equipment, materials, and services for immunizing from diseases for students who are enrolled full-time in the nonpublic school as required by N.J.A.C. 8:57-4;



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Health Services To Nonpublic Schools

3. Equipment comparable to that used in the school district may be purchased by the school district to loan without charge to the nonpublic school for the purpose of providing services under N.J.A.C. 6A:15-2.5. However, such equipment shall remain the property of the district Board of Education.
 4. Costs of supplies comparable to that used in the school district and transportation costs may be charged to the funds allocated for each participating nonpublic school provided the costs are directly related to the provision of the required basic nursing services and the permitted additional medical services.
- D. Nursing services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, a third-party contractor, or an independent contractor.
- E. The nursing services provided to nonpublic school students shall not include instructional services.
- F. A nonpublic school may decline nursing services required or permitted under N.J.A.C. 6A:16-2.5 by submitting notification to the Board of Education notification signed by the Chief School Administrator of the nonpublic school pursuant to N.J.S.A. 18A:40-29.
- G. A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any services provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the services except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.
- H. The Board of Education shall consider the provision of health services based upon the following:
1. The funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year;
 2. The provision of services shall be only to a student of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year; and
 3. The funds expended by the Board of Education for administrative costs shall be limited to the actual costs or six percent of the funds allocated for each participating nonpublic school, whichever is less.



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Health Services To Nonpublic Schools

- I. The Superintendent or designee shall confer annually with the administrator of the nonpublic school for the following purposes:
 1. To advise the nonpublic school of the amount of funds allocated to it by the Department of Education or otherwise made available by the school district for the provision of health services for full-time students enrolled in the nonpublic schools;
 2. To agree on the basic health services that shall be provided and the additional medical services that may be provided as set forth in N.J.S.A. 18A:40-23 et seq.;
 3. If the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide assistance;
 4. To assure that each nonpublic school that receives nursing services has a copy of N.J.S.A. 18A:40-23 through 31 and N.J.A.C. 6A:16-2; and
 5. To assure that description of the provision of nursing services is reflected in the school district's Nursing Services Plan.

- J. For the purposes of monitoring and recordkeeping, the Board of Education providing health services to nonpublic schools shall submit to the Executive County Superintendent on or before October 1 annually the following information and shall provide a copy to the Chief School Administrator of each nonpublic schools within school district boundaries:
 1. A written statement verifying that the required conference was held with the nonpublic school;
 2. A copy of the contract with another agency to provide services, if applicable, and approved minutes of the Board of Education meeting approving the contract that describes the methods by which the health services will be provided to nonpublic school for the ensuing year, including a rationale for the distribution of funds; and
 3. A description of the type and number of services that were provided during the previous school year on a Commissioner of Education approved form.

Issued: 12 January 2010

Issued: 11 November 2014



5307 NURSING SERVICES PLAN

The Board of Education shall annually adopt the school district's Nursing Services Plan at a regular meeting and submit it to the County Superintendent of Education for review and approval.

The Superintendent, or designee, shall develop the Nursing Services Plan in consultation with the school physician and certified school nurse.

The Nursing Services Plan shall include a description of the basic nursing services to be provided to all students and a summary of the specific medical needs of individual students, if any, and the nursing services required to address those needs. The Nursing Services Plan shall also include a description of how nursing services will be provided in emergency situations, detailed nursing assignments sufficient to provide the services to students in all of its school buildings as outlined in N.J.A.C. 6A:16-2.3(b) through (d), and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

The Board, in its determination of the number of certified school nurses needed to perform all of the required services as outlined in N.J.A.C. 6A:16 et seq. shall consider: the geographic size including the number and location of school buildings; the general and special education enrollment; the number of children with medical involvement and extent of nursing services required; the requirement that non-certified nurses be assigned to the same school building or school complex as the supervising certified school nurse to ensure that the certified school nurse can provide required supervision pursuant to N.J.A.C. 6A:16-2.3(b) and (d) and N.J.S.A. 18A:40-3.3; and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

N.J.A.C. 6A:16-2.1(b)

Adopted: 12 January 2010

Adopted: 11 October 2016



5308 **STUDENT HEALTH RECORDS**

The school district shall maintain mandated student health records for each student pursuant to N.J.A.C. 6A:16-2.4. The district will document student health records using a form approved by the Commissioner of Education.

The maintenance and security of student health records shall be in accordance with N.J.A.C. 6A:32-7.4 and 6A:16-2.4(c). Student health records may be stored electronically or in paper format and shall be maintained separately from other student records in a secure location accessible to authorized personnel while school is in session. The health history and immunization record shall be removed from the student's health record and placed in the student's mandated record upon graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

The transfer of student health records when a student transfers to or from a school district shall be in accordance with N.J.A.C. 6A:16-7.1 et seq.

Any Board of Education employee with knowledge of, or access to, information that identifies a student as having HIV infection or AIDS; information obtained by the school's alcohol or drug program which would identify the student as an alcohol or drug user; or information provided by a secondary school student while participating in a school-based alcohol or drug counseling program that indicates a parent, guardian, or other person residing in the student's household is dependent upon or illegally using a substance shall comply with restrictions for sharing such information in accordance with N.J.A.C. 6A:16-2.4(b) through and as required by Federal and State statutes and regulations.

Access to and disclosure of information in a student's health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7, Student Records.

The school district shall provide access to the student's health record to licensed medical personnel, not holding educational certification, who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the student health records that are necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.



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Student Health Records

Nothing in N.J.A.C. 6A:16-2.4 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing to students or adults in connection with an emergency, the information contained in the student health record if the release is necessary to protect the immediate health or safety of the student or other persons pursuant to N.J.A.C. 6A:32-7.54.

N.J.A.C. 6A:16-2.4 et seq.; 6A:32-7.4 et seq.; 6A:32-7.5 et seq.

Adopted: 12 January 2010
Adopted: 11 November 2014



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Student Health Records

R 5308 STUDENT HEALTH RECORDS

Student health records shall be maintained for each student pursuant to N.J.A.C. 6A:16-2.4. Maintenance and security of student health records shall be in accordance with N.J.A.C. 6A:32-7.4.

A. Mandated Student Health Records

1. The following mandated student health records shall be maintained:
 - a. Findings of health histories, medical examinations, and health screenings pursuant to N.J.A.C. 6A:16-2.2 and 4.3; and
 - b. Documentation of immunizations against communicable diseases or exemption from these immunizations pursuant to N.J.A.C. 8:57-4.1, 4.3, and 4.4.
2. The district will document the findings of student health histories, health screenings, and required medical examinations that are relevant to school participation on the student's health record using a form approved by the Commissioner of Education.

B. Maintenance of Student Health Records

1. The school district shall maintain student health records in accordance with N.J.A.C. 6A:32-7.4 as follows:
 - a. Student health records may be stored electronically or in paper format. When records are stored electronically, proper security and back up procedures shall be administered;
 - b. Student health records, whether stored or on paper or electronically, shall be maintained separately from other student records, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record; and
 - c. Student health records kept in electronic form shall be both accessible and secure according to N.J.A.C. 6A:32-7.4(d);



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Student Health Records

C. Transferring Student Health Records

1. The school district shall compliance with the requirements of N.J.A.C. 6A:32-7 – Student Records and Policy and Regulation 8330 when transferring student health records:

D. Restrictions for Sharing Student Health Information

1. Any Board of Education employee with knowledge of, or access to, the following health information shall comply with restrictions for sharing information as required by Federal and State statutes and regulations.
 - a. Information that identifies a student as having HIV infection or AIDS shall be shared only with prior written informed consent of the student age twelve or greater, or of the student's parent as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the student.
 - b. Information obtained by the school's alcohol and other drug program which would identify the student as an alcohol or other drug user may be disclosed only for those purposes and under those conditions permitted by 42 CFR Part 2.
 - c. Information provided by a secondary school student while participating in a school-based alcohol or other drug counseling program that indicates a parent, guardian, or other person residing in the student's household is dependent upon or illegally using a substance shall be shared only for those purposes and conditions permitted by N.J.S.A. 18A:40A-7.1.

E. Access to Student Health Records

1. Access to and disclosure of information in the student's health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g and 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7 et seq., Student Records.
2. The school district shall provide access to the student health records to licensed medical personnel, not holding educational certification, who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties.



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Student Health Records

- a. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the student's health record necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.

Nothing in N.J.A.C. 6A:16-2.4 or in Policy and Regulation 5308 shall be construed to prohibit school medical personnel from disclosing to students or adults in connection with an emergency the information contained in the student health record, if the release is necessary to protect the immediate health or safety of the student or other persons pursuant to N.J.A.C. 6A:32-7.4.

Issued: 12 January 2010
Issued: 11 November 2014



5310 HEALTH SERVICES

The Board of Education shall develop and adopt the following written policies, procedures, and mechanisms in accordance with N.J.A.C. 6A:16-2.1(a) for the provision of health, safety, and medical emergency services and shall ensure staff are informed as appropriate:

1. The review of immunization records for completeness pursuant to N.J.A.C. 8:57-4.1 through 4.20 (Policy and Regulation 5320);
2. The administration of medication to students in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)2 (Policy and Regulation 5330).
3. The review of Do Not Resuscitate (DNR) orders received from the student's parent or medical home (Policy 5332);
4. The provision of health services in emergency situations including:
 - a. The emergency administration of epinephrine via Epi-pen auto-injector pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
 - b. The emergency administration of glucagon pursuant to N.J.S.A. 18A:40-12.14 (Policy and Regulation 5338);
 - c. The care of any student who becomes injured or ill while at school or participating in school-sponsored functions (Policy and Regulation 8441);
 - d. The transportation and supervision of any student determined to be in need of immediate care (Policy and Regulation 8441);
 - e. The notification to parent of any student determined to be in need of immediate medical care (Policy and Regulation 8441); **and**
 - f. The establishment and implementation of an emergency action plan for responding to a sudden cardiac event, including the use of an automated external defibrillator (AED), pursuant to N.J.S.A. 18A:40-41b (Policy and Regulation 5300).
5. The treatment of asthma in the school setting in accordance with the provisions of N.J.A.C. 6A:16-2.1(a)5 (Policy 5335).



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6. Administration of student medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 (Policy and Regulation 5310);
7. Utilization of sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 12:100-4.2, Safety and Health Standards for Public Employees, and in compliance with 29 CFR 1910.1030, Public Employees Occupational Safety and Health Program (PEOSH) Bloodborne Pathogens Standards (Policy and Regulation 7420);
8. Provision of nursing services to nonpublic schools located in the school district as required by N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5 (Policy and Regulation 5306);
9. Self-administration of medication by a student for asthma or other potentially life-threatening allergic reaction pursuant to N.J.S.A. 18A:40-12.3, 12.5, and 12.6, and the self-management and care of a student's diabetes as needed pursuant to N.J.S.A. 18A:40-12.15 (Policy and Regulation 5330);
10. Development of an individual healthcare plan and individualized emergency healthcare plan for students with chronic medical conditions, including life-threatening allergies, diabetes, and asthma requiring special health services in accordance with N.J.S.A. 18A:40-12.11.c, 12.12, 12.13, and 12.15; and N.J.S.A. 6A:16-2.3(b) 3xii; (Policies and Regulations 5331 and 5338 and Policy 5335); and
11. Management of food allergies in the school setting and the emergency administration of epinephrine to students for anaphylaxis pursuant to N.J.S.A. 18A:40-12.6a through 12.6d (Policy and Regulation 5331).

The Board of Education shall annually adopt the school district's nursing plan at a regular meeting.

The Board of Education shall comply with the following required health services as outlined in N.J.A.C. 6A:16-2.2:

1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.24.
2. A Building Principal or designee shall not knowingly admit or retain in the school building any student whose parent has not submitted acceptable evidence of the child's immunization, according to the schedule specified in N.J.A.C. 8:57-4, Immunization of Students in School.



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3. The school district shall perform tuberculosis tests on students using methods required by and when specifically directed to do so by the New Jersey Department of Health, based upon the incidence of tuberculosis or reactor rates in specific communities or population groups pursuant to N.J.S.A. 18A:40-16.
4. The school district shall immediately report by telephone to the health officer of the jurisdiction in which the school is located any communicable diseases identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed.
5. Each school in the district shall have and maintain for the care of students at least one nebulizer in the office of the school nurse or a similar accessible location pursuant to N.J.S.A. 18A:40-12.7.
6. Each student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility pursuant to N.J.S.A. 18A:40-4.
7. The findings of required examinations under 8.b., c., d., and e. below shall include the following components:
 - a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.24;
 - b. Medical history including allergies, past serious illnesses, injuries, operations, medications, and current health problems;
 - c. Health screenings including height, weight, hearing, blood pressure, and vision; and
 - d. Physical examinations.
8. The school district shall ensure that students receive medical examinations in accordance with N.J.A.C. 6A:16-2.2(f) and 6. above and:
 - a. Prior to participation on a school-sponsored interscholastic or intramural team or squad for students enrolled in any grades six to twelve in accordance with N.J.A.C. 6A:16-2.2(h)1;
 - b. Upon enrollment in school in accordance with N.J.A.C. 6A:16-2.2(h)2;
 - c. When applying for working papers in accordance with N.J.A.C. 6A:16-2.2(h)3;



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- d. For the purposes of the comprehensive Child Study Team evaluation pursuant to N.J.A.C. 6A:14-3.4 in accordance with N.J.A.C. 6A:16-2.2(h)4; and
 - e. When a student is suspected of being under the influence of alcohol or controlled dangerous substances, pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 in accordance with N.J.A.C. 6A:16-2.2(h)5.
9. Each school shall have available and maintain an AED, pursuant to N.J.S.A. 18A:40-41a.a(1) and (3), and in accordance with N.J.A.C. 6A:16-2.2(i).
 10. The Board of Education shall make accessible information regarding the New Jersey FamilyCare Program to students who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.
 11. Information concerning a student's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.
 12. The Board of Education shall ensure that students receive health screenings as outlined in N.J.A.C. 6A:16-2.2(l).
 13. The school nurse shall screen to ensure hearing aids worn by students who are deaf and/or hard of hearing are functioning properly. The school nurse will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist students hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.
N.J.A.C. 6A:16-1.3; 6A:16-2.1; 6A:16-2.2

Adopted: 12 January 2010
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R 5310 HEALTH SERVICES

A. Definitions – N.J.A.C. 6A:16-1.3

1. Advanced practice nurse (APN) – means a person who holds a current license as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
2. Certified school nurse – means a person who holds a current license as a registered professional nurse from the State Board of Nursing and an Educational Services Certificate, school nurse or school nurse/non-instructional endorsement from the Department of Education pursuant to N.J.A.C. 6A:9B-12.3 and 12.4.
3. Medical home – means a health care provider, including New Jersey Family Care providers as defined by N.J.S.A. 30:4J-12 and the provider’s practice site chosen by the student’s parent for the provision of health care.
4. Noncertified nurse – means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by a Board of Education or nonpublic school, and who is not certified as a school nurse by the Department of Education.
5. Parent – means the natural parent(s), adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. When parents are separated or divorced, “parent” means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided parental rights have not been terminated by a court of appropriate jurisdiction.
6. Physician assistant (PA) – means a health care professional licensed to practice medicine with physician supervision.
7. Physical examination – means the examination of the body by a professional licensed to practice medicine or osteopathy or an advanced practice nurse, or physician nurse assistant. The term includes very specific procedures required by statute as stated in N.J.A.C. 6A:16-2.2.
8. School physician – means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Examiners who works under a contract or as an employee of the school district. The physician is also referred to as the medical inspector as per N.J.S.A. 18A:40-1.



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B. Medical Examinations – General Conditions

1. Each student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school district shall provide this examination at the school physician's office or other comparably equipped facility pursuant to N.J.S.A. 18A:40-4.
2. The findings of required examinations under C. through G. below shall include the following components:
 - a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.24;
 - b. Medical history including allergies, past serious illnesses, injuries, operations, medications, and current health problems;
 - c. Health screenings including height, weight, hearing, blood pressure, and vision; and
 - d. Physical examinations.
3. Each school shall have available and maintain an automated external defibrillator (AED), pursuant to N.J.S.A.18A:40-41a.a(1) and (3), that is:
 - a. In an unlocked location on school property, with an appropriate identifying sign;
 - b. Accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which students of the school district or nonpublic school are participating; and
 - c. Within a reasonable proximity of the school athletic field or gymnasium, as applicable
4. The Board of Education shall make accessible information regarding the New Jersey FamilyCare Program for students who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.
5. Pursuant to N.J.S.A. 18A:40-4.4, a student who presents a statement signed by his/her parent that required examinations interfere with the free exercise of his/her religious beliefs shall be examined only to the extent necessary to determine whether the student is ill or infected with a communicable disease or under the influence of alcohol or drugs or is disabled or is fit to participate in any health, safety, or physical education course required by law.



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6. Information concerning a student's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.
- C. Medical Examinations - Prior to Participation on a School-Sponsored Interscholastic or Intramural Team or Squad for Students Enrolled in Any Grades Six to Twelve
1. The school district shall ensure that students receive medical examinations prior to participation on a school-sponsored interscholastic or intramural or squad for students enrolled in any grades. The examination shall be conducted within 365 days prior to the first day of official practice session in an athletic season and shall be conducted by a licensed physician, APN or PA.
 2. The physical examination shall be documented using the Preparticipation Physical Evaluation (PPE) form developed jointly by the American Academy of Family Physicians, American Academy of Pediatrics, American College of Sports Medicine, American Medical Society for Sports Medicine, American Orthopaedic Society for Sports Medicine, and American Osteopathic Academy of Sports Medicine and is available online at <http://www.state.nj.us/education/students/safety/health/records/athleticphysicalsform.pdf> in accordance with N.J.S.A. 18A:40-41.7.
 - a. Prior to performing a preparticipation physical examination, the licensed physician, APN, or PA who performs the student-athlete's physical examination shall complete the Student-Athlete Cardiac Screening professional development module and shall sign the certification statement on the PPE form attesting to the completion, pursuant to N.J.S.A. 18A:40-41d.
 - (1) If the PPE form is submitted without the signed certification statement and the school district has confirmed that the licensed physician, APN, or PA from the medical home did not complete the module, the student-athlete's parent may obtain a physical examination from a physician who can certify completion of the module or request that the school physician provides the examination.



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- b. The medical report shall indicate if a student is allowed or not allowed to participate in the required sports categories and shall be completed and signed by the original examining physician, APN, or PA.
 - c. An incomplete form shall be returned to the student's medical home for completion unless the school nurse can provide documentation to the school physician that the missing information is available from screenings completed by the school nurse or physician within the prior 365 days.
 3. Each student whose medical examination was completed more than ninety days prior to the first day of official practice in an athletic season shall provide a health history update questionnaire completed and signed by the student's parent. The completed health history update questionnaire shall include information listed below as required by N.J.S.A. 18A:40-41.7.b. The completed health history update questionnaire shall be reviewed by the school nurse and, if applicable, the school athletic trainer and shall include information as to whether, in the time period since the date of the student's last preparticipation physical examination, the student has:
 - a. Been advised by a licensed physician, APN, or PA not to participate in a sport;
 - b. Sustained a concussion, been unconscious, or lost memory from a blow to the head;
 - c. Broken a bone or sprained, strained, or dislocated any muscles or joints;
 - d. Fainted or blacked out;
 - e. Experienced chest pains, shortness of breath, or heart racing;
 - f. Had a recent history of fatigue and unusual tiredness;
 - g. Been hospitalized, visited an emergency room, or had a significant medical illness;
 - h. Started or stopped taking any over the counter or prescribed medications; or



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3. Students transferring into this school district from out-of-State or out-of-country may be allowed a thirty-day period to obtain entry examination documentation.
 4. The school district shall notify parent through the district website or other means about the importance of obtaining subsequent medical examinations of the student at least once during each developmental stage, at early childhood (pre-school through grade three), pre-adolescence (grades four through six) and adolescence (grades seven through twelve);
- E. Medical Examinations - When Students Apply for Working Papers
1. Pursuant to N.J.S.A. 34:2-21.7 and 34:2-21.8(3), the school district may provide for the administration of a medical examination for a student pursuing a certificate of employment.
 2. The school district shall not be held responsible for the costs for examinations at the student's medical home or other medical provider(s).
- F. Medical Examinations - For the Purposes of the Comprehensive Child Study Team Evaluation Pursuant to N.J.A.C. 6A:14-3.4
1. The school district shall ensure that students receive medical examinations for the purposes of the comprehensive Child Study Team evaluation pursuant to N.J.A.C. 6A:14-3.4.
- G. Medical Examinations - When a Student is Suspected of Being under the Influence of Alcohol or Controlled Dangerous Substances pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3
1. If a student who is suspected of being under the influence of alcohol or controlled dangerous substances is reported to the certified school nurse, the certified school nurse shall monitor the student's vital signs and general health status for emergent issues and take appropriate action pending the medical examination pursuant to N.J.A.C. 6A:16-4.3.
 2. No school staff shall interfere with a student receiving a medical examination for suspicion of being under the influence of alcohol or controlled dangerous substances pursuant to N.J.A.C. 6A:16-4.3.



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H. Health Screenings

The Board of Education shall ensure that students receive health screenings in accordance with N.J.A.C. 6A:16-2.2(l).

1. Screening for height, weight, and blood pressure shall be conducted annually for each student in Kindergarten through grade twelve.
2. Screening for visual acuity shall be conducted biennially for students in Kindergarten through grade ten.
3. Screening for auditory acuity shall be conducted annually for students in Kindergarten through grade three and in grades seven and eleven pursuant to N.J.S.A. 18A:40-4.
4. Screening for scoliosis shall be conducted biennially for students between the ages of ten and eighteen pursuant to N.J.S.A. 18A:40-4.3.
5. Screenings shall be conducted by a school physician, school nurse, or other school personnel properly trained.
6. The school district shall notify the parent any student suspected of deviation from the recommended standard.

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5320 IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires the immunization of students against certain diseases in accordance with State statute and rules of the New Jersey State Department of Health and Senior Services.

A student shall not knowingly be admitted or retained in school if the parent(s) of legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to schedules specified in N.J.A.C. 8:57-2 – Immunization of Students in School.

Medical or religious exemptions to immunizations shall be in accordance with the requirements as outlined in N.J.A.C. 8:57-4.3 and 4.4. A child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health and Senior Services or by order of the New Jersey State Commissioner of Health and Senior Services, may be conducted in district schools without the express approval of the Board.

N.J.S.A. 18A:40-20

N.J.S.A. 26:4-6

N.J.A.C. 8:57-4.1 et seq.

Adopted: 12 January 2010

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R 5320 IMMUNIZATION

A. Immunizations on Admission

1. No Principal shall knowingly admit or retain any student who has not submitted acceptable evidence of immunization according to the schedule set forth in section E, unless the student is provisionally admitted as provided in paragraph A.2. or exempted as provided in section B., N.J.A.C. 8:57-4.3, and 8:57-4.4.
2. A student shall be admitted to preschool or school on a provisional basis if a physician, an advanced practice nurse, (a certified registered nurse practitioner or clinical nurse specialist) or health department can document that at least one dose of each required age-appropriate vaccine(s) or antigen(s) has been administered and that the student is in the process of receiving the remaining immunizations.
 - a. A child under five years of age lacking all required vaccines shall have no more than seventeen months to meet all immunization requirements in accordance with N.J.A.C. 8:57-4.5(b).
 - b. A child five years of age or older lacking all required vaccines shall have no more than one year to complete all immunization requirements in accordance with N.J.A.C. 8:57-4.5(c).
 - c. Provisional status shall only be granted one time to students entering or transferring into schools in New Jersey. If a student on provisional status transfers, information on their status will be sent by the original school to the new school. Provisional status may be extended by a physician for medical reasons as indicated in N.J.A.C. 8:57-4.3.
 - d. Students transferring into this district from another State or country shall be allowed a thirty day grace period in order to obtain past immunization documentation before provisional status shall begin. The thirty day grace period does not apply to students transferring from within the State of New Jersey.
 - e. The Principal or designee shall ensure the provisionally admitted student is receiving required immunizations on schedule. If the student has not completed the immunizations at the end of the provisional period, the Principal shall exclude the student from school until appropriate documentation of completion has been presented.



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- f. Students on provisional status may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health and Senior Services or his/her designee.

B. Exemptions from Immunization

1. A student shall not be required to have any specific immunization(s) that are medically contraindicated.
 - a. A written statement from any physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction in the United States indicating that an immunization is medically contraindicated for a specific period of time and the reasons for the medical contraindication, based on valid reasons as enumerated by the Advisory Committee on Immunization Practices (ACIP) standards or the American Academy of Pediatrics (AAP) guidelines, will exempt a student from the specific immunization requirements by law for the period of time specified in the physician's statement.
 - b. The physician's or an advanced practice nurse's (certified registered nurse practitioner or clinical nurse specialist) statement shall be retained by the school as part of the immunization record of the student and shall be reviewed annually.
 - c. When the student's medical condition permits immunization, this exemption shall thereupon terminate, and the student shall be required to obtain the immunizations from which he/she has been exempted.
2. A student shall be exempted from mandatory immunization if the parent(s) or legal guardian(s) submits a signed statement that explains how the administration of immunizing agents conflicts with the student's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.
 - a. The written statement signed by the parent(s) or legal guardian(s) will be kept by the school as part of the student's immunization record.



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- b. Students enrolled in school before September 1, 1991 and who have previously been granted a religious exemption to immunization, shall not be required to reapply for a new religious exemption under N.J.A.C. 8:57-4.4(a).
 3. Students exempted on medical or religious grounds may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health and Senior Services or designee.
- C. Documentation of Immunization
 1. Any of the following documents shall be accepted as evidence of a student's immunization history, provided that the document lists the type of immunization and the specific date (month, day and year) when each immunization was administered.
 - a. An official school record from any school or preschool indicating compliance with immunization requirements,
 - b. A record from any public health department indicating compliance with immunization requirements,
 - c. A certificate signed by a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner, or clinical nurse specialist) in any jurisdiction in the United States indicating compliance with immunization requirements, or
 - d. The official record of immunization from the New Jersey Immunization Information System indicating compliance with immunization requirements.
 2. All immunization records submitted by a parent(s) or legal guardian(s) in a language other than English shall be accompanied by a translation sufficient to determine compliance with the immunization requirements of this regulation.
 3. Parental verbal history or recollection or previous immunization is unacceptable documentation or evidence of immunization.



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D. Immunization Records

1. Each school shall maintain an official State of New Jersey Immunization Record for every student which shall include the date of each individual immunization.
 - a. When a child withdraws, is promoted, or transfers to another school, preschool or child care center, the immunization record, or a certified copy thereof, along with statements pertaining to religious or medical exemptions and laboratory evidence of immunity, shall be sent to the new school by the original school or shall be given to the parent(s) or legal guardian(s) upon request, within twenty-four hours of such a request.
 - b. The immunization record shall be kept separate and apart from the student's other medical records for the purpose of immunization record audit.
 - c. Child care centers, preschools, and elementary schools are to retain immunization records, or a copy thereof, for at least one year after the student has left the school. For children who are promoted from elementary to middle school or from middle school to high school within the same school system, this record retention requirement is not applicable in accordance with Department of Education rules and policies on transfer of student records.
 - d. Each student's immunization record, or a copy thereof, shall be retained by a secondary school for a minimum of four years after the student graduates from the secondary school.
 - e. When a student graduates from secondary school, the record, or a certified copy thereof, shall be sent to an institution of higher education or may be given to the parent(s) or legal guardian(s) upon request.
 - f. Any computer-generated document or list developed to record immunization information shall be considered a supplement to, not a replacement of, the official New Jersey Immunization Record.



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2. A report of the immunization status of the students in each school shall be sent each year to the State Department of Health and Senior Services by the Principal or other person in charge of a school. The form for the report will be provided by the State Department of Health and Senior Services. The report shall be submitted by January 1 of the respective academic year. A copy of this report shall be sent to the local Board of Health in whose jurisdiction the school is located. Failure by the school district to submit such report by January 1 may result in a referral to the New Jersey Department of Education and the local health department.
3. The Principal or other person in charge of a school shall make immunization records available for inspection by authorized representatives of the State Department of Health and Senior Services or the local Board of Health in whose jurisdiction the school is located, within twenty-four hours of notification.

E. Immunization Requirements

1. The immunization requirements for school age children shall be in accordance with the requirements of N.J.A.C. 8:57-4 – Immunization of Students in School as outlined below:

MINIMAL IMMUNIZATION REQUIREMENTS FOR SCHOOL ATTENDANCE IN NEW JERSEY N.J.A.C. 8:57-4: Immunization of Students in School		
DISEASE(S)	REQUIREMENTS	COMMENTS
DTaP	(AGE 1-6 YEARS): 4 doses, with one dose given on or after the 4th birthday, OR any 5 doses. (AGE 7-9 YEARS): 3 doses of Td or any previously administered combination of DTP, DTaP, and DT to equal 3 doses.	Any child entering pre-school, pre-Kindergarten, or Kindergarten needs a minimum of four doses. Students after the seventh birthday should receive adult type Td. DTP/Hib vaccine and DTaP also valid DTP doses. Laboratory evidence of immunity is also acceptable.
Tdap	GRADE 6 (<i>or comparable age level special education program with an unassigned grade</i>): 1 dose	For students entering Grade 6 on or after 9-1-08 and born on or after 1-1-97. A child does not need a Tdap dose until FIVE years after the last DTP/DTaP or Td dose.



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DISEASE(S)	REQUIREMENTS	COMMENTS
POLIO	(AGE 1-6 YEARS): 3 doses, with one dose given on or after the 4th birthday, OR any 4 doses. (AGE 7 or OLDER): Any 3 doses.	Either Inactivated Polio Vaccine (IPV) or Oral Polio Vaccine (OPV) separately or in combination is acceptable. Polio vaccine is not required of students 18 years of age or older. Laboratory evidence of immunity is also acceptable.
MEASLES	If born before 1-1-90, 1 dose of a live Measles-containing vaccine. If born on or after 1-1-90, 2 doses of a live Measles-containing vaccine. If entering a college or university after 9-1-95 and previously unvaccinated, 2 doses of a live Measles-containing vaccine.	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs a minimum of 1 dose of measles vaccine. Any child entering Kindergarten needs 2 doses. Previously unvaccinated students entering college after 9-1-95 need 2 doses of measles-containing vaccine or any combination containing live measles virus administered after 1968. Documentation of 2 prior doses is acceptable. Laboratory evidence of immunity is also acceptable. Intervals between first and second measles/MMR/MR doses cannot be less than 1 month.



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DISEASE(S)	REQUIREMENTS	COMMENTS
RUBELLA and MUMPS	1 dose of live Mumps-containing vaccine. 1 dose of live Rubella-containing vaccine.	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs 1 dose of rubella and mumps vaccine. Each student entering college for the first time after 9-1-95 needs 1 dose of rubella and mumps vaccine or any combination containing live rubella and mumps virus administered after 1968. Laboratory evidence of immunity is also acceptable.
VARICELLA	1 dose on or after the first birthday.	All children 19 months of age and older enrolled into a child care/pre-school center after 9-1-04 or children born on or after 1-1-98 entering a school for the first time in Kindergarten, Grade 1, or comparable age entry level special education program with an unassigned grade, need 1 dose of varicella vaccine. Laboratory evidence of immunity, physician's statement or a parental statement of previous varicella disease is also acceptable.
HAEMOPHILUS INFLUENZAE B (Hib)	(AGE 2-11 MONTHS) ⁽¹⁾ : 2 doses (AGE 12-59 MONTHS) ⁽²⁾ : 1 dose	Mandated only for children enrolled in child care, pre-school, or pre-Kindergarten. ⁽¹⁾ Minimum of 2 doses of Hib vaccine is needed if between the ages of 2-11 months. ⁽²⁾ Minimum of 1 dose of Hib vaccine is needed after the first birthday. DTP/Hib and Hib/Hep B also valid Hib doses.



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DISEASE(S)	REQUIREMENTS	COMMENTS
HEPATITIS B	(K-GRADE 12): 3 doses or 2 doses ⁽¹⁾	⁽¹⁾ If a child is between 11-15 years of age and has not received 3 prior doses of Hepatitis B then the child is eligible to receive 2-dose Hepatitis B Adolescent formulation. Laboratory evidence of immunity is also acceptable.
PNEUMOCOCCAL	(AGE 2-11 MONTHS) ⁽¹⁾ : 2 doses (AGE 12-59 MONTHS) ⁽²⁾ : 1 dose	Children enrolled in child care or pre-school on or after 9-1-08. ⁽¹⁾ Minimum of 2 doses of Pneumococcal vaccine is needed if between the ages of 2-11 months. ⁽²⁾ Minimum of 1 dose of Pneumococcal vaccine is needed on or after the first birthday.
MENINGOCOCCAL	(Entering GRADE 6 <i>(or comparable age level Special Ed program with an unassigned grade)</i>): 1 dose ⁽¹⁾ (Entering a four-year college or university, previously unvaccinated and residing in a campus dormitory): 1 dose ⁽²⁾	⁽¹⁾ For students entering Grade 6 on or after 9-1-08 and born on or after 1-1-97. ⁽²⁾ Previously unvaccinated students entering a four-year college or university after 9-1-04 and who reside in a campus dormitory, need 1 dose of meningococcal vaccine. Documentation of one prior dose is acceptable.
INFLUENZA	(AGES 6-59 MONTHS): 1 dose ANNUALLY	For children enrolled in child care, pre-school or pre-Kindergarten on or after 9-1-08. 1 dose to be given between September 1 and December 31 of each year.



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AGE APPROPRIATE VACCINATIONS (FOR LICENSED CHILD CARE CENTERS/PRE-SCHOOLS)	
CHILD'S AGE	NUMBER OF DOSES CHILD SHOULD HAVE (BY AGE):
2-3 Months	1 dose DTaP, 1 dose Polio, 1 dose Hib, 1 dose PCV7
4-5 Months	2 doses DTaP, 2 doses Polio, 2 doses Hib, 2 doses PCV7
6-7 Months	3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
8-11 Months	3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
12-14 Months	3 doses DTaP, 2 doses Polio, 1 dose Hib, 2-3 doses PCV7, 1 dose Influenza
15-17 Months	3 doses DTaP, 2 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose PCV7, 1 dose Influenza
18 Months - 4 Years	4 doses DTaP, 3 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose Varicella, 1 dose PCV7, 1 dose Influenza

PROVISIONAL ADMISSION:

Provisional admission allows a child to enter/attend school but must have a minimum of one dose of each of the required vaccines. Students must be actively in the process of completing the series. If a student is less than 5 years of age, they have 17 months to complete the immunization requirements.

If a student is 5 years of age and older, they have 12 months to complete the immunization requirements.

GRACE PERIODS:

- 4-day grace period: All vaccines doses administered less than or equal to four days before either the specified minimum age or dose spacing interval shall be counted as valid and shall not require revaccination in order to enter or remain in a school, pre-school or child care facility.
- 30-day grace period: Those children transferring into a New Jersey school, pre-school, or child care center from out of State/out of country may be allowed a 30-day grace period in order to obtain past immunization documentation before provisional status shall begin.



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- F. Emergency Powers of the Commissioner of Health and Senior Services
1. If a threatened outbreak, or outbreak of disease, or other public health immunization emergency exists, as determined by the State Commissioner of Health and Senior Services or designee, all students with provisional, religious, or medical exemptions (which relate to the specific disease threatening or occurring) shall be excluded from school. If these students become immunized or produce serologic evidence of immunity to the specific disease the student may immediately be readmitted to school.
 2. If a threatened outbreak, or outbreak of disease or other public health immunization emergency exists, as determined by the State Commissioner of Health and Senior Services or designee, the State Commissioner or designee may issue either additional immunization requirements to control the outbreak or threat of an outbreak or modify immunization requirements to meet the emergency.
 - a. All children failing to meet the additional immunization requirements of N.J.A.C. 8:57-4.22 shall be excluded from school until the outbreak or threatened outbreak is over. These requirements shall remain in effect as outlined in N.J.A.C. 8:57-4.22(c).
 3. The Commissioner of Health and Senior Services or designee may temporarily suspend an immunization requirement in accordance with the reasons as outlined in N.J.A.C. 8:57-4.22(d).

Issued: 12 January 2010
Issued: 11 October 2016



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Administration of Medication

5330 ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of **an** illness of any student. However, in order for many students with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents are encouraged to administer medications to children at home whenever possible as medication should be administered in school only when necessary for the health and safety of students. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, the student's parent, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.

Self-administration of medication by a student for asthma or other potentially life-threatening illness or a life threatening allergic reaction is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

Medication no longer required must be promptly removed by the parent.

The school nurse shall have the primary responsibility for the administration of epinephrine. However, the certified school nurse may designate, in consultation with the Board or the Superintendent, additional employees of the district who volunteer to be trained in the administration of epinephrine via a pre-filled auto-injector mechanism using standardized training protocols established by the Department of Education in consultation with the Department of Health and Senior Services when the school nurse is not physically present at the scene.

In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse or any other officer or agent of a Board of Education or a physician providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5, nor shall any action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person designated in good faith by the school nurse pursuant to N.J.S.A. 18A:40-12.6. Good faith shall not include willful misconduct, gross negligence, or recklessness.

The school nurse or designee shall be promptly available on site at the school and at school-sponsored functions in the event of an allergic reaction. In addition, the parent must be informed that the school district, its employees and agents shall have no liability as a result of any injury arising from the administration of epinephrine to the student.



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Administration of Medication

The parent of the student must sign a statement acknowledging their understanding the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism to the student.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to students for anaphylaxis is effective for the school year it is granted and must be renewed for each subsequent school year.

Each school in the district shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with State Department of Education regulations. Every student that is authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the student's physician which shall identify, at a minimum, asthma triggers, the treatment plan, and other such elements as required by the State Board of Education.

All student medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by students. In those instances the medication may be retained by the student with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with such information about the medication and its administration as may be in the student's best educational interests. The school nurse may report to the school physician any student who appears to be affected adversely by the administration of medication and may recommend to the Principal the student's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a student. Students self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the student during the school activity when the student self-administers. These designated individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the student's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3;
18A:40-12.4; 18A:40-12.5; 18A:40-12.6; 18A:40-12.7; 18A:40-12.8

N.J.S.A. 45:11-23

N.J.A.C. 6A:16-2.3(b)

Adopted: 12 January 2010

Adopted: 13 October 2015



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R 5330 ADMINISTRATION OF MEDICATION

A. Definitions

1. "Medication" means any prescription drug or over-the-counter medicine or nutritional supplement and includes, but is not limited to, aspirin and cough drops.
2. "Administration" means the taking of any medication by ingestion, injection, or application to any part of the body or the giving of direct physical assistance to the person who is ingesting, injecting, or applying medication.
3. "Self-administration" means carrying and taking medication without the intervention of the school nurse, approved through the school district policy and restricted to students with asthma, other potentially life-threatening illnesses or life-threatening allergic reaction.
4. "Life-threatening illness" means an illness or condition that requires an immediate response to specific symptoms or sequelae (an after effect of disease or injury) that if left untreated may lead to potential loss of life, i.e. adrenaline injection in anaphylaxis.
5. "A pre-filled auto-injector mechanism containing epinephrine" is a medical device used for the emergency administration of epinephrine to a student for anaphylaxis.
6. "Noncertified school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and is employed by the district, and who is not certified as a school nurse by the Department of Education.
7. "Substitute school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and who has been issued a county substitute certificate to serve as a substitute for a certified school nurse in accordance with N.J.A.C. 6A:9B-7.6.
8. "School physician" means a physician with a current license to practice medicine or osteopathy from the New Jersey Board of Medical Examiners who works under contract or as an employee of the district. This physician is referred to as the medical inspector in N.J.S.A. 18A:40-4.1.
9. "Advanced practice nurse" means a person who holds current certification as nurse practitioner/clinical nurse specialist from the State Board of Nursing.



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10. "Certified school nurse" means a person who holds a current license as a registered professional nurse from the State Board of Nursing and an Educational Services Certificate with a school nurse endorsement, school nurse, or school nurse/non-instructional from the Department of Education pursuant to N.J.A.C. 6A:9B-14.3 and 14.4.
 - B. Permission for Administration by a School Nurse or Registered Nurse
 1. Permission for the administration of medication in school or at school-related events will be given only when it is necessary for the health and safety of the student.
 2. Medication will not be administered to a student who is physically unfit to attend school or has a contagious disease. Any such student should not be permitted to attend school and may be excluded in accordance with Policy No. 8451.
 3. Parent requests for the administration of medication in school must be made in writing and signed by the parent or guardian.
 4. The parent must submit a certified statement written and signed by the student's physician. The statement must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement that the student would not be able to attend school if the medication is not administered during school hours.



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5. The request for the administration of medication must be made to the Principal prior to any administration of medication or delivery of the medication to the school. The Principal may consult with the school nurse and the school physician in making his/her final determination to allow or deny the request.
 - a. An approved request will be signed by the Principal and given to the school nurse and the student's parent.
 - b. The parent will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.
- C. Administration of Epinephrine to Students
 1. The parent may provide the Superintendent authorization for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to a student for anaphylaxis provided:
 - a. The parent provides the Superintendent a written authorization for the administration of epinephrine with written orders from the physician or an advanced practice nurse that the student requires the administration of epinephrine for anaphylaxis.
 - b. The school nurse has the primary responsibility for the administration of epinephrine. However, the school nurse shall designate, in consultation with the Board or Superintendent, additional employees of the district who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a student when the school nurse is not physically present at the scene. These volunteers shall be trained using standardized training protocols established by the New Jersey Department of Education in consultation with the Department of Health and Senior Services. The student's parent must consent in writing to the administration of epinephrine via a pre-filled auto-injector mechanism by the designee(s).
 - c. The parent must be informed in writing by the Board or Superintendent that the school district and its employees or agents shall have no liability as a result of any injury to a student arising from the administration of epinephrine via a pre-filled auto-injector mechanism.



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- d. The parent must sign a statement acknowledging their understanding the district shall incur no liability as a result of any injury arising from the administration of epinephrine via a pre-filled auto-injector mechanism to the student and the parent shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the administration of epinephrine via a pre-filled auto-injector mechanism to the student.
- e. The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism is effective for the school year it is granted and must be renewed for each subsequent school year upon the fulfillment of the requirements as outlined in a. through d. above.
- f. The school nurse shall be responsible for the placement of the student's prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and trained designees to ensure prompt availability in the event of an allergic emergency at school or at a school function. The location of the epinephrine shall be indicated on the student's emergency care plan. Back-up epinephrine shall also be available at the school if needed.
- g. The school nurse or trained designee shall be promptly available on site at the school and school-sponsored functions in the event of an allergic reaction.
- h. The school nurse or trained designee shall arrange for the transportation of the student to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.
- i. In accordance with the provisions of N.J.S.A.18A:40-12.5.f, the school nurse or a designated employee trained to administer epinephrine via a pre-filled auto-injector mechanism is permitted to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis or to any student whose parent has not met the requirements outlined above when the school nurse or trained designee in good faith believes the student is having an anaphylactic reaction.



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- j. Each school in the district will maintain in a secure, but unlocked and easily accessible location, a supply of epinephrine auto-injectors prescribed under a standing order from a licensed physician, and that is accessible to the school nurse and trained designees for administration to a student having an anaphylactic reaction.

D. Permission for Self-Administration of Medication

Permission for self-administration of medication of a student with asthma, other potentially life-threatening illness, or a life-threatening allergic reaction may be granted under the following conditions:

1. Parent of the student must provide the Board written authorization for the self-administration of medication;
2. The parent of the student must also provide the Board with a signed written certification from the physician of the student that the student has asthma or another potentially life threatening illness or is subject to a life-threatening allergic reaction and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The student's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the student for whom the medication is intended;
 - d. The proper timing and dosage of medication;
 - e. Any possible side effects of the medication;
 - f. The time when the medication will be discontinued;
 - g. A statement that the student is physically fit to attend school and is free of contagious disease; and
 - h. A statement the medication must be administered during the school day or the student would not be able to attend school.



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3. The parent of the student have signed a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parent shall indemnify and hold harmless the school district, the Board, and its employees or agents against any claims arising out of the self-administration of medication by the student;
 4. The parent's written authorization and the physician's written certification shall be reviewed by the Principal or designee with the school nurse and the school physician. The school nurse and the school physician must agree the student is capable of self-administration of the medication. If it is determined the student may self-administer medication in accordance with the request:
 - a. The request will be signed by the Principal and given to the school nurse and the student's parent;
 - b. The parent will be informed of the reason for a denied request; a denied request may be appealed to the Superintendent.
 5. Permission to self-administer one medication shall not be construed as permission to self-administer other medication; and
 6. Permission shall be effective on the school year for which it is granted and shall be renewed for each subsequent school year upon fulfillment of the requirements in 1. through 4. above.
- E. Custodianship of Medication
1. Medications to be administered by the school nurse or a registered nurse:
 - a. All medications must be delivered to the school by the parent.
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of students' medication, which will be properly secured.
 - d. Any unused medication must be picked up by the student's parent.



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- e. After reasonable efforts to have the parent retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or two school weeks after the student stops taking the medication, whichever first occurs, must be destroyed or discarded by the school nurse, in accordance with proper medical controls.
2. Medications to be self-administered by a student:
 - a. Time being of the essence in cases of asthma, other potentially life threatening illness, or a life-threatening allergic reaction, all medications to be self-administered by a student must be kept in the student's possession.
 - b. No student may possess medication for self-administration unless the proper permission has been granted by the Principal and a record of the medication is on file in the office of the school nurse.
 - c. Students who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other students. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. The medication, if ingested by someone other than the student, shall not cause severe illness or death.
 - d. Students who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for the time period of the student's school day.
 - e. Notwithstanding any other law or regulation, a student who is permitted to self-administer medication in accordance with the provisions of N.J.S.A. 18A:40-12.3 shall be permitted to carry an inhaler or prescribed medication for allergic reactions, including a pre-filled auto-injector mechanism, at all times, provided the student does not endanger himself or other persons through misuse.
- F. Administration of Medication
1. No medication shall be administered to or taken by a student in school or at a school-sponsored event except as permitted by Board policy and this regulation.



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2. Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the district, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.
3. When practicable, self-administration of medication should be observed by the school nurse.
4. Students self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the reported or observed to the school nurse within twenty-four hours.
5. When a student attends a school-sponsored event at which medication may be required (such as an outdoor field trip or athletic competition and the school nurse cannot be in attendance, the student's parent will be invited to attend. If neither the school nurse nor the parent can attend and the student does not have permission to self-administer medication and there is a risk that the student may suffer injury from lack of medication, the student may be excused from the event.

G. Emergencies

1. Any medical emergency requiring medication of students will be handled in accordance with Policy No. 8441 and implementing regulations on first aid and, as appropriate, the school physician's standing orders for school nurses. Arrangements will be made to transport a student to a hospital emergency room after the administration of epinephrine in accordance with N.J.S.A.18A:40-12.5.e.(3).
2. Nothing in N.J.S.A. 18A:40-12.6 prohibits the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a student for anaphylaxis by the school nurse or other trained designated employees pursuant to N.J.S.A. 18A:40-12.6 when the student is authorized to self-administer epinephrine pursuant to N.J.S.A. 18A:40-12.3, or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medicine, or when the epinephrine is administered pursuant to N.J.A.C. 18A:40-12.5.

H. Records

The school nurse shall include the following in a student's health record:



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Administration of Medication

1. The approved written request for the administration or self-administration of medication;
 2. A record of each instance of the administration of the medication by the school nurse or a registered nurse;
 3. A record of reports by teachers, coaches, and other individuals in charge of school activities who report student self-administration of medication;
 4. Any side effects that resulted from the administration of medication; and
 5. Whether the supply of medication provided in cases where the medication is to be administered by the school nurse or a registered nurse was exhausted or the parent removed the medication or, if the parent failed to remove the medication, the medication was destroyed and the date on which that occurred.
- I. Notification
1. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with information about the medication and administration when such release of information is in the student's best educational interest.
 2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of students who have been given permission to self-administer medication.
 3. The school nurse will inform the student's parent of any difficulty in the administration of medication or any side effects.
 4. The school nurse will report to the school physician any student who appears to be adversely affected by the medication.

Adopted 12 January 2010
Adopted: 13 October 2015
Adopted: 20 September 2016



5330.01 ADMINISTRATION OF MEDICAL MARIJUANA

The Board of Education, in accordance with the requirements of N.J.S.A. 18A:40-12.22, must adopt a Policy authorizing parents, guardians, and primary caregivers to administer medical marijuana to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event. The parent of a qualifying student patient requesting the administration of medical marijuana to the student while on school grounds, aboard a school bus, or attending a school-sponsored event must comply with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. and Policy and Regulation 5330.01.

A student enrolled in the school district must be authorized to engage in the medical use of marijuana and the primary caregiver, who may be the parent, must be authorized to administer medical marijuana to a qualifying student patient in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The student and the primary caregiver must complete the registration process to obtain a Registry Identification Card from the New Jersey Department of Health in accordance with the requirements of N.J.S.A. 24:6I-4.

The parent of the student authorized to engage in the medical use of marijuana must submit a written request with supporting documentation to the Principal requesting approval to have a primary caregiver assist in the administration of medical marijuana to the student while on school grounds, aboard a school bus, or attending a school-sponsored event. The Principal, in consultation with the school nurse, the school physician, and the Superintendent of Schools, will review each request and upon approval will inform the parent in writing of the approval with details for the administration of medical marijuana to the qualifying student patient. The medical use of marijuana by a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event will only be authorized after the written approval from the Principal is provided to the parent.

Medical marijuana may only be administered to the qualifying student patient while the student is on school grounds, aboard a school bus, or attending a school-sponsored event by the primary caregiver in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The prescribed medical marijuana must be in the possession of the primary caregiver at all times, except during the administration process. The primary caregiver shall comply with the requirements of the Principal's written approval for the administration of medical marijuana to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event.

All health records related to the administration of medical marijuana to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event shall be maintained in accordance with the requirements of N.J.A.C. 6A:16-2.4 and N.J.A.C. 6A:32-7.4.



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Administration of Medical Marijuana

No person shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for simply being in the presence or vicinity of the medical use of marijuana as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22. No custodial parent, guardian, or person who has legal custody of a qualifying student patient who is a minor shall be subject to arrest or prosecution for constructive possession, conspiracy, or any other offense for assisting the minor in the medical use of marijuana as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22.

N.J.S.A. 18A:40-12.22
N.J.S.A. 24:6I-1 et seq.
N.J.A.C. 6A:16-2.4; 6A:32-7.4

Adopted: 10 May 2016



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Administration of Medical Marijuana

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[See POLICY ALERT No. 208]

R 5330.01 ADMINISTRATION OF MEDICAL MARIJUANA

A custodial parent, guardian, or person having legal custody of a student requesting the administration of medical marijuana to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event must comply with the procedures and requirements of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. and this Regulation.

A. Definitions

For the purposes of this Policy:

1. "Bona fide physician-patient relationship" means a relationship in which the physician has ongoing responsibility for the assessment, care, and treatment of a qualifying student patient's debilitating medical condition.
2. "Certification" means a statement signed by a physician with whom a qualifying student patient has a bona fide physician-patient relationship, which attests to the physician's authorization for the patient to apply for registration for the medical use of marijuana.
3. "Marijuana" has the meaning given in Section 2 of the "New Jersey Controlled Dangerous Substances Act," N.J.S.A. 24:21-2.
4. "Medical use of marijuana" means the acquisition, possession, transport, or use of marijuana or paraphernalia by a registered qualifying student patient as authorized by the New Jersey Compassionate Medical Marijuana Act (Act).
5. "Parent" means the custodial parent, guardian, or person who has legal custody of a qualifying student patient who may also be the primary caregiver registered and provided a Registry Identification Card by the New Jersey Department of Health to administer medical marijuana to a student in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-4.
6. "Physician" means a person licensed to practice medicine and surgery pursuant to Title 45 of the Revised Statutes with whom the qualifying student patient has a bona fide physician-patient relationship and who is the primary care physician, hospice physician, or physician responsible for the ongoing treatment of a qualifying student patient's debilitating medical condition, provided; however, that the ongoing treatment shall not be limited to the provision of authorization for a qualifying student patient to use medical marijuana or consultation solely for that purpose.



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7. “Primary caregiver” or “caregiver” means a resident of the State who:
 - a. Is at least eighteen years old;
 - b. Has agreed to assist with a registered qualifying student patient’s medical use of marijuana, is not currently serving as primary caregiver for another qualifying patient, and is not the qualifying student patient’s physician;
 - c. Has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the effective date [Oct. 1, 2010] of the Act and was for a violation of Federal law related to possession or sale of marijuana that is authorized under the Act;
 - d. Has registered with the Department of Health pursuant to N.J.S.A. 24:6I-4 and has satisfied the criminal history record background check requirement of N.J.S.A. 24:6I-4; and
 - e. Has been designated as primary caregiver on the qualifying student patient’s application or renewal for a Registry Identification Card or in other written notification to the Department of Health.
 8. “Qualifying student patient” means a resident of the State who is a student enrolled and attending school in this school district who has been provided with a certification by a physician pursuant to a bona fide physician-patient relationship and has been issued a Registry Identification Card by the New Jersey Department of Health for medical use of marijuana in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A 24:6I-4.
 9. “Qualifying patient” means a resident of the State who has been provided with a certification by a physician pursuant to a bona fide physician-patient relationship.
 10. “Registry Identification Card” means a document issued by the Department of Health that identifies a person as a registered qualifying student patient or primary caregiver.
- B. Registration – Qualifying Student Patient and Primary Caregiver
1. A qualifying student patient must be authorized to engage in the medical use of marijuana and the primary caregiver must be authorized to assist the qualifying student patient with the medical use of marijuana pursuant to the provisions of N.J.S.A. 24:6I-1 et seq.



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2. A qualifying student patient and their primary caregiver must complete the registration process in accordance with the provisions of N.J.S.A. 24:6I-4 and any other requirements of the New Jersey Department of Health.
 3. The qualifying student patient's parent shall be responsible to immediately inform the Principal of any change in the status of the student's Registry Identification Card that would deem the Registry Identification Card null and void due to any reason outlined in N.J.S.A. 24:6I-4e or for any other reason.
 4. The qualifying student patient's primary caregiver shall be responsible to immediately inform the Principal of any change in the status of any primary caregiver's Registry Identification Card that would deem the Registry Identification Card null and void due to any reason outlined in N.J.S.A. 24:6I-4e or for any other reason.
- C. Submission for Authorization for Administration of Medical Marijuana
1. A parent of a qualifying student patient requesting the administration of medical marijuana to the student while on school grounds, aboard a school bus, or attending a school-sponsored event must submit a written request to the Principal with a copy of a current New Jersey Department of Health Registry Identification Cards for the qualifying student patient and the primary caregiver and a copy of the physician's order or prescription indicating dosage information and the method of administration for the medical marijuana to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event.

The Principal may request the parent provide additional documentation from the physician that the medical marijuana must be administered during the time of the day when the student is on school grounds, aboard a school bus, or attending a school-sponsored event and the medical marijuana cannot be administered and/or will not be effective during alternate times when the student is not on school grounds, aboard a school bus, or attending a school-sponsored event.
 - a. The parent's written request and all supporting documentation must be submitted to the Principal at least five school days before the first day of the requested administration.
 2. The Principal shall review the submitted Registry Identification Cards and supporting documentation with the school physician, the school nurse, and the Superintendent of Schools.



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3. Upon review and approval of the documentation submitted by the parent, the Principal will inform the parent or primary caregiver, if the parent is not the primary caregiver, in writing with the following information:
 - a. The location (school, office, etc.) where the primary caregiver shall report to administer the medical marijuana;
 - b. The school staff member(s) who the primary caregiver must see to coordinate the administration of medical marijuana;
 - c. The time the primary caregiver shall report to administer the medical marijuana;
 - d. The specific location where the medical marijuana shall be administered to the student; and
 - e. A copy of Policy and Regulation 5330.01 – Administration of Medical Marijuana.
 4. In the event the Principal, after consultation with the school nurse, school physician, and Superintendent, has a question or concern regarding the Registry Identification Cards or supporting documentation submitted by the parent, the Principal or school physician will contact the parent with the question or concern.
 5. The administration of medical marijuana on school grounds, aboard a school bus, or at a school-sponsored event, pursuant to N.J.S.A. 18A:40-12.22, will only be authorized after the approval required by Policy and Regulation 5330.01.
- D. Administration of Medical Marijuana
1. The medical marijuana shall only be administered by the primary caregiver and at the approved location, times, and method as indicated in the parent's request that was approved in writing by the Principal.
 2. In accordance with the provisions of N.J.S.A. 18A:40-12.22.b.(5), medical marijuana cannot be administered to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event by smoking or other form of inhalation.
 3. The prescribed medical marijuana must always be in the possession of the primary caregiver and may not be in the possession of the qualifying student patient at any time on school grounds, aboard a school bus, or at a school-sponsored event.



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4. The Principal, after consultation with the school nurse, school physician, and the Superintendent, will determine a specific location for the administration of the medical marijuana to the qualifying student patient.
 - a. The Principal will designate a private area, if possible, for the primary caregiver to administer the medical marijuana to the qualifying student patient. The amount of privacy provided for the administration will depend on the approved method of administration and the designated location. The location may be a nurse's office, a private office, a private restroom facility, or any other location appropriate for the approved method of administration.
5. The primary caregiver shall report to the approved location prior to the scheduled time for the administration of medical marijuana to the qualifying student patient. The primary caregiver must show the Registry Identification Card and a second form of identification which shall be a photograph identification.
6. The Principal or supervising school staff member of a school-sponsored event may designate a school staff member to escort the primary caregiver to the qualifying student patient at the designated time to the designated location for the administration.
7. The Principal may designate a school staff member to observe the administration of the medical marijuana on school grounds, aboard a school bus, or at a school-sponsored event.
8. The primary caregiver shall assist in the administration of medical marijuana to the qualifying student patient in accordance with the method and dosage prescribed by the physician and included in the parent's request to the Principal.
9. The qualifying student patient shall return to his/her class or event as soon as possible after the administration.
10. The primary caregiver will be escorted outside the school building, away from the school bus, or away from the school-sponsored event, if applicable, by a school staff member after the administration.
 - a. The qualifying student patient and/or primary caregiver may be asked to remain at the location of the administration by the school staff member in the event the student needs some additional time after the administration and before returning to their class or event.



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11. The primary caregiver shall be responsible for the security of the medical marijuana on school grounds, aboard a school bus, or at a school-sponsored event before, during, and after the administration. At no time shall the qualifying student patient have the medical marijuana in their possession except during the administration process by the primary caregiver.

Issued: 10 May 2016



5331 **MANAGEMENT OF LIFE-THREATENING ALLERGIES IN SCHOOLS**

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of any illness, including any allergies, of any student. At the same time, the Board recognizes a student's health and safety may be contingent upon timely administration of medication duly prescribed by a physician. Any administration of medications to students in school will be in accordance with Policy No. 5330 and applicable State laws.

The Board recognizes students may have anaphylaxis to certain foods and other substances and may be at risk for anaphylaxis. Anaphylaxis is a sudden, severe, potentially fatal, systemic allergic reaction that can involve various areas of the body (such as the skin, respiratory tract, gastrointestinal tract, and cardiovascular system). Symptoms can occur within minutes to hours after contact with the allergy-causing substance and these reactions can be mild to life-threatening. Therefore, it is very important the parent(s) of students with anaphylaxis to food and other substances inform the Building Principal and the school nurse in the event the student may have an anaphylactic reaction while in school. The Building Principal and the school nurse will notify school staffs that interact with the student. Policy 5331 has been developed in accordance with the Guidelines for the Management of Life-Threatening Food Allergies in Schools developed by the New Jersey Department of Education.

An Individualized Healthcare Plan (IHP) and an Individualized Emergency Healthcare Plan (IEHP) will be developed for each student at risk for a life-threatening allergic reaction. The Board will permit the self-administration of medication, the placement and the accessibility of epinephrine, and the recruitment and training of designees who volunteer to administer epinephrine during school and at school-sponsored functions when the school nurse or designee is not available shall be in accordance with for a student with anaphylaxis to food and other substances pursuant to N.J.S.A. 18A:40-12.3 through N.J.S.A. 18A:40-12.6 and Policy No. 5330. School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The parent(s) of a student with anaphylaxis to food and other substances must provide the Superintendent written authorization for the emergency administration of epinephrine via a pre-filled single dose auto-injector mechanism for the student in accordance with Policy No. 5330.

The Building Principal and the school nurse will develop and implement appropriate strategies and prevention measures for the reduction of risk of exposure to food allergens throughout the school day, during before – and after – school programs, at all school sponsored activities, in the cafeteria, or wherever food is present.

A description of the roles and responsibilities of parent(s), staff, and students to prevent allergic reactions and during allergic reactions are outlined in Regulation 5331.



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Based on the school cafeteria's use of government commodity foods and beverages and donations of food and beverages by parent(s) and organizations, the district may not know the exact ingredients used in the preparation of all food and beverage items served within the school lunch program, by parent(s) and/or by school organizations. Therefore, the parent(s) and/or the student with anaphylaxis to food should be responsible for the student's purchase and consumption of any food products sold or provided by the school and/or by any school related organizations that may cause an anaphylactic reaction. Upon the request of a parent(s) of a student with anaphylaxis to food, the Building Principal, working with the school nurse and school cafeteria personnel, will accommodate a student with anaphylaxis to food by offering limited food substitutions that are free of the student's food allergy.

There will be occasions where food and/or beverages will be served as part of a classroom experience, field trip and/or classroom experience, field trip, and/or celebration. Because the ingredients of these food products may be unknown to the food preparation person and/or server, a student with anaphylaxis to food should not consume any food products that he/she is unsure of the ingredients. The teacher will provide the student with advance notice of the classroom experience, field trip and/or classroom celebration in order for the student to bring a food or beverage from their home so they may participate in the activity.

When a parent informs the Building Principal and the school nurse the student may have an anaphylactic reaction to substances other than food while in school, the Building Principal will work with school staff to determine if these substances are on school grounds. The Building Principal will inform and work with the parent and the student to avoid the student's exposure to these substances if present on school grounds.

School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life threatening allergic reaction occur. The school nurse will provide appropriate training to school staff in order for school staff to understand allergies to food and other substances, to recognize symptoms of an allergic reaction, and to know the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The school nurse will work with appropriate school staff to eliminate or substitute the use of food allergens in the allergic student's meals, educational/instructional tools and materials, arts and crafts projects, or incentives.

Policy and Regulation 5331 should be annually reviewed, evaluated, and updated where needed. Policy and Regulation 5331 will be disseminated and communicated to all parent(s) of students in the school in the beginning of each school year and when a student enters the school after the beginning of the school year.

N.J.S.A. 18A:40-12.3 through 18A:40-12.6

New Jersey Department of Education – Guidelines for the Management of Life-Threatening Food Allergies in Schools – September 2008

Adopted: 12 January 2010

Adopted: 8 November 2016



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R 5331 **MANAGEMENT OF LIFE-THREATENING ALLERGIES IN SCHOOLS**

A. Definitions

1. Anaphylaxis - A serious allergic reaction that is rapid in onset and may cause death.
2. Epinephrine (adrenaline) - A drug that can be successfully utilized to counteract anaphylaxis.
3. Food Allergy - A group of disorders characterized by immunologic responses to specific food proteins. In the United States, the most likely common allergens in adults and children are cow's milk, eggs, peanuts, wheat, soy, fish, shellfish, and nuts.
4. Individualized Emergency Healthcare Plan (IEHP) - A personalized healthcare plan written by the certified school nurse that specifies the delivery of accommodations and services needed by a student in the event of an emergency.
5. Individualized Healthcare Plan (IHP) - A plan written by the certified school nurse that details accommodations and/or nursing services to be provided to a student because of the student's medical condition based on medical orders written by a health care provider in the student's medical home.
6. School-Sponsored Function - Any activity, event, or program occurring on or off school grounds, whether during or outside of regular school hours, that is organized and/or supported by the school.

B. Policy and Regulation Development

1. Policy and Regulation 5331 address different allergens, varying ages and maturity levels of students, and the physical properties and organizational structures of schools in this school district. The components below were critical in developing Policy and Regulation 5331.
 - a. The school district nursing staff, in consultation with the school physician, if needed:
 - (1) Assessed the overall health needs of the student population at risk for anaphylaxis, particularly students with food allergies; and



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- (2) Assessed current and relevant policies and/or protocols regarding the care of students with life-threatening allergies and identified areas in need of development or improvement.
2. Policy and Regulation 5331 were developed using a multidisciplinary team that included various school district administrators, teachers, and support staff members.
3. Additional factors need to be regarded at the secondary school level in order to provide the best care for food-allergic teens. The multidisciplinary team should consider the factors below when developing Policy and Regulation 5331 as it pertains to food-allergic teens.
 - a. Students move to different classrooms, frequently in larger buildings and campuses, presenting needs for updated avoidance strategies, epinephrine availability, and designated assistance.
 - b. Students may have open lunch periods and accompany friends to local eateries.
 - c. Students may have access to vending machines.
 - d. Certain classes give rise to new avoidance issues, e.g., chemistry/biology labs, home economics/culinary class, etc.
 - e. The number of off-site school-sponsored functions increases, e.g., travel, sometimes to other States and foreign countries; athletic games and competitions, sometimes in other towns; dances; etc.
 - f. Risk-taking behaviors frequently accompany the independence of adolescent years.
 - g. N.J.S.A. 18A:40-12.6 provides for a delegate for the emergency administration of epinephrine even when a student is able to self-administer life-saving medication. Although teenage students will more than likely be permitted to carry and self-administer emergency medications, those students are not to be expected to have complete responsibility for the administration of epinephrine. A severe allergic reaction can completely incapacitate a student and inhibit the ability to self-administer emergency medication. Therefore, the school nurse or volunteer delegate shall be available during school and school-sponsored functions to administer epinephrine in an emergency in accordance with the provisions of N.J.S.A. 18A:40-12.5.e.(2).



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4. The Principal and/or the school nurse will educate staff and the community regarding Policy and Regulation 5331; obtain feedback on the implementation and effectiveness of the Policy and Regulation; and annually review, evaluate, and update the Policy and Regulation, as needed or required by law.

C. Prevention Measures

1. Considerations for the Cafeteria

The Principal, in consultation with the school nurse, teaching staff members, food service staff members, and other appropriate staff members, will work to make the cafeteria environment as safe as possible for food-allergic students. This process includes making determinations about serving foods with known allergens and identifying steps that can be taken to reduce the chance of accidental exposure. The steps may include:

- a. Training to food service personnel on food label reading and safe handling, as well as safe meal substitutions for food-allergic children.
- b. Educating cafeteria staff and monitors about food-allergy management and make them aware of the students who have life-threatening food allergies.
- c. Developing and implementing standard procedures for cleaning tables, chairs, and trays, particularly those designated as allergen-safe, after lunch periods using dedicated and disposable supplies to avoid cross contact.
- d. When possible, sharing ingredient/allergen information for food provided by the school to students and parent(s).
- e. Making allergen-safe table(s) an available option for allergic students.
- f. Considering allergen-full table(s) (i.e., all those eating peanut butter sit together).
- g. Discouraging students from sharing or trading food/snack items, drinks, straws, or utensils.
- h. Encouraging students to wash hands before and after eating.



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- i. Considering the benefits and ramifications of serving and/or removing allergen-containing foods or removing a particular food item from the school menu.
 - j. Making accommodations in the event a student cannot be in direct proximity to certain allergens that are being cooked/boiled/steamed.
2. Considerations for the Classroom

Provisions will be made to develop safeguards for the protection of food-allergic students in the classroom. The school nurse will work with the classroom teacher(s) so the teacher understands and is able to initiate the student's IEHP, as necessary.

- a. If possible, consider prohibiting the use or consumption of allergen-containing foods in the classroom.
- b. Conduct training for teachers, aides, volunteers, substitutes, and students about food allergies.
- c. Develop and implement a procedure that will alert substitute teachers to the presence of any students with food allergies and any accompanying instructions.
- d. Develop and implement a letter to parent(s) of classmates of the food-allergic student (without identifying the student), particularly in lower grades, explaining any prohibitions on food in the classroom.
- e. Discourage the use of food allergens for classroom projects/activities, classroom celebrations, etc.
- f. Encourage the use of non-food items for all classroom events/activities, as a way to avoid the potential presence of major food allergens.
- g. Notify parent(s) of classroom celebrations that involve food with particular attention to notification of parent(s) of food-allergic children.
- h. Encourage students to wash hands before and after eating.
- i. Develop and implement standard procedures for cleaning desks, tables, and the general classroom area.



3. General Considerations for the School Environment

The Principal, in consultation with the school nurse, teaching staff members, food service staff members, and other appropriate staff members, will work to make the school environment as safe as possible for the food-allergic student to include:

- a. Developing and implementing cleaning procedures for common areas (i.e., libraries, computer labs, music and art rooms, hallways, etc.).
- b. Developing and implementing guidelines for food fundraisers (i.e. bake sales, candy sales, etc.) that are held on school grounds.
- c. Avoiding the use of food products as displays or components of displays in hallways.
- d. Developing protocols for appropriate cleaning methods following events held at the school, which involve food.

4. Field Trips and Other School Functions

N.J.S.A. 18A:40-12.6 requires a nurse or delegate to be available during school and school-sponsored functions in the event of anaphylaxis. Students with food allergies should participate in all school activities and will not be excluded based on their condition. The appropriate school staff member(s) should:

- a. Communicate (with parent(s) permission) relevant aspects of the IEHP to staff, as appropriate, for field trips, school-sponsored functions, and before- and after-school programs.
- b. Encourage long-term planning of field trips in order to ensure that food-allergic students receive needed services while away from school.
- c. Evaluate appropriateness of trips when considering the needs of students e.g., a trip to a dairy farm should not be scheduled for a class with a milk-allergic student.
- d. Encourage, but do not require, parent(s) of food-allergic students to accompany their child on school trips.
- e. Implement the district's procedure for the emergency administration of medications.



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- f. Implement the district's procedure for emergency staff communications on field trips.
- g. Inform parent(s), when possible, of school events at which food will be served or used.

5. Bus Transportation

The district administrative staff and transportation personnel will consider the needs of students with life-threatening allergies while being transported to and from school and to school-sponsored activities. The appropriate school staff member(s) should:

- a. Advise bus drivers of the students that have food allergies, symptoms associated with food-allergic reactions, and how to respond appropriately.
- b. Assess the emergency communications systems on buses.
- c. Consider assigned bus seating i.e., students with food allergies can sit at the front of the bus or can be paired with a "bus buddy."
- d. Assess existing policies regarding food on buses.

6. Preparing for an Emergency

The Principal and school nurse will establish emergency protocols and procedures in advance of an emergency. These protocols and procedures should:

- a. Provide training for school personnel about life-threatening allergic conditions.
- b. Create a list of volunteer delegates trained by the nurse in the administration of epinephrine, and disseminate the list appropriately.
- c. Ensure that epinephrine is quickly and readily accessible in the event of an emergency. If appropriate, maintain a backup supply of the medication.
- d. Coordinate with local EMS on emergency response in the event of anaphylaxis.



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- e. Consider conducting anaphylaxis drills as part of the district or school-wide emergency response plan.
- f. Ensure access to epinephrine and allergy-free foods when developing plans for fire drills, lockdowns, etc.
- g. Ensure that reliable communication devices are available in the event of an emergency.
- h. Adhere to Occupational Safety and Health Administration (OSHA) and Universal Precautions Guidelines for disposal of epinephrine auto-injectors after use.

7. Sensitivity and Bullying

A food-allergic student may become victim to threats of bullying related to his/her condition. N.J.A.C. 6A:16-7.9 requires each Board of Education to develop, adopt, and implement a policy prohibiting harassment, intimidation, or bullying on school grounds, including on a school bus or at a school-sponsored function, pursuant to N.J.S.A. 18A:37-15. The appropriate school staff member(s) should:

- a. Remind students and staff that bullying or teasing food-allergic students will not be tolerated and violators should be disciplined appropriately.
- b. Offer professional development for faculty and staff regarding confidentiality to prevent open discussion about the health of specific students.
- c. Discourage needless labeling of food-allergic students in front of others. A food-allergic student should not be referred to as “the peanut kid,” “the bee kid” or any other name related to the student’s condition.

D. Roles and Responsibilities for Managing Food Allergies

The risk of accidental exposure to foods can be reduced in the school setting if schools, students, parent(s), and physicians work together to minimize risks of exposure to allergens and provide a safe educational environment for food-allergic students.

1. Family’s Role

- a. Notify the school of the student’s allergies.



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- b. Work with the school team to develop a plan that accommodates the student's needs throughout the school, including the classroom, the cafeteria, after-care programs, during school-sponsored activities, and on the school bus, as well as an IEHP.
 - c. Provide written medical documentation, instructions, and medications as directed by a physician, using the Food Allergy Action Plan as a guide. Include a photo of the child on written form.
 - d. Provide properly labeled medications and promptly replace medications after use or upon expiration.
 - e. Educate the child in the self-management of their food allergy including: safe and unsafe foods; strategies for avoiding exposure to unsafe foods; symptoms of allergic reactions; how and when to tell an adult they may be having an allergy-related problem; and how to read food labels (age appropriate).
 - f. Review policies and procedures with the school staff, the child's physician, and the child (if age appropriate) after a reaction has occurred.
 - g. Provide current emergency contact information and update regularly.
2. School's Role
- a. Review the health records submitted by parent(s) and physicians.
 - b. Identify a core team including the school nurse, teacher, Principal, and school food service and nutrition manager/director to work with parent(s) and the student (age appropriate) to establish an IEHP. Changes to the IEHP that promote food allergy management should be made with core team participation.
 - c. Assure that all staff who interacts with the student on a regular basis understand food allergies, can recognize symptoms, know what to do in an emergency, and work with other school staff to eliminate the use of food allergens in the allergic student's meals, educational tools, arts and crafts projects, or incentives.



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- d. Coordinate with the school nurse to ensure medications are appropriately stored and ensure an emergency kit is available that contains a physician's standing order for epinephrine. Epinephrine should be kept in a secure but unlocked location that is easily accessible to delegated school personnel.
 - e. Students who are permitted to self-administer should be permitted to carry their own epinephrine in accordance with State regulations and district policy.
 - f. Designate school personnel who volunteer to administer epinephrine in an emergency.
 - g. Be prepared to handle a reaction and ensure there is a staff member available who is properly trained to administer medications during the school day, regardless of time or location.
 - h. Review policies and prevention plans with the core team members, parent(s), student (age appropriate), and physician after a reaction has occurred.
 - i. Work with the transportation administrator to insure that school bus drivers receive training that includes symptom awareness and what to do if a reaction occurs and assess the means by which a bus driver can communicate during an emergency, including proper devices and equipment.
 - j. Discuss field trips with the family of the food-allergic child to decide appropriate strategies for managing the food allergy.
 - k. Follow Federal and/or State laws and regulations regarding sharing medical information about the student.
 - l. Take threats or harassment against an allergic child seriously.
3. Student's Role
- a. Students should not trade food with others.
 - b. Students should not eat anything with unknown ingredients or known to contain any allergens.
 - c. Students should be proactive in the care and management of their food allergies and reactions based on their developmental level.



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- d. Students should notify an adult immediately if they eat something they believe may contain the food to which they are allergic.

Issued: 12 January 2010

Issued: 8 November 2016



5335 TREATMENT OF ASTHMA

The Board of Education recognizes the primary goal for children with asthma is to allow the child to live as normal a life as possible. The child should be able to participate in normal childhood activities, experience exercise tolerance similar to peers, and attend school to grow intellectually and develop socially. In accordance with N.J.A.C. 6A:16-2.1(a)5, the Board adopts this Policy that includes procedures for the treatment of asthma in the school setting.

Every school in the district shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar location. Each school nurse in the district shall receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma and Immunology pursuant to N.J.S.A. 18A:40-12.8(a). The school nurse, upon receiving this training, is authorized to administer asthma medication through the use of a nebulizer pursuant to N.J.S.A. 18A:40-12.8(a).

Each student authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 and Policy 5330 or a nebulizer shall have an Asthma Action Plan (AAP) prepared by the student's medical home and submitted to the certified school nurse. The AAP shall identify, at a minimum, asthma triggers and information to be included in the individualized healthcare plan and individualized emergency healthcare plan, pursuant to N.J.A.C. 6A:16-2.3(b) for meeting the medical needs of the student while attending school or a school-sponsored function.

N.J.S.A. 18A:40-12.3; 18A:40-12.7
N.J.A.C. 6A:16-2.1(a)5

Adopted: 12 January 2010
Adopted: 8 November 2016



5337 SERVICE ANIMALS

In compliance with Title II of the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008, it is the policy of the Board to permit use of a service animal by an individual with a disability in all areas of the district where the public is normally permitted: in district buildings; on district property; and on vehicles owned, leased, or controlled by the district. (28 CFR §35.136)

A. Definitions

1. “Act” means the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008.
2. “Designated administrator” means Principal or person designated by the Principal to coordinate these activities.
3. “District” means this school district.
4. “Handler” means the animal’s owner or a person, such as a trainer, assisting the owner with control of the service animal.
5. “Service animal” means a dog individually trained to do work or perform a specific job or task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. (28 CFR §36.104)
 - a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
 - b. The work or tasks performed by a service animal must be directly related to the individual's disability (e.g. navigation, alerting physical support and assistance, preventing or interrupting impulsive or destructive behaviors).
 - c. Work or tasks for the purposes of this definition do not include the provision of emotional support, well-being, comfort, therapy, companionship, or crime deterrence.



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B. Generally

1. The district shall permit the use of a service animal by an individual with a disability unless:
 - a. The animal is out of control and the animal's handler does not take effective action to control it;
 - b. The animal is not housebroken.
2. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g. voice control, signals, or other effective means). (28 CFR §35.136(d))
3. If an animal is properly excluded, the district shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises. (28 CFR §35.136(b))
4. If there are places in the district where it is determined to be unsafe for a handler and service animal, reasonable accommodations will be provided to assure the individual equal access to the activity.
5. Unless the need for a service animal is readily apparent, the handler will be required to provide the district with information that:
 - a. The service animal is required because of a disability; and
 - b. What work or task the animal has been trained to perform.
6. The district may not require documentation, including proof that the animal has been certified, trained, or licensed as a service animal; nor that the dog demonstrates its ability to perform the work or task. (28 CFR §35.136(f))



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7. Individuals who have service animals are not exempt from local animal control or public health requirements.
 8. Service animals must be licensed and registered in accordance with State and local laws.
- C. Delegation of Responsibility
1. The district is not responsible for the care or supervision of a service animal. (28 CFR §35.136(e))
 2. If the district normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by his or her service animal. (28 CFR §35.136(h))
 3. The district will designate relief areas for the service animal which will be included in mobility training and orientation of students and animals new to the school.
- D. Notification and Responsibilities
1. In the event a service animal will be introduced as part of the school community, the designated administrator will develop a comprehensive implementation plan prior to introduction of the service animal into the school to include:
 - a. Notification to parents of students who may be in contact with the service animal;
 - b. Appropriate etiquette regarding service animals to include:
 - (1) Never pet a service animal while it is working;
 - (2) Never feed a working service animal;
 - (3) Do not deliberately startle, tease, or taunt a service animal;
 - (4) Do not hesitate to ask the handler if he or she would like assistance regarding directions or the facility.



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2. The use of a service animal introduced as part of the school community will require inclusion into the student's Individualized Education Plan (IEP) or the student's Section 504 Accommodation Plan.
3. The district will require that the owner of a service animal introduced as part of the school community and, as included in the student's IEP or Section 504 Accommodation Plan, maintain liability insurance for the service animal in the amount required by the Board of Education.

E. Miniature Horses

1. Miniature horses, although not included in the Act under the definition of "service animal," may only be permitted if individually trained to do work or perform tasks for the benefit of the individual with a disability and if they meet the assessment factors outlined in 3. below. (28 CFR §35.136(i))
2. Ponies and full size horses are not considered miniature horses.
3. Assessment factors to determine whether the district can reasonably modify its policies, practices, and procedures to allow for the use of miniature horses on its property, facilities, or vehicles include:
 - a. Type, size, and weight of the miniature horse and whether the facility can accommodate those features;
 - b. Whether the handler has sufficient control of the miniature horse;
 - c. Whether the miniature horse is housebroken; and
 - d. Whether the miniature horse's presence compromises legitimate safety requirements necessary for safe operation.
4. All requirements for the use of service animals also apply to the use of miniature horses.

28 CFR §35.136
28 CFR §36.104

Adopted: 12 January 2016



5338 **DIABETES MANAGEMENT**

Diabetes is a serious chronic disease and must be managed twenty-four hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low and the serious long-term complications of high blood sugar levels. In order to manage their diabetes, students must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

The parent or legal guardian of a student with diabetes who seeks diabetes care for the student while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the student. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event there is a change in the health status of the student.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in the care of students with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a student with diabetes who is experiencing severe hypoglycemia.

The school nurse shall designate, in consultation with the Superintendent of Schools or designee, additional employees of the school district who volunteer to administer glucagon to a student with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon the written request of the parent or legal guardian and as provided in a student's individualized health care plan, the student will be permitted to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the student has been evaluated and determined to be capable of doing so as reflected in the student's individualized health care plan.

The Principal or school nurse shall, for each student with diabetes whom a school bus driver transports, provide the driver with a notice of the student's condition, how to treat hypoglycemia, who to contact in an emergency, and parents) or legal guardian(s) contact information. Designated areas of the school building shall have posted, in plain view, a reference sheet identifying signs and symptoms of hypoglycemia in students with diabetes.



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A student's school choice, if there is a choice option, shall not be restricted due to the fact the student has diabetes.

N.J .S.A. 18A:40-12.1 1 through 18A:40-12.21

Adopted: 14 September 2010

Adopted: 8 November 2016



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R 5338 DIABETES MANAGEMENT

A. Definitions

1. "Individualized emergency health care plan" means a document developed by the school nurse, in consultation with the parent of a student with diabetes and other appropriate medical professionals, which is consistent with the recommendations of the student's health care provider(s) and which outlines a set of procedural guidelines that provide specific directions about what to do in a particular emergency situation and is signed by the parent and the school nurse.
2. "Individualized health care plan" means a document developed by the school nurse, in consultation with the parent of a student with diabetes and other appropriate medical professionals who may be providing diabetes care to the student, which is consistent with the recommendations of the student's health care provider(s) and which sets out the health services needed by the student at school and is signed by the parent and the school nurse.
3. "Parent" means parent or legal guardian.

B. Health Care Plans for Students with Diabetes

1. The parent of a student with diabetes who seeks diabetes care for the student while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the student.
 - a. The parent of the student with diabetes shall annually provide to the Principal and the school nurse a signed written request and authorization for the provision of diabetes care as may be outlined in the individualized health care plan) which shall include authorization for the emergency administration of glucagon and, if requested by the parent, authorization for the student's self-management and care of his/her diabetes; and
 - b. If such a request is made by a student's parent, the student's physician or advanced practice nurse must provide a signed written certification to the Principal and the school nurse that the student is capable of, and has been instructed in, the management and care of his/her diabetes.
2. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event that there is a change in the health status of the student.



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3. Each individualized health care plan shall include, and each individualized emergency health care plan may include, the following information:
 - a. The symptoms of hypoglycemia for that particular student and the recommended –treatment;
 - b. The frequency of blood glucose testing;
 - c. Written orders from the student’s physician or advanced practice nurse outlining the dosage and indications for insulin administration and the administration of glucagon, if needed;
 - d. Times of meals and snacks and indications for additional snacks or exercise;
 - e. Full participation in exercise and sports, and any contraindications to exercise, or accommodations that must be made for that particular student;
 - f. Accommodations for school trips, after-school activities, class parties, and other school-related activities;
 - g. Education of all school personnel who may come in contact with the student about diabetes, how to recognize and treat hypoglycemia, how to recognize hyperglycemia, and when to call for assistance;
 - h. Medical and treatment issues that may affect the educational process of the student with diabetes; and
 - i. How to maintain communications with the student, the student’s parent and health care team, the school nurse, and the educational staff.
 - j. How to maintain communications with the student, the student's parent and health care team, the school nurse, and the educational staff.
4. The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in' the care of students with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan.



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C. Authorized Employees for Administration of Glucagon

1. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a student with diabetes who is experiencing severe hypoglycemia. The school nurse shall designate, in consultation with the Superintendent of Schools or designee, additional employees of the school district who volunteer to administer glucagon to a student with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.
2. In accordance with the provisions of N.J.S.A. 18A:40-12.14, the activities described in C.1. above shall not constitute the practice of nursing and shall be exempted from all applicable statutory Or regulatory provisions that restrict the activities that may be delegated to a person who is not a licensed health care professional.
3. In accordance with the provisions of N.J.S.A.18A:40-12.14, if a licensed athletic trainer volunteers to administer glucagon to a student with diabetes as described in C.1. above, it shall not constitute a violation of the "Athletic Training Licensure Act," P.L.1984, c.203 (C.45:9-37.35 et seq.).

D. Management and Care of Diabetes by Student

1. Upon the written request and authorization from the parent submitted to the Principal and school nurse and as provided in the student's individualized health care plan, the school district shall allow the student to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the student has been evaluated and determined to be capable of doing so as reflected in the student's individualized health care plan. The student's management and care of his/her diabetes shall include the following:
 - a. Performing blood glucose level checks;
 - b. Administering insulin through the insulin delivery system the student uses;
 - c. Treating hypoglycemia and hyperglycemia;
 - d. Possessing on one student's person at any time the supplies or equipment necessary to monitor and care for the student's diabetes;



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Diabetes Management

- e. Compliance with required procedures for medical waste disposal in accordance with district policies and as set forth in the individualized health care plan; and
 - f. Otherwise attending to the management and care of the student's diabetes.
- E. Release for Sharing of Certain Medical Information
- 1. The school nurse shall obtain a release from the parent of a diabetic student to authorize the sharing of medical information between the student's physician or advanced practice nurse and other health care providers.
 - 2. The release shall also authorize the school nurse to share medical information with other staff members of the school district as necessary.
- F. Immunity from Liability
- 1. No school employee, including a school nurse, a school bus driver, a school bus aide, or any other officer or agent of the Board of Education shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.11 through 18A:40-12.21, nor shall an action before the New Jersey State Board of Nursing lie against a school nurse for any such action taken by a person trained in good faith by the school nurse pursuant to this act. Good faith shall not include willful misconduct, gross negligence, or recklessness.
- G. Possession of Syringes
- 1. The possession and use of syringes consistent with the purposes of N.J.S.A. 18A:40-12.11 through 18A:40-12.21 and Policy 5338 shall not be considered a violation of applicable statutory or regulatory provisions that may otherwise restrict or prohibit such possession and use.

Issued: 14 September 2010

Issued: 8 November 2016



5339 SCREENING FOR DYSLEXIA

In accordance with the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board of Education shall ensure each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to the provisions of N.J.S.A. 18A:40-5.2. This screening shall be administered no later than the student's completion of the first semester of the second grade.

In the event a student enrolls in the district in Kindergarten through grade six and has no record of being previously screened for dyslexia or other reading disabilities, pursuant to N.J.S.A. 18A:40-5.2, the Board shall ensure the newly-enrolled student is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to N.J.S.A. 18A:40-5.21. This screening shall be administered at the same time other students enrolled in the student's grade are screened for dyslexia and other reading disabilities, or, if other students enrolled in the student's grade have previously been screened, within ninety calendar days of the date the student is enrolled in the district. The screenings shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

For the purposes of this Policy, "dyslexia" **means** a specific learning disability that is **neurobiological** in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

For the purposes of this Policy, "potential indicators of dyslexia or other reading disabilities" means indicators that include, but shall not be limited to, difficulty in acquiring language skills; inability to comprehend oral or written language; difficulty in rhyming words; difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words; difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and trouble in replication of content.

In accordance with the provisions of N.J.S.A. 18A:40-5.2(a), the Commissioner of Education shall distribute to each Board of Education information on screening instruments available to identify students who possess one or more potential indicators of dyslexia or other reading disabilities. The Commissioner shall provide information on the screening instruments appropriate for Kindergarten through grade two students and on screening instruments that may be suitably used for older students. The Board shall select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities.



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Screening for Dyslexia

In accordance with provisions of N.J.S.A. 18A:40-5.2(b), the Commissioner shall also develop and distribute to each Board of Education guidance on appropriate intervention strategies for students diagnosed with dyslexia or other reading disabilities.

In the event a student is determined, through the screening conducted in accordance with N.J.S.A. 18A:40-5.3, to possess one or more potential indicators of dyslexia or other reading disabilities pursuant to the provisions of N.J.S.A 18A:40-5.1 et seq., the Board shall ensure the student receives a comprehensive assessment for the learning disorder. In the event a diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, the Board shall provide appropriate evidence-based intervention strategies to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

In accordance with the provisions of N.J.S.A. 18A:6-131, general education teachers in grades Kindergarten through three, special education teachers, basic skills teachers, English as a second language teachers, reading specialists, learning disabilities teacher consultants, and speech-language specialists are required to complete at least two hours of professional development each year on the screening, intervention, accommodation, and use of technology for students with reading disabilities, including dyslexia. The Board may make these professional development opportunities available to other instructional or support staff members as the Board deems appropriate. This requirement for professional development in reading disabilities may be part of the twenty hours of annual professional development required by N.J.A.C. **6A:9C** et seq. Documentation of teachers' fulfillment of this professional development requirement shall be maintained in the district.

N.J.S.A. 18A:40-5.1; 18A:40-5.2; 18A:40-5.3; 18A:40-5.4; 18A:6-131

Adopted: 11 November 2014
Adopted: 13 October 2015
Adopted: 20 September 2016



5350 **STUDENT SUICIDE PREVENTION**

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

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

A potentially suicidal student shall be referred to the Child Study Team for appropriate evaluation and/or recommendation for independent medical or psychiatric services. In the event that the parent objects to the recommended evaluation or indicates an unwillingness to cooperate in the best interests of the student, the Child Study Team may contact the Department of Children and Families, Division of Child Protection and Permanency to request that agency's intervention on the student's behalf.

The Superintendent shall, in consultation with appropriate teaching staff members and mental health organizations, develop and implement a stress reduction program for students in grades K through 12 to address the problem of depression, help students toward alternative ways of resolving stressful situations, and encourage students to help one another.

In accordance with the provisions of N.J.S.A. 18A:6-111 and 18A:6-112, as part of the required professional development for teachers as outlined in N.J.A.C. 6A:9C-3 et. seq., every teaching staff member must complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

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

N.J.S.A. 18A:6-111; 18A:6-112
N.J.A.C. 6A:9C-3 et. seq.

Adopted: 12 January 2010
Adopted: 23 June 2011
Adopted: 20 September 2016



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Student Suicide

R 5350 **STUDENT SUICIDE**

The following regulations are established for guidance of staff members in recognizing the student who contemplates suicide, in responding to threatened or attempted suicide, and in preventing contagion when a student commits suicide. Because a prompt response may be essential to a student's life, the designation of a district position in these regulations includes the person who holds that position and, if the position holder is absent or unavailable, the person temporarily charged with the responsibilities of the position.

A. Recognition of Potential Suicide

All school personnel, both teaching staff members and support staff members, shall be alert to any sign that a student may be contemplating suicide. Such signs include, but are not necessarily limited to, a student's:

1. Overt suggestion, regardless of its context, that he/she is considering or has considered suicide or has worked out the details of a suicide attempt;
2. Evidence of preparation of a will, intention to dispose of his/her effects and belongings, or otherwise get life "in order";
3. Obsession with death or afterlife;
4. Possession of a weapon or other means of suicide or obsession with such means;
5. Sense of hopelessness or unrelieved sadness;
6. Lethargy or despondency, or, conversely, a tendency to become more impulsive or aggressive than usual;
7. Drop in academic achievement, slacking off of energy and effort, or inability to focus on studies;
8. Isolation from others by loss of friends, withdrawal from friends, lack of companionship, or family disintegration;
9. Preoccupation with nonexistent physical ills;
10. Loss of weight, appetite, and/or sleep;
11. Substance abuse; and
12. Loss of economic resources.



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Student Suicide

13. Staff members notice suspicious marks or cuts on wrists, neck, etc. That may indicate a suicide threat.
14. A third party, (peer, family member, adult, etc.) contacts the staff member about his/her concern for a student he/she feels is at risk for suicide.

Any of these signs in isolation may be representative of other things, however, in combination deserve serious consideration.

B. Response to Potential Suicide

1. **Any indication of a potential suicide, whether personally witnessed or received by report from another, must be taken seriously and must be reported to the Principal immediately.**
2. **The Principal shall immediately inform the Child Study Team, which shall investigate the matter promptly and conduct such evaluations as may be appropriate.**
3. **The Principal will inform the student's parent, in a conference if possible, of the signs demonstrated by the student and of the district's concern and seek parental approval of the student's evaluation. In the event parental abuse or neglect is suspected, the Principal or the employee who forms the suspicion will immediately so inform the Department of Children and Families, Division of Child Protection and Permanency in accordance with Policy 8462.**
4. **If the threat of suicide is immediate and serious, the Principal may appoint teaching staff members and/or Child Study Team members to a suicide intervention team, which shall determine the potential of the threat by directly questioning the student, without mincing words, about:**
 - a. **Whether any suicide plans have been made, how detailed the plans are, and whether any preliminary actions have been taken,**
 - b. **The student's feelings of hopelessness and the length of time the student has had such feelings,**
 - c. **The student's thoughts of suicide and how persistent and strong those thoughts are, and**
 - d. **Whether the student has considered alternative courses of action to resolve his/her problems.**



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Student Suicide

5. **After gathering information, the suicide intervention team shall determine the life-threatening risk of the situation based on the student's signs of possible suicide (paragraph A1) and the student's responses to questioning.**
 6. **If it is determined that a substantial risk of suicide exists, the Suicide Intervention Team shall:**
 - a. **Assign staff members as required to assure that the student is never out of the presence of an adult who has been fully informed that the student may be in danger of self-destruction,**
 - b. **Refer the student to the Child Study Team for comprehensive evaluation,**
 - c. **Notify the student's parent immediately and strongly recommend consultation with a licensed mental health professional or agency,**
 - d. **Request the parent to sign a release of information form authorizing the chosen mental health professional or agency to share with appropriate district personnel such relevant information as premature termination of treatment, additional threats and/or attempts of suicide, and continuing warning signs.**
 7. **A member of the Suicide Intervention Team will be appointed to follow up on the student's progress and to determine whether the student's parent has consulted a mental health professional or agency. Follow up reports will be made to the Principal.**
 8. **If the student's parent does not sign the release of information form or does not cooperate in a comprehensive Child Study Team evaluation or does not seek treatment for the student, the Principal shall inform the Department of Children and Families, Division of Child Protection and Permanency.**
- C. **Response to Suicide Attempt**
1. **Any attempted suicide, whether or not on school premises or during the school day, must be reported immediately to the Principal.**
 2. **The staff member who witnesses a suicide attempt on school premises or at a school sponsored event or in the course of school-related travel shall render first aid in accordance with Policy 8441 and summon medical assistance as appropriate.**



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Student Suicide

3. **Procedures outlined at paragraph B2 through paragraph B8 above will be followed.**
- D. Prevention of Suicide Contagion
1. **All district Principals will be promptly informed when a student of this district commits suicide.**
 2. **Each Principal will assemble teaching staff members prior to the opening of school to provide them with accurate information, plans for the school day, and guidelines for handling the concerns of students.**
 3. **The Principal of the school or building that the victim attended will assign a crisis team from the student personnel staff to assist the staff in dealing with the general school situation and any individual problems that may arise.**
 4. **The suicide will not be given prominence by public announcement or a school-wide assembly. School will not be closed in order to permit students and staff members to attend the victim's funeral.**
 5. **Teachers will respond to the needs of students with as little interruption of the educational program as possible.**
 6. **Students will be provided with accurate information and will be given the opportunity to discuss their feelings of loss and their memories of the victim, both good and bad, without penalty.**
 7. **All school personnel shall be especially alert to signs of contemplated suicide among the victim's peers.**
 8. **Teaching staff members, under the direction of the Principal, shall attempt to prevent social contagion by:**
 - a. **Preventing glorification or romanticization of the suicide,**
 - b. **Helping students recognize that suicide is irreversible and permanent and does not truly resolve problems,**
 - c. **Encouraging students to ask probing questions when a fellow student suggests suicide and to report such suggestions to a teaching staff member, and**



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Student Suicide

- d. Discussing ways of handling depression and anxiety without resort to self-destruction.**
- 9. Students who were close to the victim, and their parent, shall be offered special counseling services and notified of available community mental health services.**

Issued: 12 January 2010

Issued: 20 September 2016



5410 **PROMOTION AND RETENTION**

The Board of Education recognizes that each child develops and grows in a unique pattern and that students should be placed in the educational setting most appropriate to their social, physical, and educational needs. Each student enrolled in this district shall be moved forward in a continuous program of learning in harmony with his/her own development.

Standards for student promotion shall be related to the New Jersey Core Curriculum Content Standards and district goals and objectives and to the accomplishments of students. A student in the elementary grades will be promoted to the next succeeding grade level when he/she has completed the course requirements at the presently assigned grade; has achieved the instructional objectives set for the present grade; has demonstrated the proficiencies required for movement into the educational program of the next grade; and has demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

Promotion policies and procedures will be provided to parent(s) as appropriate. Parent(s) and students shall be regularly informed during the school year of the student's progress toward meeting promotion standards. A teacher who determines that a student's progress may not be sufficient to meet promotion standards shall notify the parent(s) and the student and offer immediate consultation to the student's parent(s). Every effort shall be made to remediate a student's deficiencies before retention is recommended. The parent(s) and, where appropriate, the student shall be notified of the possibility of the student's retention at grade level in advance and, whenever feasible, no later than eight weeks prior to the end of the school year.

Classroom teachers shall recommend to the Building Principal the promotion or retention of each student. Parent(s) and adult students may appeal a promotion or retention decision to the Building Principal whose decision shall be final.

N.J.S.A. 18A:35-4.9

Adopted: 12 January 2010
Adopted: 8 November 2016



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R 5410 **PROMOTION AND RETENTION**

The following rules are promulgated in accordance with the policy of the Board of Education dealing with the promotion and retention of students.

A. Standards for Student Promotion

Elementary and Intermediate Grades (PreK-8) - A student will be promoted to the next succeeding grade level when he/she demonstrates the proficiencies required for movement into the next grade.

High School (9-12) - A student will be promoted to the next grade when he/she has completed, in the current school year, the number of credits required for that grade as indicated in the current High School Student Handbook.

B. Procedures for Student Promotion

1. A written copy of promotion standards will be given to all parent(s) and students at the beginning of each year.
2. Parent(s) and students will be provided a minimum of four reports each year as to a student's progress towards meeting promotion standards.
3. Teachers who determine that a student's progress may not be sufficient to meet promotion standards shall notify the parent(s) of the student and offer consultation with the parents.
4. In grades PreK-8, the parent(s) and where appropriate the student will be notified no later than three weeks prior to the end of the year when the possibility of a student not being promoted is determined.
5. A student with fewer than 150 days attendance in grades PreK-8 will not be promoted to the next grade level. In grades 9-12 the attendance policy in effect and published in the High School Handbook will be followed.
6. Extenuating circumstances as determined by the Building Principal can waive the 150-day attendance requirements for grades PreK-8. In the high school, an attendance appeal route is available for students whose attendance is in excess of the regulations specified in the attendance policy.



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Promotion and Retention

7. Classroom teachers shall provide input to the Principal who makes the final decision concerning the promotion or retention of each student.
- C. Procedure for Retention or Social Promotion
1. Grades PreK-8 - Classroom teachers must initiate the process by providing to the Building Principal complete forms in accordance with the specified timelines.
 2. The Principal will review each case and in consultation with the teacher render a final decision.
 3. Parent(s) and adult students may appeal a promotion/retention decision to the Superintendent whose decision is final.

Adopted: 12 January 2010
Adopted: 8 November 2016



5411 PROMOTION

A. Promotion from Eighth Grade

The Board of Education will recognize with fitting ceremonies a student's completion of the program of studies offered by this district in elementary school and the student's entrance to secondary school.

Successful completion of the program of studies in elementary school requires achievement of the instructional objectives set for each course of study, demonstration of mastery of the proficiencies established for each course, and a satisfactory attendance record. The parent(s) of a student who may be prevented from graduating shall be so notified in advance and no later than six weeks prior to the close of the school year. Every effort shall be made to remediate a student's deficiencies before graduation is denied.

The requirements for promotion from elementary school of a disabled student shall be set forth in the student's individualized education program. Completion of those specialized requirements shall qualify the student for graduation and entry to secondary school.

B. Graduation Procedures and Ceremonies – High School

Students shall not be barred from participation in East Orange High Schools' graduation ceremonies for arbitrary or discriminatory reasons.

However, the Board reserves the right to deny participation when extreme circumstances warrant it. Such denial shall be treated in the same manner as a suspension and the student so affected shall be afforded the rights of review provided in policies of this Board.

The Board may authorize an administrator to withhold a diploma for a student who has financial obligations due to loss or damage of school property.

The Superintendent shall ensure that the program and the facilities enable graduating handicapped students to participate.

N.J.S.A. 18A:35-4.9; 18A:36-14; 18A:36-15; 18A:36-18; 18A:38-25 et seq.
N.J.A.C. 6:3-4A.1; 6A:8-4.4 et seq.

Adopted: 12 January 2010
Adopted: 8 November 2016



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5420 REPORTING STUDENT PROGRESS

The Board of Education believes that the cooperation between school and home in the interests of children is fostered by the systematic communication of students' educational welfare to parent(s). The Board directs the establishment of a program of reporting student progress to parent(s) by both written reports and by parent-teacher conferences and requires the cooperation of all appropriate teaching staff members in that program as part of their professional responsibilities.

The Superintendent shall develop, in consultation with appropriate teaching staff members, procedures for reporting student progress to parent(s) that utilize various methods of reporting appropriate to grade level and curriculum content; ensure that the student and parent(s) receive ample warning of a possible failing grade or any grade that would adversely affect the student's educational status; enable the scheduling of parent-teacher conferences at such times as will ensure the greatest degree of participation by parent(s); and require the issuance of report cards at intervals of not less than four times per year.

Reports of individual achievement on state assessment tests shall be promptly made available to the student or the student's parent(s).

N.J.A.C. 6:3-4A.1

Adopted: 12 January 2010
Adopted: 8 November 2016



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Reporting Student Progress
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R 5420 REPORTING STUDENT PROGRESS

A. Purpose

The purpose of reporting the educational progress of students is to:

1. Inform parent(s) of the progress children have made in school;
2. Apprise students of their progress in school;
3. Prompt teachers to make periodic, formal assessments of each student's progress;
4. Provide a cumulative record of a student's progress through the educational system; and
5. Enable each student to gain a positive sense of his/her intellectual, social, emotional, and physical abilities and growth toward effective citizenship.

B. Frequency

1. Report cards will be issued four times per year.
2. The schedule of dates on which report cards will be issued will be published in the parent and student handbooks distributed by each school so that parents or legal guardians can anticipate the receipt of a report card.
3. Parent(s) and students will be notified in writing of the possibility of a failing grade at the mid-point of the marking period.
4. Parent(s) and students will be notified in writing of the possibility of a student's retention at grade level in accordance with Policy No. 5410.
5. Nothing in this regulation should discourage teachers from implementing various forms of communication, as frequently as the circumstances dictate, to keep parent(s) informed of the educational progress of their children.

C. Report Card Form

1. The form of report cards will be periodically reviewed by district administrators in order to ensure that report cards effectively and accurately report student progress.



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2. Grades will be determined in accordance with Regulation No. 2624.
 3. At the elementary level, report cards will report individual academic, personal, and social growth as well as work and study habits.
 4. At the middle school and high school levels, report cards will record student achievement in academic subjects, as well as the student's personal growth and development.
 5. Report cards at all levels will record the student's absences and tardiness.
 6. **Report card forms will include teacher's personal comments on the student's personal growth and development.**
- D. Distribution and Return**
1. **Report cards will be available on line and sent home with students upon parent request.**
- E. Parent Teacher Conferences**
- Parent teacher conferences will be conducted in accordance with Policy No. 9280.

Issued: 12 January 2010
Issued: 8 November 2016



5440 HONORING STUDENT ACHIEVEMENT

All awards and scholarships provided by any source for students must have the approval of the Superintendent.

In all instances, the recipients of the awards shall be selected by the Principal and a staff committee. It is the wish of the Board that whenever possible recognition for outstanding growth in scholarship, citizenship, and leadership is accorded to as many students as deserve it rather than to just one or two.

N.J.S.A. 18A:11-3

Adopted: 12 January 2010

Adopted: 8 November 2016



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Honoring Student Achievement

R 5440 HONORING STUDENT ACHIEVEMENT

Athletic/Student Activity Guidelines for Secondary Schools

A. Student Eligibility

1. The student must first meet the State (NJSIAA) guidelines. Specifically, this requires all students participating during the first semester to have passed a total of 27.5 credits during the immediate preceding academic year. (To be eligible for the second semester a student must have passed 13.75 credits during the first semester.)
2. In addition, the student must also meet the East Orange School District eligibility requirements which state:

A student must have a C average at the end of each marking period. A student with a C average and one failure, in order to remain eligible for Athletic/Student Activities, must attend summer school or earn a passing grade for the course in which he/she receives a failing grade. First year high school student's eligibility (under NJSIAA and the East Orange School District guidelines) will be evaluated at the end of the second marking period.
3. A student with two failures is ineligible to participate in Athletic/Student Activities.

*See E. - Eligibility for Extra Curricula Activities

B. Program Eligibility

1. Athletics - Any sport sanctioned by the New Jersey State Interscholastic Athletic Association (NJSIAA).
2. Student Activity - Any program, club or organization must be approved and registered each school year through the East Orange School District and approved by the Principal and the Superintendent of Schools; must meet on a regular basis during pre-school and post-school hours or other extraordinary hours (i.e. lunch period) and meet a minimal number of times each school week and month throughout the year; must maintain a fundamental set of operating rules and regulations prescribed for the student membership and advisor and be approved by the Principal and Athletic Director (e.g. constitution, charter, by-laws et al); may assist or sponsor a special event, project or benefit for the school, community or other worthwhile cause throughout the school year (or part of the year); this, however, must be pre-approved by the Principal and Athletic Director, with student-hours verification.



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C. Participation

Athletic (Varsity) - Athletics for Varsity Awards must participate in at least 75% of the prescribed criteria set forth for each of the following interscholastic athletic activities:

- | | |
|--------------------------|---------------------------|
| 1. Football (games) | 8. Bowling (matches) |
| 2. Soccer (games) | 9. Winter Track (meets) |
| 3. Cross Country (meets) | 10. Cheerleading (season) |
| 4. Volleyball (games) | 11. Softball (games) |
| 5. Tennis (matches) | 12. Spring Track (meets) |
| 6. Baseball (games) | 13. Basketball (games) |
| 7. Swimming (meets) | 14. Golf (matches) |
| | 15. Wrestling (matches) |

Student Activity - In order to qualify for a non-athletic extracurricular activity award, a student must accumulate the prescribed number of hours as specified in the club, organization or recognized event by-laws of participation and is approved by the principal and the superintendent.

D. Types of Awards

1. Varsity awards

A student must be a member of good standing at the close of the regularly scheduled season or school year. Any student who leaves the team, club or activity voluntarily or for disciplinary or academic reasons is ineligible for any award. However, in the event of any injury or illness, or for an exceptional contribution or other reasonable situation, the coach or advisor may waive specific criteria in recommending an award with the approval of the Athletic Director and the Principal.

2. Certificate of Participation

This will be presented to all members of the team or squad in good standing who did not meet the requirements for a varsity award; i.e., junior varsity.

3. Senior Plaques and/or Trophies

This will be awarded to any senior who has competed and earned a varsity award either in his/her senior year or any combination of years, provided he/she met the prescribed criteria.



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4. Championship Awards

These awards will be presented by the East Orange School District to the individual, team club or organization for gaining outstanding recognition, winning championships or other accolades of comparable academic associations as approved by the Superintendent during the school year.

The awards will include:

- a. Championship Ring or Leather Jacket - National Championship - (National Merit Scholar) - State Champion/State Championship
- b. Lined Nylon Jacket - All students inducted into the National Honor Society during their Junior year will receive a championship award. Championship awards will consist of a lined nylon jacket.

5. Special Events

Recognition for outstanding achievement in an activity not covered under this policy (i.e. science fair winner) will receive a framed resolution issued by the Superintendent and the East Orange Board of Education.

6. Senior Academic Awards

A Paul Robeson plaque will be awarded to each senior student who has earned the highest numerical average in each discipline for four consecutive years at the Paul Robeson Achievement Award Night.

E. Eligibility for Extra Curricular Activities

1. Subjects considered for eligibility are all five or more credit subjects and physical education.
2. A student who failed one subject but averages a C in all grades remains eligible.
3. A student who failed two subjects is ineligible. During this marking period said student to become eligible for the next marking period must:
 - a. Gain a passing grade in at least one of the courses; and
 - b. Meet the eligibility requirements this marking period.



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If the student has met eligibility requirements, then said student is eligible - effective the day of report card distribution. It is the Athletic Director's responsibility to check student's grades for eligibility in all extra curricula.

Example:

1st Marking Period - Student failed two subjects.

2nd Marking Period - Student ineligible to participate in an activity.

3rd Marking Period - After report card distribution for 2nd marking period, student is eligible. Student begins required five days of practice prior to participating in competition.

Each student will receive only the higher award for which he or she qualifies in any sport or activity.

Issued: 12 January 2010

Issued: 8 November 2016



5460 HIGH SCHOOL GRADUATION

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a state-endorsed diploma certifying the student has met all state and local requirements for high school graduation. The Board will annually certify to the County Superintendent each student who has been awarded a diploma has met the requirements for graduation.

A. Curriculum Requirements

A graduating student must have earned a minimum of one hundred twenty credits in courses designed to meet all of the New Jersey Core Curriculum Content Standards including, but not limited to the following credits:

1. At least twenty credits in language arts literacy aligned to grade nine through twelve standards. Completion of 4 courses, grades 9 through 12, of English Language Arts, earning a total of twenty credits may be earned by completing English I – IV, Honors, English I – IV and a combination of Advanced Placement, English Language and Composition and/or Advanced Placement, English Literature and Composition courses;
2. At least fifteen credits in mathematics, including Algebra I, Geometry and Algebra II or the content equivalent (“content equivalent” is defined at N.J.A.C. 6A:8-1.3) including geometry or the content equivalent and a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and 21st century careers;
3. At least fifteen credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2; five credits in world history; 10 credits in United States History courses including the integration of civics, economics, geography, and global content in all course offerings.
4. At least fifteen credits in science, including at least five credits in laboratory biology/life science or the content equivalent one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics and one additional laboratory/inquiry-based science course;
5. At least three and three-quarters credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7 and 8;



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6. At least five credits in visual and performing arts;
7. At least five credits in world languages or student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2);
8. At least two and one-half credits in financial, economic, business, and entrepreneurial literacy;
9. Technological literacy, consistent with the Core Curriculum Content Standards, integrated throughout the curriculum
10. At least five credits in 21st century life and careers, or career-technical education
11. Electives as determined by the high school program sufficient to total a minimum of eleven of the one hundred twenty credits required to graduate.

As defined in N.J.A.C. 6A:8-1.3, "credit" is defined as the equivalent of a class period of instruction which meets for a minimum of forty minutes one time per week during the school year. Advanced Placement (AP) and College Credit Courses may fulfill credit completion requirements.

The high school graduation credit requirement may be met in whole or in part through program completion of a range of experiences that enable students to pursue a variety of personalized learning opportunities, as follows:

- a. Individualized student learning opportunities in all Core Curriculum Content Standards areas include, but are not limited, to the following:
 - (1) Independent study;
 - (2) Online learning;
 - (3) Work-based programs, internships, apprenticeships;
 - (4) Study abroad programs;
 - (5) Student exchange programs; and
 - (6) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.



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- b. Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall:
 - (1) Be based on student interest and career goals as reflected in the Personalized Student;
 - (2) Include demonstration of student competency;
 - (3) Be certified for completion based on the district process adopted according to 2. below; and
 - (4) Be on file in the school district and subject to review by the Commissioner or designee.
 - c. The Principal shall certify completion of curricular activities or programs based upon specified instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards.
 - d. Group programs based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall be approved in the same manner as other approved courses.
 - e. Individual programs based upon specific instructional objectives aimed at meeting or exceeding the Core Curriculum Content Standards shall be on file in the local district and subject to review by the Commissioner or his/her designee;
2. The district shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting or exceeding the NJ Core Curriculum Content Standards and Core Curriculum State Standards in English Language Arts, Mathematics and Science at the high school level, including standards achieved by means of the individualized student learning opportunities enumerated as outlined in N.J.A.C. 6A:8-5.1(a)2. Such programs or assessments may occur all or in part prior to a student's high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.
- a. The district shall choose assessments that are aligned with or exceed the Core Curriculum Content Standards and Core Curriculum State Standards and may include locally designed assessments.



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- b. The district shall choose from among the following assessment options to determine if students have achieved the level of world language proficiency designated as Novice-High as defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the Core Curriculum Content Standards:
 - (1) The Standards-based Measurement of Proficiency (STAMP) online assessment;
 - (2) The ACTFL Oral Proficiency Interview (OPI) or Modified Oral Proficiency Interview (MOPI); or
 - (3) Department-approved locally designed competency-based assessments.
 3. The district shall establish a process to approve post-secondary learning opportunities that consist of:
 - (1) Advanced Placement (AP) courses;
 - (2) the College-Level Examination Program (CLEP); or
 - (3) concurrent/dual enrollment at accredited higher education institutions.
 - a. The district shall award credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the Core Curriculum Content Standards.
- B. Additional Graduation Requirements
1. Attendance requirements as indicated in Policy and Regulation 5200.
 2. Other requirements established by the Board of Education as indicated below:

Community Service:

All students are required to perform community service in order to fulfil the current high school graduation requirements as follow:

 - a. **Class of 2017 - 10 hours**



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b. Class of 2018 – 20 hours

c. Class of 2019 and beyond – 40 hours

3. Any statutorily mandated requirements for earning a high school diploma; and
4. Any Statewide assessment graduation requirements as determined by the New Jersey Department of Education, and as outlined in C. below.

C. Statewide Assessment Graduation Requirements

1. The New Jersey Department of Education (NJDOE) is transitioning from the High School Proficiency Assessment (HSPA) to the Partnership for the Assessment of Readiness for College and Careers (PARCC) Performance-based and End-of-Course assessments for students, including students with disabilities, in the classes of 2016, 2017, 2018 and 2019.
2. Students in the classes of 2016, 2017, 2018 and 2019 will be able to demonstrate proficiencies in English Language Arts (ELA) and Mathematics required by State statute by either meeting the “cut score” on the PARCC assessments or meeting the “cut score” on a substitute assessment or by meeting the criteria of the NJDOE portfolio appeal process.
3. A student with a disability, whose Individualized Educational Plan (IEP) team determines the student is exempt from these requirements, would be required to achieve the alternative proficiency in his/her IEP.
4. The NJDOE has developed “concordant” cut scores for additional substitute assessments. For the classes of 2016, 2017, 2018 and 2019, students will be able to demonstrate proficiency in both ELA and Mathematics by meeting one of the criteria under English Language Arts and Mathematics as indicated below:

English Language Arts (ELA)	Mathematics
PARCC ELA Grade 9 > = 750 (Level 4) or	PARCC Algebra I > = 750 (Level 4) or
PARCC ELA Grade 10 > = 750 (Level 4) or	PARCC Geometry > = 725 (Level 3) or
PARCC ELA 11 > = 725 (Level 3) or	PARCC Algebra II > = 725 (Level 3) or
SAT Reading > = 400 Prior to 3/1/16; 3/1/16 or later = 450 or SAT Reading Test > = 22 or	SAT Math > = 400 3/1/16 or later = 440 or SAT Reading Test > = 22 or
ACT Reading or ACT Plan Reading > = 16 or	ACT or ACT Plan Math > = 16 Or



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English Language Arts (ELA)	Mathematics
Accuplacer Write Placer > = 6 or	Accuplacer Elementary Algebra >= 76 or
PSAT 10 Reading or PSAT/NMSQT Reading**> = 40 or	PSAT 10 Math or PSAT/NMSQT Math*> = 40 or
PSAT 10 Reading or PSAT/NMSQT Reading***> = 22 or	PSAT 10 Math or PSAT/NMSQT Math***> = 22 or
ACT Aspire Reading > = 422 or	ACT Aspire Math > = 422 Or
ASVAB-AFQT Composite > = 31 or	ASVAB-AFQT Composite > = 31 Or
Meet the criteria of the NJDOE Portfolio Appeal	Meet the criteria of the NJDOE Portfolio Appeal

Note: * *PSAT taken prior to October 2015*; ** *PSAT taken after October 2015*.

The NJDOE has developed “concordant” cut scores for additional substitute assessments. For the classes of 2016, 2017, 2018, and 2019, students will be able to demonstrate proficiency in both ELA and Mathematics by meeting one of the criteria under English Language Arts and Mathematics in accordance with the current NJDOE approved “concurrent” cut scores for additional substitute assessments.

D. Attendance

Regular attendance is required for the successful completion of a course of study and graduation. Students are expected to be present in every scheduled class except as their attendance is excused in accordance with Board Policy Nos. 5200 and 5240. A student absent from a class scheduled for a course of study more than eighteen days on which the class meets shall not receive credit for that course except that a student whose absence is for good cause and has demonstrated the required proficiencies may apply for and receive course credit notwithstanding an excessive number of absences.

E. Students with Disabilities

1. Through the IEP process and pursuant to N.J.A.C. 6A:14-4.11 - Graduation, the district may specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined in N.J.A.C. 6A:14-1.3.
 - a. District Boards of Education shall specifically address any alternate requirements for graduation in a student’s IEP, in accordance with N.J.A.C. 6A:14-4.11.



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- b. District Boards of Education shall develop and implement procedures for assessing whether a student with a disability has met any alternate requirements for graduation individually determined in an IEP.
 2. If a student with a disability attends a school other than that of the school district of residence which is empowered to grant a diploma, the student shall have the choice of receiving the diploma of the school attended or the diploma of the school district of residence.
 - a. If the school the student is attending declines to issue a diploma to the student, the district of residence Board of Education shall issue the student a diploma if the student has satisfied all State and local graduation requirements, as specified in the student's IEP.
 3. Students with disabilities who meet the standards for graduation according to this section shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.
 4. A student with a disability whose IEP prescribes continued special education programs beyond the fourth year of high school shall be permitted to participate in commencement ceremonies with his/her graduating class and shall receive a certificate of attendance, provided the student has attended four years of high school.
 5. When a student with a disability graduates or exceeds the age of eligibility, the student shall be provided a written summary of his or her academic achievement and functional performance prior to the date of the student's graduation or the conclusion of the school year in which he or she exceeds the age of eligibility. The summary shall include recommendations to assist the child in meeting his or her postsecondary goals.
- F. High School Diploma
1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with State and local Board of Education requirements.
 2. The Board of Education shall not issue a high school diploma to any student not meeting the criteria specified in State and local requirements.



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- a. The district shall provide students exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty, or until the requirements for a State-endorsed diploma have been met, whichever comes first.
- b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements, but has failed to meet the Statewide assessment graduation requirements, to return to school at scheduled times for the purpose of meeting the Statewide assessment graduation requirements. Upon certification of meeting these requirements, a State-endorsed diploma shall be granted by the high school of record.
3. The Commissioner of Education shall award a State-issued high school diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(c) and (d).
4. The Board of Education shall award a State-endorsed high school diploma to any currently enrolled student formally requesting an early award of the diploma in accordance with the provisions of N.J.A.C. 6A:8-5.2(e) and Board Policy 5465.

G. Notification

Each student who enters or transfers into the high school and the student's parent will be provided a copy of the school district's requirements for a State-endorsed diploma, and the programs to assist students in attaining the state endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.

Each student and his/her parent will be notified during the school year of the student's progress toward meeting graduation requirements. The parent of a student who demonstrates significant deficiencies in meeting requirements will be so notified within ten days of the date on which the deficiencies are discovered and will be offered an opportunity for immediate consultation with appropriate teaching staff members.

H. Reporting

The Superintendent, in accordance with N.J.S.A. 18A:7C-7 and 18A:7E-3, shall report annually to the Board of Education and to the Commissioner of Education the number of students who completed the twelfth grade course requirements and were denied a diploma and the number of students who received State endorsed diplomas.



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- I. The Superintendent shall provide to the Executive County Superintendent the district's graduation requirements each year they are evaluated through the Quality Single Accountability Continuum (QSAC) and update the filed copy each time the graduation policy and requirements are revised.

N.J.S.A. 18A:7C-1 et seq.; 18A:35-1;
18A:35-4.9; 18A:35-7; 18A:36-17

N.J.A.C. 6A:8-1 et seq.; 6A:8-5.1; 6A:8-5.2; 6A:14-4.11 et seq.

Adopted: 12 January 2010

Adopted: 12 May 2015

Adopted: 10 May 2016

Adopted: 20 September 2016

Adopted: 8 November 2016



R 5460.1 **HIGH SCHOOL TRANSCRIPTS**

A transcript is defined as a document for all high school students exiting the school district that describes a student's progress toward achievement of the New Jersey Core Curriculum Content Standards and other relevant experiences and achievements.

Transcripts for students entering ninth grade or students planning to graduate from an adult high school in the 2003-04 and following academic years shall contain the following:

1. Applicable state assessments;
2. Applicable English Language assessments;
3. Other evidence of student achievement;
4. Evidence of instructional experience and performance in the New Jersey Core Curriculum Content Standards;
5. Evidence of employability skills and work habits, including punctuality, attendance and teamwork;
6. Any structured learning experiences;
7. Any employer/industry certification tests limited to industry based standards;
8. Other information approved by the Board of Education.

Student transcripts shall be transmitted within ten calendar days of the time any student transfers to another school district or institution.

Issued: 12 January 2010



5464 - High School Community Service Requirements

The Board of Education recognizes the need to develop within students a sense of social responsibility in addition to a commitment to their academic and co-curricular endeavors. By providing students with numerous opportunities for service to their community, the Board of Education believes this will help students achieve their full potential as active and productive members of their society.

The objective of the community service requirement for graduation focuses on the development of character, self-esteem, and leadership qualities attained not only through academic achievement, but also through a contribution to one's community. The Board of Education believes that community service involves not only a service to the school community but also to one's local, state, national, and global community.

Through participation in various community service projects, we expect students to:

- a. Demonstrate an ability to perform a community service individually or as part of a group
- b. Recognize personal responsibilities to the larger community
- c. Demonstrate an active concern for the good of the larger community
- d. Demonstrate learning through experienced-based activities
- e. Demonstrate the ability to make difficult judgments
- f. Be able to reflect on personal values

Student Participation

All students are required to perform community service in order to fulfill the current high school graduation requirements as follows:

- | | |
|-----------------------------|----------|
| a. Class of 2017 | 10 hours |
| b. Class of 2018 | 20 hours |
| c. Class of 2019 and beyond | 40 hours |



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Examples of Appropriate Student Activities

- a. Perform public relations tasks
- b. Participate in special events
- c. Tutor children or adults
- d. Improve the environment
- e. Organize/assist with recreation programs
- f. Visit the homebound
- g. Provide special skills/talents
- h. Guide visitors
- i. Assist the elderly
- j. Collect and distribute food, toys and specialties
- k. Participate with hospitals/churches/Houses of worship
- l. Participate in local, state or federal community service opportunities

Students may perform community service after school, on weekends, during vacations, etc. The service must be performed outside of the hours during which the student is required to be at school and cannot be imposed by the courts.

All community service forms must be returned to the Guidance Department within 30 days of completing the activity. If the form is not handed in within this time frame, the student will not receive credit for the hours. Forms for approved activities performed over the summer must be handed in by September 30th.

No community service forms will be accepted after June 10th. All students, including seniors, must have all paperwork handed in by this time in order to receive credit for the activity. Any senior who does not perform and submit the required number of hours on or before June 10th will not be permitted to participate in the high school graduation ceremony and will not receive their diploma until the requirements are met.

Approved: 11 October 2016



5465 EARLY GRADUATION

The Board of Education will award a State-endorsed diploma to a student that has met all State and local requirements for high school graduation. In addition, the Board shall award a State-endorsed high school diploma to any currently enrolled student in accordance with the provisions of N.J.A.C. 6A:8-5.2(e).

In accordance with the provisions of N.J.A.C. 6A:8-5.2(e), the Board of Education shall award a State-endorsed high school diploma early to any currently enrolled student who:

1. Has demonstrated proficiencies in the Statewide assessments as required by the New Jersey Department of Education for high school graduation;
2. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
3. Has formally requested an early award of a State-endorsed high school diploma.

A student permitted to graduate before the end of the twelfth grade will be issued a state-endorsed diploma certifying that he/she has met all state and local requirements for early graduation. The diploma will bear the date of its issuance. The student may be permitted to participate in graduation ceremonies with his/her classmates without formal readmission to the school district on application to and approval of the high school Principal.

N.J.S.A. 18A:7C-1 et seq.
N.J.A.C. 6A:8-5.1 et seq.; 6A:8-5.2 et seq.

Adopted: 12 January 2010
Adopted: 12 May 2015



5466 **GRADUATION AND YEARBOOK FEES**

The Board of Education recognizes that the cost of graduation ceremonies, if any, directly paid by graduating students and the cost of a yearbook directly paid by the graduating student may create a financial hardship for the parent(s) or other person having legal custody of the graduating student.

The Board of Education will not exclude from the graduation ceremony any student who is unable to pay the fees required of the graduating student to participate in the graduation ceremony because of financial hardship for the parent(s) or other person having legal custody of the graduating student.

N.J.S.A. 18A:7C-5.1

Adopted: 12 January 2010

Approved: 8 November 2016



5500 **EXPECTATIONS FOR STUDENT CONDUCT**

The Board of Education believes that students should commit themselves to learning and to the development of their unique potential. Students should know that their attitudes and acts affect both their own and their classmates' learning and should accept responsibility for helping to create a positive school environment. With the support and assistance of school staff members and parent(s) or legal guardian(s), all students can contribute to the effectiveness of the schools and the value of their education.

The Board expects all students in this school district, commensurate with their age and ability, to:

1. Prepare themselves mentally and physically for the process of learning;
2. Respect the person, property, and intellectual and creative products of others;
3. Take responsibility for their own behavior;
4. Use time and other resources responsibly;
5. Share responsibilities when working with others;
6. Meet the requirements of each course of study;
7. Monitor their own progress toward school objectives; and
8. Communicate with parent(s) or legal guardian(s) and appropriate school staff members.

The Superintendent shall, in consultation with staff members, parent(s) or legal guardian(s), and, where appropriate, students, develop a statement of specific student behaviors that exemplify these expectations and shall publish both this policy and the statement of behaviors to all students, parent(s) or legal guardian(s), and professional staff members.

N.J.S.A. 18A:11-1

Adopted: 12 January 2010
Adopted: 8 November 2016



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Expectations for Student Conduct

R 5500 EXPECTATIONS FOR STUDENT CONDUCT

The following specific behaviors exemplify the conduct expected of students, in accordance with Policy No. 5500.

- A. Students will prepare themselves mentally and physically for the process of learning by:
 - 1. Being well-nourished, rested, clean, and properly dressed and groomed;
 - 2. Being free of drugs and alcohol and refraining from smoking; and
 - 3. Developing attitudes that will prepare them for listening, participating, and learning.

- B. Students will respect the person, property, and intellectual and creative products of others by:
 - 1. Being always honest, forthcoming, and courteous;
 - 2. Displaying care for the property of others;
 - 3. Acknowledging the intellectual work of others when it is incorporated into their work;
 - 4. Accepting the rights of others to their own opinions and beliefs;
 - 5. Resolving disputes and differences peacefully;
 - 6. Displaying loyalty and good sportsmanship; and
 - 7. Helping to maintain school facilities that are neat and clean.

- C. Students will take responsibility for their own behavior and learning by:
 - 1. Recognizing that academic endeavor is the primary purpose of school attendance;
 - 2. Completing all homework, classwork, and assigned projects on time;
 - 3. Preparing for each class by bringing necessary supplies and equipment;
 - 4. Making personal choices that are based on sound reasoning and decision-making;



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5. Accepting constructive criticism; and
 6. Acknowledging and accepting the consequences of their own actions.
- D. Students will use time and other resources responsibly by:
1. Attending school regularly and promptly and striving for a perfect attendance record;
 2. Using study periods and library time for school work; and
 3. Using books and other equipment appropriately.
- E. Students will share responsibilities when working with others by:
1. Cooperating with others in the work of the group;
 2. Contributing talents and services as appropriate;
 3. Accepting leadership when appropriate; and
 4. Respecting the rights and opinions of others in a group setting.
- F. Students will meet the requirements of each course of study by:
1. Participating actively and appropriately in the scheduled class;
 2. Following the rules and procedures established for the class by the teacher;
 3. Bringing to class the textbook, clothing, and other materials necessary for participation; and
 4. Observing school rules for the safe handling of class equipment and materials.
- G. Students will monitor their own progress toward school objectives by:
1. Carefully planning courses of study and schedules;
 2. Promptly seeking staff assistance as required; and
 3. Maintaining records of progress.



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- H. Students will communicate with parent(s) and appropriate school staff members about school matters by:
1. Discussing progress in school with parent(s) and relaying necessary information to parent(s) or legal guardian(s);
 2. Transmitting school letters, forms, and notices to parent(s) and returning required responses to school staff members;
 3. Conferring with appropriate staff members when a problem occurs; and
 4. Developing with parent(s) a clear idea of their educational goals.

Issued: 12 January 2010
Issued: 8 November 2016



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Dress and Grooming

5511 DRESS AND GROOMING

The purpose of these guidelines is to provide a healthy environment in the schools conducive to academic purposes; to help foster the goals and objectives of the educational system; to help implement a thorough and efficient system of public education; to assist in promoting self-discipline in the classroom; to maintain order; to help secure the safety of the students in the system, and to promote respect for authority and self.

A. General Rules

1. Personal grooming should be done at home or in the appropriate areas.
2. Students should maintain a clean and well-groomed appearance at all times in school and at school sponsored events.
3. Students are expected to avoid dress and grooming that is likely to create a material and substantial disruption to the school environment.
4. Dress or grooming that jeopardizes the health or safety of a student or of other students or is injurious to school property will not be tolerated.
5. Students who publicly represent the school, district, or any school related organization at an activity away from the school district are required to dress in full accordance with the reasonable expectations of the school district or its representative. Students unwilling to comply with this requirement will disqualify themselves from participation.
6. Students will not be permitted to attend a school-related function, such as a field trip, after-school activity, etc., unless they are attired and groomed in accordance with the school district dress code and the reasonable expectation of the school district or its representative.

B. Prohibited Clothing and Articles

1. Attire must not be tight fitting, sheer, brief, low cut, or revealing, above or below the waist as to be embarrassing or indecent. Clothing must not be distracting or provocative (lack of undergarments, see through clothing, bare midriffs, clothing designed as undergarments, tank tops, halters, miniskirts, and sleeveless undershirts, etc.).
2. Clothing which is soiled, torn, defaced or ripped.
3. All dresses, shorts and skirts must be no shorter than two inches above the knee.



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4. Facial jewelry or excessive piercing that may be dangerous to the student or cause disruption to the educational program is prohibited.
5. Graphics that are suggestively obscene or offensive on any garments or patches are prohibited (i.e., alcohol, drugs, obscenities or words with double meanings).
6. Attire must not be destructive to school property.
7. Student's dress must not present a threat, implied or expressed, to the safety or physical well-being of the student or others.
8. Student must wear safe and proper footwear on school property.
9. Outdoor jackets, coats, or hats are not to be worn in the school building except when entering or leaving the building. (With teacher/building administrator approval, jackets may be worn in the classroom; if the room is cold, etc.)
10. Sunglasses, glazed, or tinted glasses are not to be worn during school hours, unless a medical note indicating the need to wear such glasses indoors has been accepted by the school nurse or school physician.
11. Headwear or hair rollers must not be worn in the building (exceptions regarding the headwear prohibition may be made for religious or medical reasons by the building administrator).
12. See-through blouses, halters, bare midriffs and sleeveless undershirts are not acceptable for wear as outer garments.
13. Tight and/or revealing clothing (Spandex, bike pants), are not acceptable.
14. Students shall not have in their possession in school articles which are distracting, inappropriate, indecent, unhealthy, or hazardous, i.e., personal pagers (beepers), portable audio or video devices or radios. (An exception may be made by the Principal or administrator of the school on an individual basis.)
15. Clothing, apparel, hairstyles, tattoos, and/or accessories which indicate affiliation with any gang associated with criminal activity are prohibited.
16. Clothing, tattoos, or accessories containing profanity, sexual references, or innuendoes, or expressing racial, religious, or ethnic bias are prohibited.



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Procedures for Implementing Code Violations

1. The building administrator or his/her designee will rule on all violations and take appropriate action, which the student has recourse to appeal to the School Leadership Committee at a later date.
2. The Student Leadership Committee will be charged with the responsibility of requesting a dress code revision.

Enforcement

1. The building administrator may waive application of the dress code for special school activity days.
2. Students not conforming to the dress code shall be disciplined, by the Principal, in accordance with the Board policies.
3. A student whose dress or grooming has been found by the building administrator or designee to violate the student dress code may appeal the determination to the Superintendent.

Severability

This dress code shall be deemed to be severable. If any section is found to be void or unreasonable by a forum of competent jurisdiction, only that section shall be deemed deleted.

Distribution

A copy of this dress code shall be distributed to all students by publication in the student handbook or by mailing to their homes.

N.J.S.A. 18A:11-1; 18A:11-7; 18A:11-8; 18A:11-9

Adopted: 12 January 2010



5512 HARASSMENT, INTIMIDATION, AND BULLYING

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Harassment, Intimidation, and Bullying

M

A. Policy Statement

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

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

B. Harassment, Intimidation, and Bully Definition

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

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



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

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

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

C. Student Expectations

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

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

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

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



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

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district, has involved a broad-base of school and community members including parents, students, instructional staff, student support services, including parents, students, instructional staff, student support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human services, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1 These guidelines for student conduct will take into consideration the developmental ages of students, the severity of the offenses and students' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

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

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

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



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D. Consequences and Appropriate Remedial Actions

Consequences and Appropriate Remedial Actions - Students

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students and staff members who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.

Factors for Determining Consequences – Student Considerations

1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;
2. Degrees of harm;
3. Surrounding circumstances;
4. Nature and severity of the behavior(s);
5. Incidences of past or continuing patterns of behavior;
6. Relationships between the parties involved; and
7. Context in which the alleged incidents occurred.

Factors for Determining Consequences – School Considerations

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

Factors for Determining Remedial Measures

Personal



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

Environmental

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

Consequences for a student who commit one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board's approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation, or bullying are those that are graded according to the severity of the offenses, consider the developmental age of the student offenders and the student's histories of inappropriate behaviors consistent with the Board's approved Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:



Examples of Consequences

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

Examples of Remedial Measures

Personal – Student Exhibiting Bullying Behavior

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



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Personal – Target/Victim

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

Parents, Family, and Community

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

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

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);
3. Focus Groups;
4. Mailings – postal and email;
5. Cable access television;
6. School culture changes;
7. School climate improvement;
8. Increase supervision in “hot spots” (e.g. locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
9. Adoption of evidence-based systemic bullying prevention practices and programs;
10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
11. Professional development plans for involved staff;
12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;



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13. Formation of professional learning communities to address bullying problems;
14. Small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;
15. School policy and procedure revisions;
16. Modifications of schedules;
17. Adjustments in hallway traffic;
18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;
19. Modifications in student routes or patterns traveling to and from school;
20. Supervision of student victims before and after school, including school transportation;
21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
22. Targeted use of teacher aides;
23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
25. Parent conferences;
26. Family counseling;
27. Development of a general harassment, intimidation, and bullying response plan;
28. Behavioral expectations communicated to students and parents;
29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
30. Recommendation of a student behavior or ethics council;
31. Participation in peer support groups;
32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

Consequences and Appropriate Remedial Actions - Adults



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

Target/Victim Support

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

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

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

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



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Harassment, Intimidation, and Bullying

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees and volunteers and contracted service providers who have contact with students are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All board members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Principal within two school days of the verbal report. The Principal will inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parent(s) and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident. Students, parents, and visitors may report an act of harassment, intimidation or bullying-anonymously. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.

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

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

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

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



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- F. Anti-Bullying Coordinator, Anti-Bullying Specialist and School Safety Team(s)
1. The Superintendent shall appoint a district Anti-Bullying Coordinator(s). The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

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

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

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety Team as provided in N.J.S.A. 18A:37-21;
- b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and



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- c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each school Safety Team shall meet, at a minimum, two times per school year. The School Safety Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a 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 records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principals;
- b. Receive copies of all 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. The School Safety Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and



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- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

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

G. Harassment, Intimidation and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with in the investigation.

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

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



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Harassment, Intimidation, and Bullying

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

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

A parent may request a hearing before the Board of Education after receiving the information about the investigation. The hearing shall be held within ten school days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

At the regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of the investigation to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

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



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

The Board shall establish a range of responses to harassment, intimidation and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building or school district level or by law enforcement officials.

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

1. Individual responses can include consistent and appropriate positive behavioral interventions (e.g. peer monitoring, short-term counseling, and life skills group) intended to remediate the problem behaviors.
2. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays (when implemented with sensitivity to a student's situation or involvement with harassment, intimidation and bullying), research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, "acts of kindness" programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms, campaigns, posters, public service announcements, "natural helper" or peer leadership programs, "upstander" programs, parent programs, the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices, and harassment, intimidation and bullying prevention curricula or campaigns.



4. District-wide responses can comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development providing professional development coordinating with community-based organizations (e.g. mental health, health services, health facilities, law enforcement officials, faith-based organizations), launching harassment, intimidation, and bullying prevention campaigns.

I. Reprisal or Retaliation Prohibited

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

All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances. Examples of consequences and remedial measures for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

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

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

J. Consequences and Appropriate Remedial Action for False Accusation

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



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1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.
2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation count entail discipline in accordance with district policies, procedures, and agreements which may include but not limited to, reprimand, suspension, increment withholding, termination and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the Principal or designee, after consideration of the nature, severity and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of students services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

L. Harassment, Intimidation and Bullying Policy Publication and Dissemination

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

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



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Harassment, Intimidation, and Bullying

The Superintendent shall post the district's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the home page of the school district's website. The district will notify students and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

The Superintendent shall post the name, school phone number, school address, and school email address of the district's Anti-Bullying Coordinator on the home page of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator and the home page of each school's website.

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

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

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

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

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

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



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The school district shall annually observe a “Week of Respect” beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14.

Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

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

M. Harassment, Intimidation and Bullying Policy Re-evaluation, Re-assessment and Review

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

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

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

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

O. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et. seq. The grade received by a school and the district shall be posted on the homepage of the school’s website and the district’s website in accordance with the



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provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potential bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement between Education and Law Enforcement Officials.

Q. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Acts effective date (January 5, 2011). N.J.S.A. 18A:37-30.

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

R. Students with Disabilities

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

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

N.J.S.A. 18A:37-13 through 18A:37-32

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011 – New Jersey Department of Education Memorandum – New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 2011

Adopted: 12 January 2010; 14 September 2010; 23 June 2011

Adopted: 8 November 2011; 12 November 2013



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Harassment, Intimidation, or Bullying
Investigation Procedure

R 5512 **HARASSMENT, INTIMIDATION, OR BULLYING** **INVESTIGATION PROCEDURE**

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

The following investigation procedures shall be used for an allegation(s) of harassment, intimidation, or bullying behavior:

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



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Harassment, Intimidation, or Bullying Investigation Procedure

6. Parents of individual student offenders and targets/victims shall be entitled to receive information about the investigation, in accordance with Federal and State law and regulation, including the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether discipline was imposed or services provided to address the incident of harassment, intimidation or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.
7. A parent may request a hearing before the Board of Education after receiving the information.
 - a. This hearing shall be held within ten school days of the request;
 - b. The Board shall meet in executive session for the hearing to protect the confidentiality of the students; and
 - c. At the hearing the Board may hear from the school Anti-Bullying Specialist about the incident, recommendations for discipline or services, and any programs instituted to reduce such incidents.
8. At the next regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of each investigation to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with the procedures set forth in law and regulation, no later than ninety days after the issuance of the Board's decision.
9. A parent, student or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L. 1945, c.169 (C.10.5-1 st seq.)

Issued: 12 January 2010

Issued: 12 November 2013



5512.1 **HAZING**

The Board of Education believes hazing activities of any type are inconsistent with the educational process and the Board prohibits all such and hazing behavior at any time on school premises, at any school-sponsored function or on any school bus.

“Hazing” means the performance of any act or the coercion of another to perform any act of initiation into any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

All staff members, students and school volunteers shall be alert to possible behavior, circumstances, or events that might include hazing. A person who detects hazing and/or planned hazing shall immediately inform the student(s) involved of the prohibition against this behavior and/or conduct and direct them to immediately cease all such behavior and/or conduct. All such incidents must be reported to the Building Principal.

The Building Principal will report to the Affirmative Action Officer and the Superintendent any incident reported from a staff member, student, parent, legal guardian or any other source. The Building Principal will also report information received from anonymous sources, however, any formal disciplinary action will not be taken solely on the basis of an anonymous report.

There will be no reprisals or retaliation against any person(s) making such report of hazing behavior. Any allegations of reprisals or retaliation shall be reported directly to the Building Principal who will investigate such allegations and take appropriate action if the allegations are confirmed and/or if the person is found to have falsely accused another as means of retaliation or as a means of hazing.

The Building Principal or designee will immediately investigate any report of actual or planned hazing.

If the investigation determines hazing behavior was planned or was present, the administration will take reasonable, age-appropriate and effective corrective action to end the behavior which may include, but is not limited to, counseling, warning, and/or disciplinary action. The administration may need to provide support services to the student(s) that was to remedy the past hazing behavior.

Nothing in this Policy prohibits the Affirmative Action Officer from complying with the requirements of the district’s Affirmative Action Program as outlined in Policy 1550 and N.J.A.C. 6A:7-1.1 et seq.



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Hazing

The Building Principal, in conjunction with the Affirmative Action Officer, will develop and conduct training and information programs for all school staff, students, parents and interested community members on the district's Hazing Policy.

Any student organization that seeks to organize and perpetuate itself by taking in members based on the decision of the membership of the organization, rather than from the free choice of any students who are otherwise qualified to fill the special aims of such organization, is prohibited.

This Policy shall be published in student and staff handbooks upon its adoption by the Board. The Board will seek school community input prior to the initial adoption and any revisions to this Policy.

N.J.S.A. 18A:37-1 et seq.; 18A:42-5; 18A:42-6

Adopted: 12 January 2010
Adopted: 9 December 2014



5513 CARE OF SCHOOL PROPERTY

The Board of Education believes that the schools should help students learn to respect property and to develop feelings of pride in community institutions. The Board charges each student enrolled in this district with responsibility for the proper care of school property and the school supplies and equipment entrusted to his/her use.

Students who cause damage to school property will be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or defacement of a textbook.

A student who demonstrates chronic and/or serious disregard for property may be referred to the Intervention & Referral for Student Services Committee and the Child Study Team.

The Superintendent shall develop rules for the safekeeping and accounting of textbooks and prepare a schedule of fines for lost and damaged textbooks.

N.J.S.A. 18A:34-2; 18A:37-3

N.J.A.C. 6A:23-6.6

Adopted: 12 January 2010



R 5513 CARE OF SCHOOL PROPERTY

A. Teachers' Responsibilities

1. Teachers will exercise judgment in the entrustment of school property to students.
2. Teachers will impress upon all students the importance of the proper care of school property and instruct students in the proper use of school facilities, equipment, instructional materials, and textbooks.
3. Teachers will keep an accurate inventory of textbooks and other materials assigned to their classrooms.

B. General Rules Governing the Use of School Property

1. Students shall not deface the school building, furnishings, or equipment in any manner.
2. Students shall not use school furnishings or equipment for purposes other than those for which the furnishing or equipment was designed and intended.
3. Students will care for school textbooks in accordance with D.

C. Distribution and Collection of Textbooks and Materials

1. Each textbook will be stamped as the property of the Board of Education and marked with a number unique to that book.
2. A label will be affixed to the front of each textbook and will include:
 - a. The name of the Board of Education,
 - b. The name of the school,
 - c. The year in which the book was purchased, and
 - d. The number assigned to the book.
3. The following information will also be entered on the label each time the book is issued to a student:



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- a. The name of the student to whom the book is issued,
 - b. The date on which the book is issued to the student,
 - c. The condition of the book when it is issued, and
 - d. The condition of the book when it is returned.
4. Each classroom teacher will keep a permanent record of the textbooks used in his/her classroom. The record will include all the information listed in C2 and C3.
 5. A lost textbook must be promptly reported to the teacher who issued the book. A replacement textbook will be issued immediately.
 6. Textbooks will be collected and inspected before the end of the school year or marking period, as appropriate. Once inspected, a textbook will be returned to inventory until it is again distributed to a student.
 7. Students must remove covers, loose papers, and markings before returning any textbook.
 8. Fines will be assessed for lost and damaged textbooks in accordance with E.
- D. Care of Textbooks by Students
1. Students shall take care not to lose or misplace a textbook or expose a textbook to conditions or circumstances likely to destroy, damage, or degrade it.
 2. All textbooks that will be taken home by students must be protected with an appropriate cover to be supplied by the student.
 3. Students should not:
 - a. Use pens, pencils, or other implements to mark a place in a textbook;
 - b. Use a textbook to file bulky papers and notes;
 - c. Write in textbooks; or
 - d. Soil textbooks beyond normal use.



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E. Fines and Penalties

1. Fines will be assessed as determined by the Superintendent and/or designee.
2. The teacher will inspect each textbook returned and will assess a fine for each lost or damaged book. The teacher will prepare a form in triplicate that includes:
 - a. The name and number of the textbook damaged or lost;
 - b. The name of the student;
 - c. The loss or damage to the textbook; and
 - d. The amount of the fine.
3. In setting fines the teacher may take into account verified extenuating circumstances.
4. The student will take the form to the Main office and make payment of the fine assessed. The Main office will sign the form when payment is made.
5. Teachers will not collect fines.
6. Copies of the form will be distributed as required.
7. A student who finds their lost textbook will be reimbursed any fine paid for the lost textbook but will be assessed a fine for any damage done to the book.
8. If fines are unpaid, the district shall request payment from the parent(s) or legal guardian(s).

Adopted: 12 January 2010



5514 STUDENTS USE OF VEHICLES ON SCHOOL GROUNDS

The safety of students, staff members, school visitors, and others while on school grounds is of significant importance to the Board of Education. A student's use of a vehicle and/or other modes of transportation on school grounds has the potential to present a safety hazard for the student operator and to other students, staff members, school visitors and others while on school grounds.

The Board will permit the use of motor vehicles by students in accordance with district rules provided that such students present written parental approval, have been granted permission by the Building Principal to operate a motor vehicle on school grounds, possess a valid New Jersey driver's license, and have successfully completed a course in driver education. Parking on school property is not permitted due to parking space limitations.

The Board will permit the use of bicycles in accordance with district rules provided such students present written parental approval; have been granted permission by the Building Principal.

Students are not permitted to bring non-motorized skateboards, scooters, roller skates, or any other non-motorized mode of transportation on school grounds during the school day.

Students are not permitted to bring any motorized bicycle, skateboard, scooter, roller skates, hoverboard, or any other motorized mode of transportation on school grounds during the school day.

The Principal of each school building may revoke the privilege of a student's use of any vehicle or mode of transportation permitted by this Policy for the student's failure to follow the provisions of this Policy and any requirements of State or local law or any school rule. The Board of Education assumes no responsibility for the loss, damage, or theft of any vehicle or any mode of transportation permitted on school grounds in accordance with this Policy.

The Board will not be responsible for any vehicle that is lost, stolen, or damaged.

N.J.S.A. 39:4-10 et seq.; 39:4-10.5

Adopted: 12 January 2010

Adopted: 20 September 2016



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Use of Electronic Communication and Recording

Devices (ECRD)

Aug 10

5516 USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)

The Board of Education believes students, administrators, faculty and staff members should not be subject to having a video or audio recording taken of any student(s), administrator(s), faculty or staff member(s) for any purpose without the consent of the student, the student's parent, and/or the administrator, faculty and staff member. In addition to protecting the privacy rights of students, administrators, faculty and staff members, the Board recognizes such recordings can be disruptive to the educational program. In addition, inappropriate recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the district's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students. Therefore, the Board of Education adopts this Policy regarding use of electronic communication and recording devices.

"Electronic communication and recording device (ECRD)" includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

A student, administrator, faculty or staff is not permitted to have turned on or use an ECRD on school grounds during the school day or when the student, administrator, faculty or staff is participating in a curricular or school-sponsored co-curricular activity. A student, administrator, faculty or staff member's personal ECRD may only be used on school grounds in an emergency situation or before and after the school day or when permitted and properly supervised by a staff member supervising the student, administrator, faculty and staff in a curricular or school-sponsored co-curricular or district activity. Any audio and/or video recording by a student, administrator, faculty or staff using their personal ECRD with permission of a staff member while participating in a curricular or school-sponsored or district activity where other students, administrators, faculty or staff members are present shall require the permission for such recording from any other student and their parent, administrator, faculty and/or staff members whose voice or image is to be recorded.



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Use of Electronic Communication and Recording
Devices (ECRD)

This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular, district activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, athletic events, drama production filming and district events or meetings. A student, administrator, faculty or staff authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from student, administrator, faculty or staff access by the school district's acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a student, administrator, faculty or staff from using their personal ECRD and recording school-sponsored co-curricular activities or district event as a non-participant when the activity is open to the general public.]

For the purposes of -this policy, "school grounds" means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the student, administrator, faculty or staff will be subject to appropriate disciplinary action.

A student, administrator, faculty or staff shall not knowingly bring or possess any remotely activated paging device on any school or district grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present without the express written permission of the Principal or District designee. The student, administrator, faculty or staff must submit a written request and establish to the satisfaction of the Principal or District designee a reasonable basis for the possession of the device. The written request must include the purpose for the student, administrator, faculty or staff possessing and/or bringing the device on school district property and the date or dates in which the student, administrator, faculty or staff request to possess and/or bring the device on school district property. The written request must also include the date in which the student, administrator, faculty or staff will no longer need to bring and/or possess the device on school district property.

The Principal or District designee, upon reviewing the request from the student, administrator, faculty or staff will make a determination. The determination will be in writing and if approved, written permission for the student to bring and/or possess a remotely activating paging device will be provided to the student, administrator, faculty or staff. Permission will only be provided for __ month(s).



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Use of Electronic Communication and Recording
Devices (ECRD)

The student, administrator, faculty or staff must submit a new request if the time in which permission is given to bring and/or possess a device expires. The student, administrator, faculty or staff who is granted permission to possess and/or bring the device must be in the possession of the device at all times. The Principal or designee shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student, administrator, faculty or staff bring or possess a remotely activated paging device in violation of N.J.S.A. 2C:33-19 and this Policy.

A student, administrator, faculty or staff who are an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school district property only if the student, administrator, faculty or staff are required to respond to an emergency and the student, administrator, faculty or staff provide a statement to the Principal or designee from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the student, administrator, faculty or staff at all times and that the student, administrator, faculty or staff are required to respond to an emergency.

The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a student, administrator, faculty or staff bring or possess a remotely activated paging device in violation of N.J.S.A. 2C:33-19 and this Policy.

N.J.S.A. 2C:33-19

Adopted: 12 January 2010

Adopted: 11 January 2011

Adopted: 12 January 2016



5517 STUDENT IDENTIFICATION CARDS

The Board of Education recognizes school building security measures are important for the safety and welfare of all students, staff, parents and community members in school buildings. In recognizing this important responsibility, the Board requires all students to carry school district issued identification cards at all times while in school. A student must present the card to any school staff member upon request. Students who fail to have the card in their possession or to produce it when asked to do so may be disciplined.

The school district issued Identification Card will be issued to all students in all school buildings, and may be presented for:

1. Identification at school district activities on school district property other than the school attended by the student;
2. Admission to school dances and other school-related activities;
3. Identification for library media services to include library book, periodical and other resource check-out;
4. Entrance for Scholastic Aptitude Tests, State Standardized Tests and other testing programs administered on school district property;
5. Identification for transportation services offered by the district including the use of activity and/or late buses;
6. Identification for admission to certain school-related and school district sponsored functions; and
7. Other purposes and activities as determined by the Building Principal.

Students will be issued one card every year. A replacement fee will be charged, at the cost equal to the reproduction cost, for all lost identification cards.

Adopted: 12 January 2010



5519 DATING VIOLENCE AT SCHOOL

The Board of Education believes a safe and civil environment in school is necessary for children to learn. A student who is a victim of dating violence suffers academically and the student's safety at school is jeopardized. Acts or incidents of dating violence at school whether they are verbal, sexual, physical, or emotional will not be tolerated and will be dealt with in accordance with the school's student code of conduct.

All school staff members (administrative staff, instructional staff, support staff, and volunteers) shall take all reasonable measures to prevent acts or incidents of dating violence at school involving a student. All acts or incidents of dating violence at school shall be reported to the Principal or designee in accordance with the provisions outlined in Regulation 5519. A verbal report shall be made to the Principal or designee as soon as possible, but no later than the end of the student's school day when the staff member witnesses or learns of an act or incident of dating violence at school. A written report regarding the act or incident shall be submitting to the Principal or designee by the reporting staff member no later than one day after the act or incident occurred.

School staff members are required to report all acts or incidents of dating violence at school they witness or upon receiving reliable information concerning acts or incidents of dating violence at school. Acts or incidents may include, but are not limited to: those characterized by physical, emotional, verbal, or sexual abuse; digital or electronic acts or incidents of dating violence; and/or patterns of behavior which are, threatening or controlling.

The Board of Education, upon recommendation of the Superintendent or Schools, shall adopt the guidelines and procedures outlined in Regulation 5519 for responding to acts or incidents of dating violence at school. The protocols outlined in Regulation 5519 have been established for any school staff member who witnesses or learn of an act or incident of dating violence at school and for school administrators to work with the victim and the aggressor of an act or incident of dating violence.

Dating violence statements and investigations shall be kept in files separate from student academic and discipline records to prevent the inadvertent disclosure of confidential information. Every act or incident of dating violence at school that is reported shall be documented in an appropriate manner. This should include statements, planning actions and disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or aggressor.



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Dating Violence at School

School administrators shall implement discipline and remedial procedures to address acts or incidents of dating violence at school consistent with the school's student code of conduct. The policies and procedures specific to acts or incidents of dating violence at school shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

Consequences may include, but are not limited to: admonishment, temporary removal from the classroom, classroom or administrative detention, in-school suspension, out-of-school suspension, reports to law enforcement, and/or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the alleged aggressor based on the severity of the act or incident.

Remediation/intervention may include, but is not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

A pattern of behaviors may be an important sign a student is involved in an unhealthy or abusive dating relationship. The warning signs listed in Regulation 5519 shall educate the school community on the characteristics 'that a student in an unhealthy or abusive relationship may exhibit. Many of these warning signs make a connection to one student in the relationship asserting control and power over the other. Recognizing one or more signs of teen dating violence plays an important role in preventing, educating, and intervening in acts or incidents of dating violence.

The Board of Education shall make available to students and their families information on safe, appropriate school, family, peer, and community resources available to address dating violence.

The Board of Education shall incorporate age-appropriate dating violence education in grades seven through twelve through the health education curriculum in alignment with the New Jersey Core Curriculum Content Standards for Comprehensive Health and Physical Education. The educational program shall include, but is not limited to, a definition of dating violence, recognizing the warning signs of dating violence, and the characteristics of healthy relationships.

Upon written request to the school Principal, a parent/legal guardian of a student less than eighteen years of age shall be permitted, within a reasonable period of time after the request is made, to examine the dating violence education instruction materials utilized by the school district.



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Notice of Policy and Regulation 5519 shall appear in all district publications that set forth the comprehensive rules, procedures, and standards of conduct for students within the district and in any handbook.

N.J.S.A. 18A:35-4.23a.; 18A:37-33; 18A:37-34; 18A:37-35; 18A:37-37

New Jersey Department of Education Model Policy and Guidance for Incidents Involving Dating Violence — September 2011

Adopted: 24 January 2012



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R5519 DATING VIOLENCE AT SCHOOL

A. Definitions

1. "At school" means in a classroom, or anywhere on school property, school bus or school-related vehicle, at an official bus stop, or at any school-sponsored activity or event whether or not it is on school grounds. (Requesting to add *and from school*).
2. "Dating partner" means any person involved in an intimate association with another individual that is primarily characterized by the expectation of affectionate involvement, whether casual, serious, or long-term.
3. "Dating violence" means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner.

B. Procedures for Reporting Acts or Incidents of Dating Violence

1. School staff members (administrative staff, instructional staff, support staff, and volunteers) shall take all reasonable measures to prevent acts or incidents of teen dating violence and are required to report all acts or incidents of dating violence at school.
2. All acts or incidents of dating violence at school shall be reported to the Principal or designee.
 - a. This report should be made verbally as soon as possible, but no later than the end of the student's school day when the staff member witnesses or learns of an act or incident of dating violence at school.
 - b. A written report regarding the act or incident of dating violence at school should be submitted to the Principal or designee, by the reporting staff member no later than one day after the staff member witnesses or learns of an act or incident of dating violence at school.
3. These acts or incidents may include, but are not limited to:
 - a. Witnessed or receipt of reliable information concerning acts or incidents that are characterized by physical, emotional, verbal, or sexual abuse;
 - b. Digital or electronic acts or incidents of dating violence; and/or



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- c. Patterns of behavior which are threatening or controlling.
- C. Guidelines/Protocols for Responding to At-School Acts or Incidents of Dating Violence
 1. Protocol for All School Staff Members - Any school staff member who witnesses or learns of an act or incident of dating violence at school shall take the following steps:
 - a. Separate the victim from the aggressor;
 - b. Speak with the victim and the aggressor separately;
 - c. Speak with witnesses or bystanders separately;
 - d. Verbally report the act or incident to the Principal or designee no later than the end of the student's school day;
 - e. Prepare and submit a written report of the act or incident to the Principal or designee no later than one day after the act or incident occurred; and
 - f. Monitor the interactions of the victim and the aggressor with student safety being the priority.
 2. Protocol for Administrators/Administrative Investigation — The Principal or designee upon receiving a report of a dating violence act or incident at school shall take the following steps:
 - a. Separate the victim from the aggressor, if applicable;
 - b. Meet separately with the victim and the alleged aggressor;
 - c. Take written statements from the victim and alleged aggressor;
 - d. Review the victim's and alleged aggressor's written statements to ascertain an understanding of the act or incident. The administrator may ask questions of either individual for classification;
 - e. Further investigate the act or incident by speaking with bystanders/witnesses of the act or incident. All statements obtained from bystanders/witnesses shall be written and documented, when possible;



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- f. The school administrator may make a determination to involve the school resource officer or law enforcement, if appropriate;
 - g. Appropriate referrals should be made if after an assessment by a school social worker, Anti-Bullying Specialist, counselor, or psychologist determines the victim's or alleged aggressor's mental health has been placed at risk;
 - h. The Principal or designee shall contact the parents/ guardians of both the victim and the alleged aggressor. The Principal or designee shall require a meeting be held to discuss the act or incident; and
 - i. The Principal or designee will notify both parties in writing of the outcome/determination of the investigation into the act or incident of dating violence at school.
 - j. Due to the rights of other students involved, the Principal or designee is prohibited from providing a parent with information as to the consequences or services provided to anyone other than their own child.
3. Protocol For Working with the Victim of an Act or Incident of Dating Violence at School — The Principal or Assignee shall implement the following procedures for dealing with victims of a confirmed act or incident of dating violence at school:
- a. A student's safety shall be the first priority in a dating violence act or incident. Interaction between the victim and the aggressor shall be avoided. The burden of any schedule changes (classroom, bus, etc.) should be taken on by the aggressor;
 - b. A conference shall be held with the victim and their parents/guardians;
 - c. Identify any means or actions that should be taken to increase the victim's safety and ability to learn in a safe and civil school environment;
 - d. Alert the victim and their parents/guardians of school and community based resources that may be appropriate, including their right to file charges, if the act or incident violated the law;
 - e. Monitor the victim's safety as needed and assist the victim with any plans needed for the school day and after-school hours (hallway safety, coordination with parents/guardians for transportation to and from school, etc.). The administration should develop a safety plan;



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- f. The administration may develop a Stay-Away Agreement between the victim and the aggressor if deemed necessary;
 - g. Encourage the victim to self-report any and all further acts or incidents of dating violence that occur at school in writing to the Principal or designee; and
 - h. Document all meetings and action plans that are discussed. Keep a record of review, changes, and case closures in student's file.
 4. Protocol for Working with the Aggressor of an Act or Incident of Dating Violence at School — The Principal or designee shall implement the following procedures for dealing with the aggressor of a confirmed act or incident of dating violence at school:
 - a. Schedule a conference with the aggressor and their parents/guardians;
 - b. Give the aggressor the opportunity to respond verbally and in a written statement to the allegations and the outcome/ determination of an act or incident of dating violence at school;
 - c. Alert the aggressor and their parents/guardians to both school and community-based support and counseling resources that are available;
 - d. Identify and implement counseling, intervention, and disciplinary methods that are consistent with school policy for acts or incidents of this nature;
 - e. Review the seriousness of any type of retaliation (verbal, emotional, physical, sexual, and electronic/digital) toward the victim who reported the act or incident of dating violence. Address that consequences will be issued consistent with the school's student code of conduct and procedures for any type of retaliation or intimidation toward the victim; and
 - f. Document all meetings and action plans that are discussed.
 5. Protocol for the Documentation and Reporting of an Act or Incident of Dating Violence at School - School districts shall implement the following procedures for documenting and reporting acts or incidents of dating violence that occur at school:
 - a. Dating violence statements and investigations shall be kept in files separate from student academic and discipline records to prevent the inadvertent disclosure of confidential information.



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- c. Peer support group;
 - d. Corrective instruction or other relevant learning or service experiences;
 - e. Supportive student intervention (Intervention and Referral Services - I&RS);
 - f. Behavioral management plan; and
 - g. Alternative placements.
- E. Warning Signs of Dating Violence.
1. A pattern of behaviors may be an important sign that a student is involved in an unhealthy or abusive dating relationship. Many warning signs make a connection to one student in the relationship asserting control and power over the other. Recognizing one or more *signs* of teen dating violence plays an important role in preventing, educating, and intervening in acts or incidents of dating violence.
 2. The warning signs listed below are to educate the school community on the characteristics a student in an unhealthy or abusive relationship might exhibit. Warning signs may include, but are not limited to, the following:
 - a. Name-calling and putdowns - Does one student in the relationship use name-calling or putdowns to belittle or intimidate the other student?
 - b. Extreme jealousy - Does one student in the relationship appear jealous when the other talks with peers?
 - c. Making excuses - Does one student in the relationship make excuses for the other?
 - d. Canceling or changing plans - Does one student cancel plans often, and at the last minute? Do the reasons make sense or sound untrue?
 - e. Monitoring - Does one student call, text, or check up on the other student constantly? Does one student demand to know the other's whereabouts or plans?
 - f. Uncontrolled anger — does one of the students in the relationship lose his or her temper or throw and break things in anger?



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- g. Isolation - Has one student in the relationship given up spending time with family and friends? Has the student stopped participating in activities that were once very important?
 - h. Dramatic changes -- Has the appearance of the student in the relationships changed? Has the student in the relationship lost or gained weight? Does the student seem depressed?
 - i. Injuries - Does the student in the relationship have unexplained injuries? Does the student give explanations that seem untrue?
 - j. Quick Progression - Did the student's relationship get serious very quickly?
- F. The Principal or designee will provide to the parents/guardians of a victim or aggressor information on safe, appropriate school, family, peer, and community resources available to address dating violence related to their child.

Issued: 24 January 2012



5520 **DISORDER AND DEMONSTRATION**

The Board of Education is responsible for providing a thorough and efficient system of education for students in this district and is authorized to preserve order so that the system may function properly. Students will not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that their activities do not infringe on the rights of others and do not interfere with the operation of the educational program.

The Board will not permit the conduct on school premises of any willful activity engaged in by an individual acting alone or by a group of individuals that interferes with the orderly operation of the educational program or offends the rights of others. The Board specifically prohibits any assembly or expression that materially disrupts instruction; is obscene, slanderous, or grossly prejudicial; advocates the use of dangerous or harmful materials; advocates the use of force or the violation of law or school rules; or advertises goods or services for unauthorized commercial gain.

Disorderly students will be disciplined in accordance with law and Board Policy No. 5600; staff members who assist students in disorderly conduct may be subject to disciplinary measures.

The Board directs all staff members to attempt to resolve student conflict and dissent by reason and arbitration. Students who express dissent should be made aware of the lawful procedures available to them for the resolution of their grievances.

The Superintendent shall establish procedures for the prompt resolution of any disorder that occurs on school premises. The Building Principal shall be responsible for the identification and resolution of disorders in any school building and may summon law enforcement officers as necessary.

N.J.S.A. 2C:12-3; 2C:33-1; 2C:33-2; 2C:33-8

N.J.S.A. 18A:6-1; 18A:37-1; 18A:37-2

Adopted: 12 January 2010



5530 **SUBSTANCE ABUSE**

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

A. Definitions

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

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

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

"Intervention" means those programs, services, and actions taken to identify and offer help to a student at risk for learning, educational, behaviors, or health difficulties due to substance abuse and related activities.

B. Discipline

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

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

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

A student who uses, possesses, or distributes alcohol or other drugs will be subject to discipline in accordance with the district's Code of Student Conduct. School authorities also have the authorities to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5 Discipline may include suspension or expulsion. The Board will establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.



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C. Instruction

N.J.S.A. 18A:40A-1 et seq.
N.J.A.C. 6A:16-3.1

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

D. Reporting, Notification and Examination

N.J.S.A. 18A:40A-11 through 18A:40A-17
N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

1. Alcohol and Other Drugs

- a. Any educational staff member or other professional has reason to believe that a student may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) on school grounds, shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.

The SAC/District Safe Drug Free Schools Program shall serve as the coordinator case manager for all cases involving suspected or confirmed substance abuse. All referrals and re-entry activities shall be coordinated through them.

- b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent of the student, the Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.
- c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school,



the student shall be returned to the care of the parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, Principal and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

- e. Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.
 - f. While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.
 - g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.
 - h. The Board may provide additional interventions and referral services for the student according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.
2. Anabolic Steroids
- a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe a student has used or may be using anabolic steroids, the person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.
 - b. The Principal or designee upon receiving such report shall immediately notify the parent and Superintendent and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.
 - c. Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with to the requirements of N.J.A.C. 6A:16-4.3(b)3.



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- d. A written report of the examination shall be provided by the examining physician to the parent, Substance Abuse Counselor (SAC), Principal, and Superintendent.
 - e. If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.
 - f. If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.
3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substances, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.
 4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.
 5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.
 6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school district as a policy violation and handled in accordance with N.J.A.C.6A:16-4.1(c)2.
- E. In-Service Training
- N.J.S.A. 18A:40A-15

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



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F. Parent Training Program/Outreach to Parents

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

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

G. Records and Confidentiality of Records

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

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

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

H. Nonpublic School Student

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

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

I. Civil Immunity

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



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

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

J. Reporting Students to Law Enforcement Authorities

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

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

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

K. Policy Review and Accessibility

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

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



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This Policy and Regulation shall be annually disseminated to all school staff, students, and parent through the district website or other means.

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

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

Adopted: 12 January 2010

Adopted: 11 November 2014



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R 5530 SUBSTANCE ABUSE

The following procedures are established in implementation of Policy No. 5530, Substance Abuse.

A. Definitions

1. "Evaluation" means those procedures used by a certified or licensed professional to make a positive determination of a student's need for programs and services which extend beyond the general school program by virtue of learning, behavior or health difficulties of the student or the student's family.
2. "Other drugs" mean substances as defined in N.J.S.A. 18A:40A-9 and substances as defined in N.J.A.C. 6:16-4.1(a).
3. "Referral for evaluation" means programs and services suggested to a student or his or her family in order to make a positive determination regarding a student's need for services that extend beyond the general school program.
4. "Parent" means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s) or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency who has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.
5. "Referral for treatment" means programs and services suggested to a student or his or her family to help implement the recommendations resulting from an evaluation, pursuant to N.J.A.C. 6A:16-1.3 and 4.1(c)5 and 6; in response to a positive alcohol or other drug test result, pursuant to N.J.A.C. 6A:16-4.4; or in response to the family's request for assistance with a learning, behavior, or health difficulty, pursuant in N.J.A.C. 6A:16-4.1(c)7 and 8.
6. "School grounds" means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central facilities including, but not limited to, kitchens and maintenance shops. "School grounds" also include other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds; and other recreational places owned by the local municipalities, private



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entities, or other individuals during those times when the school district has exclusive use of a portion of such land. "School grounds" also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration as defined in N.J.A.C. 6A:26-1.2.

7. "Substance" as defined in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a) means alcoholic beverages, controlled dangerous substances, including anabolic steroids as defined at N.J.S.A. 24:21-2 and N.J.S.A.2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4 and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
 8. "Substance abuse" means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.
 9. "Under the influence" of substances means that the student is observed in the use of a substance or exhibits physical and/or behavioral characteristics that indicate the immediate use of a substance.
- B. Discipline
1. Any violation of Board rules prohibiting the use, possession and/or distribution of a substance is a serious offense, and the student who violates a substance abuse rule will be disciplined accordingly. Repeated violations may warrant stricter disciplinary measures. Students who violate the substance abuse rules will be disciplined as follows:
 - a. First offense:
 1. The administrator will inform the student's parent /guardian.



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2. Under the Influence: If the student is determined to be under the influence in school, they will be suspended for 5 days.

Possession: In cases of possession the student will be suspended for five days.
Distribution: A recommendation will be made for an expulsion hearing.
3. Incidents of possession and distribution will be reported to the police.
4. The administrator will notify the student assistance coordinator (SAC), guidance counselor and case manager.
5. Loss of privileges can be applied for up to 45 days. This could include loss of parking privileges, involvement in all extra-curricular activities including athletic events and/or social/promotional activities.
6. The SAC will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation, which may include interview with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse as may be appropriate and necessary, for the purpose of making a preliminary determination of the student's need for educational program, supportive services or treatment which extend beyond the general school program by virtue of the use of alcohol or other drugs by the student. Support and referral services are also available to parents/guardians. Privacy is maintained according to Federal Confidentiality Regulations (42CFR)
7. If outside treatment is not required, an education and prevention program will be provided with the SAC.
8. If treatment with an outside agency/provider is recommended the student and their parent/guardian must sign a release of information so that the provider can communicate with the school's student assistance counselor. This is for the purpose of verifying participation, monitoring treatment progress and coordinating support services in school. Privacy is maintained according to Federal Confidentiality Regulations (42CFR)



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9. Parent/Guardian Refusal or Failure to Comply with the provisions of N.J.S.A.18A:40A-12 and these procedures shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. This can result in a referral to the Division of Child Protection and Permanency (DCP&P).
- b. Second offense:
 1. Under the Influence: If the student is determined to be under the influence in school, for the second time, they will be suspended for 10 days.
 2. Possession: In cases of possession the student will be suspended for ten days. Distribution: A recommendation will be made for an expulsion hearing.
 3. If the student is being serviced by a school Student Assistant Coordinator (SAC) or has completed a school based intervention program, the student will be required to enter an offsite substance abuse program that must be approved by the Board of Education.
 4. If the student is currently in a substance abuse program with an outside agency, the SAC will meet with the agency/provider and recommend a higher level of care for the student.
 5. If treatment with an outside agency/provider is recommended the student and their parent/guardian must sign a release of information so that the provider can communicate with the school's student assistance counselor. This is for the purpose of verifying participation, monitoring treatment progress and coordinating support services in school. Privacy is maintained according to Federal Confidentiality Regulations (42CFR)



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6. Loss of privileges will be applied for up to 60 days. This could include loss of parking privileges, involvement in all extra-curricular activities including athletic events and /or social/promotional activities.
 7. Parent/Guardian Refusal or Failure to Comply with the provisions of N.J.S.A.18A:40A-12 and these procedures shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. This can result in a referral to the Division of Child Protection & Permanency (DCP&P).
- c. Third offense:
1. Under the Influence: If the student is determined to be under the influence in school, for the third time, they will be suspended for 10 days.
 2. Possession, distribution and/or selling: A recommendation will be made for an expulsion hearing.
2. In accordance with N.J.A.C. 6A:16-4.1(c), the student may be subject to disciplinary action in the event the student does not follow through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors: Non-compliance by the student with any of the above may result in consideration for expulsion according to N.J.A.C. 6A:16-4.1 (c) 2
- C. Intervention, Referral for Evaluation, and Referral for Treatment Services
1. The provision of intervention, referral for evaluation, and referral for treatment services for students who are affected by alcohol or other drug use.
 - a. The intervention, referral for evaluation, and referral for treatment services shall be provided by an individual who holds the educational services certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners, or by an individual who holds one of the following educational services certificate endorsements: school nurse; school nurse/non-instructional; school psychologist; school counselor; school social worker; or student personnel services and is trained in alcohol and other drug abuse intervention, assessment, referral for evaluation, and referral for treatment skills.



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- b. The intervention, referral for evaluation, and referral for treatment services shall include one or more of the following:
 - (1) Provisions for a program of instruction, counseling, and related services provided by the district Board of Education while a student receives medical treatment for a diagnosed alcohol or other drug dependency problem;
 - (2) Referral to a community agency, as defined in N.J.A.C. 6A:16-4.1(b), out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or private practitioners authorized by the appropriate drug and alcohol licensing board;
 - (3) Provisions for support services for students who are in, or returning from, medical treatment for alcohol and other drug dependency; or
 - (4) A special class, course or educational program designed to meet the needs of students with alcohol or other drug use problems.

- D. Reporting, Notification, and Examination Procedures
 - 1. Students Suspected of Using Anabolic Steroids – N.J.A.C. 6A:16-4.3(b)
 - a. Whenever a staff member, certified or non-certified school nurse or other educational personnel has reason to believe that a student has used or may be using anabolic steroids, the person shall report the matter as soon as possible to the Principal (or, in the Principal's absence, to a person designated by the Principal) and either the certified or non-certified school nurse, or the school physician or the student assistance coordinator.
 - b. In response to a report of suspected anabolic steroid use, including instances when a report is made to law enforcement, the Principal or designee, shall immediately notify the student's parent and the Superintendent. The Principal or designee shall arrange for an examination of the student by a physician licensed to practice medicine or osteopathy selected by the parent.



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- (1). If the physician chosen by the parent is not available to perform the examination, the examination shall be conducted by the school physician or other physician identified by the Principal.
 - (2) The student shall be examined as soon as possible for the purpose of determining whether the student has been using steroids.
- c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to have used or to be using anabolic steroids.
- (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of anabolic steroids or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities involving anabolic steroids.
- d. The examining physician shall provide to the parent, Principal, and Superintendent of a written report of the examination.
- e. If it is determined that the student has used anabolic steroids, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following educational services certificate endorsements; school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained to assess alcohol and other drug abuse shall interview the student and others, as necessary, for the purpose of determining the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment.
- (1) To make this determination, the school staff member(s) identified above may conduct a reasonable investigation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug use.



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- f. If results of a referral for evaluation positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, the school staff member(s) identified in D.1.e. above who is trained to assess alcohol and other drug abuse shall initiate a referral for treatment to appropriate community agencies as defined in N.J.A.C. 6A:16-4.1(b), to out-of-State agencies licensed by the appropriate State regulatory agency for alcohol and other drug services, or to private practitioners certified by the appropriate drug and alcohol licensing board.
2. Students Suspected of Being Under the Influence of Alcohol or Other Drugs Other Than Anabolic Steroids – N.J.A.C. 6A:16-4.3(a)
 - a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs on school grounds shall report the matter as soon as possible to the Principal or, in his or her absence, to his or her designee and either the certified school nurse, non-certified school nurse, school physician, student assistance coordinator, to N.J.S.A. 18A:40A-12.
 - (1) In instances where the Principal and either the certified school nurse, non-certified school nurse, school physician or the student assistance coordinator are not in attendance, the staff member responsible for the school function shall be immediately notified.
 - (2) The referring staff member shall file with the Principal a report describing the incident. The form shall include all information necessary for a complete, accurate reporting on the Electronic Violence, and Vandalism Reporting System (EVVRS) according to N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3.
 - b. In response to every report by an educational staff member or other professional of suspected student alcohol or other drug use, including instances when a report is made to law enforcement, the Principal or designee shall:
 - (1) Immediately notify the student's parent and the Superintendent or designee;
 - (2) Arrange for an immediate medical examination of the student for the purposes of providing appropriate health care and for determining whether the student is under the influence of alcohol or other drugs, other than anabolic steroids; and



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- (3) Any substance screening conducted by the school nurse and/or other staff is not a substitute for the required medical examination required in N.J.S.A. 18A:40A-12.
- c. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol or other drugs.
 - (1) The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.
- d. The medical examination shall be performed by a physician licensed to practice medicine or osteopathy who is selected by the parent.
 - (1) The parent will be provided, in writing, the minimum requirements for the immediate medical examination, which will include, but not be limited to, the substances to be tested by the physician, the cut-off levels of each substance to be tested, the time period the immediate medical examination must be conducted, and any other requirements of the examination.
 - (2) The examination shall be at the expense of the parent and not the district Board of Education.
- e. If the physician chosen by the parent is not immediately available, the medical examination shall be conducted by the school physician.
 - (1) If the school physician is not available, the student shall be accompanied by a member of the school staff designed by the Principal to the emergency room of the nearest hospital for examination.
 - (2) The student's parent if available, shall also accompany the student.
 - (3) When the medical examination is conducted by the school physician or a physician at the emergency room of the nearest hospital, the examination shall be at the expense of the district Board of Education.



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- f. The Board of Education will have a plan in place for the appropriate supervision of the student:
 - (1) While waiting for a parent to take the student to the physician selected by the parent, or while the student is waiting for and receiving the medical examination by the school physician or the physician in an emergency room; and
 - (2) Provisions will be made for the appropriate care of while awaiting the results of the medical examination.

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

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



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- i. If the written report of the examination is not submitted to the parent, Principal and Superintendent within twenty-four hours of the referral of the student for suspected alcohol or other drug use, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- j. If the written report of the medical examination verifies that alcohol or other drugs do not interfere with the student's physical and mental ability to perform in school, the student will be immediately returned to school.
- k. If there is a positive determination from the medical examination, indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school:
 - (1) The student will be returned as soon as possible to the care of the parent;
 - (2) Attendance at school shall not resume until a written report has been submitted to the parent, the Principal and Superintendent from a physician licensed to practice medicine or osteopathy who has examined the student to determine whether alcohol or other drug use interferes with his or her physical or mental ability to perform in school.
 - (a) The report shall verify that the student's alcohol or other drug use no longer interferes with the student's physical and mental ability to perform in school.
 - (3) Removal of a student with a disability shall be made in accordance with N.J.A.C. 6A:14.
- l. While the student is home because of the medical examination or after the student returns to school, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one of the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker or student personnel services and is trained to assess alcohol and other drug abuse shall:



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Substance Abuse

- (1). Conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation, which may include interviews with the student's teachers and parents and consultation with experts in student alcohol or other drug abuse as may be appropriate and necessary, for the purpose of making a preliminary determination of the student's need for educational programs, supportive services or treatment that extend beyond the general school program by virtue of the use of alcohol or other drugs.
 - (a) The findings of the assessment alone shall not prevent a student from attending school; and
 - (2) Cooperate with community agencies as defined in N.J.A.C. 6A:16-4.1(b) and juvenile justice officials in providing evaluation, referral and continuity of care for alcohol or other drug abuse treatment.
- m. While the student is at home because of the medical examination or after his or her returns to school, the Principal or Superintendent may recommend or require alcohol and other drug assessment of the student or evaluation the Substance Abuse Coordinator to make a positive determination of a student's need for programs and services that extend beyond the general school program, as necessary.
- (1) The findings of these additional evaluations alone shall not be used to prevent a student from attending school.
- n. If at any time it is determined that the student's use of alcohol or other drugs presents a danger to the student's health and well-being, an individual who holds the Educational Services Certificate with the student assistance coordinator endorsement issued by the New Jersey State Board of Examiners or an individual who holds one the following Educational Services Certificate endorsements: school nurse, school nurse/non-instructional, school psychologist, school counselor, school social worker, or student personnel services and is trained in alcohol and other drug abuse treatment referral shall initiate a referral for alcohol or other drug abuse treatment.
- F. Handling of Alcohol or Other Drugs
1. A student's person, effects, or school storage places may be searched for substances in accordance with Board Policy and applicable laws regarding searches in schools.



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2. A school employee who seizes or discovers a substance, or an item believed to be a substance or drug paraphernalia, shall immediately notify and turn it over to the Principal or designee.
 - a. The Principal or designee shall immediately notify the Superintendent or designee who in turn shall notify the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
 - b. In accordance with the provisions of N.J.A.C. 6A:16-6.4(a), the school employee, Principal or designee shall safeguard the alcohol, other drug, or paraphernalia against further destruction and shall secure the alcohol, other drug, or paraphernalia until it can be turned over to the County Prosecutor or designee.
 - c. The Principal or designee shall provide to the County Prosecutor or designee all information concerning the manner in which the alcohol, other drug, or paraphernalia was discovered or seized, including:
 - (1) The identity of all persons who had custody of the substance or paraphernalia following its discovery or seizure; and
 - (2) The identity of the student believed to have been in possession of the substance or paraphernalia.
 - d. The Principal or designee shall not disclose the identity of a student who voluntarily and on his or her own initiative turned over the alcohol, other drug, or paraphernalia to a school employee, provided there is reason to believe the student was involved with the alcohol, other drug, or paraphernalia for the purpose of personal use and not distribution activities, and further provided the student agrees to participate in an appropriate treatment or counseling program.
 - (1) For the purposes of N.J.A.C. 6A:16-6.4, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall not constitute a voluntary, self-initiated request for counseling and treatment.



F. Reporting Students to Law Enforcement Agencies

1. Subject to N.J.A.C. 6A:16-6.5, any staff member who, in the course of his or her employment, has reason to believe that a student has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal or, in the absence of the Principal, to the staff member responsible at the time of the alleged violation.
2. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information.
3. The Superintendent or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the student involved.
4. The Superintendent or designee; however, shall not disclose the identity of a student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem, provided the student is not reasonably believed to be involved or implicated in drug-distribution activities.
5. For the purpose of N.J.A.C. 6A:16-6.3, an admission by a student in response to questioning initiated by the Principal or teaching staff member, or following the discovery by the Principal or teaching staff member of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.
6. The Superintendent or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a student suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical examination, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the student and for determining whether the student is under the influence of alcohol or other drugs or has been using anabolic steroids. The Superintendent or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance or related paraphernalia or a student



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reasonably believed to be involved or implicated in distribution activities regarding controlled dangerous substances.

7. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test, pursuant to N.J.A.C. 6A:16-4.3(a)3i and N.J.A.C. 6A:16-4.3(b)3i and N.J.A.C. 6A:16-4.3(a)4, was obtained as a result of the district Board of Education's voluntary random drug testing policy, pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.
- G. Parent Training Program/Outreach Program
1. A substance abuse training program will be offered to the parents of students enrolled in the district. The program will be offered at times, and places convenient to parent and on school premises or in other suitable facilities. Outreach activities will be coordinated thru the District Safe & Drug Free Schools Program.
 2. The program shall, at a minimum provide:
 - a. A thorough and comprehensive review of the substance abuse instruction curriculum to be taught to the children of the parents during the school year; with recommendations as to the ways in which the parent(s) or legal guardian(s) may enhance, reinforce, and supplement that program;
 - b. Information on the pharmacology, physiology, psychosocial, and legal aspects of substance abuse;
 - c. Instruction to assist the parent in the identification of the symptoms and behavioral patterns that might indicate a child may be involved in substance abuser;
 - d. Information on the State, local, and community organizations which are available for the prevention, early intervention, treatment, and rehabilitation of individuals who show symptoms of substance abuse; and
 - e. A review of the Board Policy and Regulation on substance abuse with attention to the role of parents.



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3. The Board will establish an outreach program to provide substance abuse education for the parents of students in the district. In establishing the program, the Board shall consult with such local organizations and agencies as are recommended by the Commissioner. The Board shall insure the program is offered at times and places convenient to the parents of the district on school premises, or at other suitable facilities.
 - a. In addition to the substance abuse education program required pursuant to N.J.S.A. 18A:40A-17, the Board shall provide assistance to parents who believe that their child may be involved in substance abuse.
- H. Records and Confidentiality of Records
1. Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 and Policy.
 2. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, and N.J.A.C. 6A:16-3.2.
 3. If student involved in a school-based drug and alcohol counseling program provides information during the course of a counseling session which indicates that the student's parent or other person residing in the student's household is dependent upon or illegally using a substances pursuant to N.J.S.A.18A:40A-7.1 and 7.2 that information shall be kept confidential and may be disclosed only under the circumstances expressly authorized as follows:
 - a. Subject to the student's written consent, to another person or entity whom the student specifies in writing in the case of a secondary student, or to a member of the student's immediate family or the appropriate school personnel in the case of an elementary student;
 - b. Pursuant to a court order;
 - c. To a person engaged in a bona fide research purpose; except that no names or other information identifying the student or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or



- d. To the Division of Child Protection and Permanency (DCP&P) or to a law enforcement agency, if the information would cause a person to reasonably suspect that the student or another child may be an abused or neglected child in accordance with statute or administrative code.

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

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

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

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

4. Each incident of substance abuse shall be reported to the Commissioner on the Electronic Violence and Vandalism Reporting (EVVRS).
- I. Inservice Training Programs
 1. Inservice training and workshops to train staff to provide educational information to students on drugs, alcohol, anabolic steroid, and controlled dangerous substances.
 2. Training shall be provided during the usual school schedule.



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3. Programs and workshops shall reflect the most current information on substance abuse education, prevention and intervention.
4. Programs, workshops, and trainings shall be coordinated thru the District Safe and Drug Free Schools program.

J. Notification of Students involved with Law Enforcement/Substance

Through the memorandum of agreement between law enforcement and the schools, the superintendent or designee will be notified of any student who is charged with a drug/and/or alcohol offense. This information will be shared with the SAC/Safe and Drug free Schools staff, and will be kept confidential from school personnel. The East Orange Board of Education recognizes that a student's involvement with drugs and alcohol in the community can have a direct effect on their physical and emotional well-being during school hours.

Therefore, if a student is charged with possession of controlled substance off school grounds and not during a school event, a recommendation will be made to the parents that the student undergoes a form substance abuse assessment at no cost to district. Students will be required to follow through with treatment recommendation and guidelines of other students referred for intervention.

Issued: 12 January 2010

Issued: 11 November 2014



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5533 SMOKING

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

For the purposes of this Policy, "smoking" means the burning, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked and the use of smokeless tobacco and snuff, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

For the purpose of this Policy, "electronic smoking device" means an electronic device that can be used to deliver nicotine or other substance to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

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

The Board prohibits smoking by students at any time in school buildings and on any school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board.

A sign indicating smoking is prohibited in school buildings and on school grounds as defined above will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine. Students who violate the provisions of this Policy shall be subject to appropriate disciplinary measures in accordance with the district's Student Discipline/Code of Conduct and may be subject to fines in accordance with law.

In the event a student is found to have violated this Policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).



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Smoking

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

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

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

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

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

N.J.A.C. 6A:16-1.3

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

Cross reference: Policy Guides Nos. 5250, 7434

Adopted: 12 January 2010

Adopted: 14 September 2010

Adopted: 10 September 2013



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Smoking

R 5533 **STUDENT SMOKING**

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

A. Notice Provisions

A sign shall be posted in every school building indicating smoking is prohibited in any school building or on school grounds. The sign shall also indicate violators will be subject to a fine.

Each school's student handbook will indicate smoking is prohibited on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board of Education.

A public address announcement will be made, when practicable, at school-sponsored events indicating smoking is prohibited in school buildings and on school grounds.

B. Reporting Procedures

Any teaching staff member who observes a student smoking in violation of Policy 5533 shall inform the student to cease smoking and report the violation to the Principal or designee.

Any support staff member who observes a student smoking in violation of Policy 5533 shall either inform a teaching staff member, who shall report the violation to the Principal or designee.

The Principal or designee will investigate each report received from a staff member and make a determination whether the student has violated Board Policy 5533.

Violations Consequences

In the event the Principal or designee determines a student has violated Policy 5533, the student will be assigned appropriate discipline in accordance with the school's student discipline/code of conduct.

The Principal or designee will notify the student's parent(s) or legal guardian(s) when discipline is being imposed for a violation of Policy 5533.

Issued: 14 September 2010



5550 DISAFFECTED STUDENTS

The Board of Education believes that the educational needs of all students should be served. The Board will make every reasonable effort to identify and serve disaffected students whose learning is impeded by environmental circumstances, the student's attitude, or an inappropriate instructional program.

For the purposes of this policy, "disaffected student" means the student who has instructional needs that are not being met by the regular instructional program and who is performing well below his/her social or academic capacity.

Disaffected students may include students unable to function properly within a traditional school program; students of average or above average intelligence and ability who achieve below their potential; students unable to establish occupational or future goals; students with a pattern of behavior problems, including problems with attendance and tardiness; students who lack motivation, direction, and decision making ability; students who possess a poor self-image; students suffering stressful family settings; students hostile toward adults and authority figures; students in difficulty with community and law enforcement agencies; and students lacking interest in school and avoiding involvement in school activities.

Teaching staff members shall be alert to students experiencing difficulty in their classes. Any such student who does not appear to be disabled may be referred to the Intervention Referral Team (IRT).

A disaffected student who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy No. 2460 and Regulations No. 2460.3 and 2460.7.

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

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

Adopted: 12 January 2010



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Disaffected Students

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R 5550 DISAFFECTED STUDENTS

- A. Grades Kindergarten through 6
1. Each student's work habits, behavior, products, and records will be continually monitored for signs of disaffection by teaching staff members responsible for the student's instructional program. Such signs of disaffection might include, but need not be limited to, the student's:
 - a. Working below potential,
 - b. Depressed standard test scores,
 - c. Excessive absenteeism or truancy,
 - d. Change in personality or work habits,
 - e. Marked irritability, lassitude, or hypersensitivity.
 2. The teacher or other professional staff member who observes signs that a student may be disaffected will confer with the Principal. If it is determined that concern about the student's welfare is warranted, the student's parent(s) or legal guardian(s) will be called in and made aware of the problems, and steps to deal with the student's disabling attitude will be proposed.
 3. Once a student is identified as disaffected, steps to offset the effects of disaffection may be initiated. Such steps may include:
 - a. A meeting with the learning disabilities teacher consultant to help teachers shape classroom strategies that might reduce disaffection,
 - b. Building on the student's strengths to help bolster his/her sense of self-worth,
 - c. Providing instructional alternatives to stimulate the student's interest by utilizing such devices as calculators, computers, educational games, and teaching machines,
 - d. Assigning the student to another teacher,
 - e. Transferring the student to another school in the district,
 - f. Referral to the I&RS Team,



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Disaffected Students

- e. The student may be referred to the Child Study Team.
- C. Grades 9 - 12
1. The disaffected high school student may be identified by the following signs:
 - a. A drop in school performance,
 - b. Decreased attentiveness and disinterest in school work,
 - c. Marked irritability, lassitude, and hypersensitivity,
 - d. Evidence of class cutting, excessive absence, and/or truancy,
 - e. An inability to articulate occupational or educational goals, and
 - f. Hostility towards authority figures.
 2. The teaching staff member who observes a disaffected student will alert the guidance counselor to a possible problem.
 3. The guidance counselor will confer with the student's teacher, review the student's record, and meet with the student and his/her parent(s) or legal guardian(s).
 4. A remedial program will be recommended by the counselor and approved by the Principal. If such a program cannot be defined, the student shall be referred to the I&RS Team Child Study Team.

Issued: 12 January 2010



5560 **DISRUPTIVE STUDENTS**

The Board of Education believes that the students of this district are entitled to an education free from undue disruption. Students who willfully disrupt the educational program shall be subject to the discipline procedures of this district. Every reasonable effort shall be made to determine and remediate the cause or causes of a chronically disruptive student's unacceptable conduct.

For the purposes of this policy, "disruptive student" means the student who has difficulty establishing good relationships with peers and adult authority figures and who exhibits a pattern of conduct which is in defiance of school rules or regulations and which hinders academic success for other students as well as for himself or herself.

Disruptive students may be disciplined in accordance with Policy No. 5600.

A disruptive student who does not appear to be disabled may be referred to the Intervention Referral for Student Services Committee in accordance with Policy No. 2417.

A disruptive student who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy and Regulation Nos. 2460 et seq.

The Superintendent shall report regularly to the Board the incidence of acts of violence and vandalism in the school district and shall prepare a remedial plan whenever the report shows a significant increase in the number of such acts.

N.J.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 12 January 2010



R 5560 DISRUPTIVE STUDENTS

- A. Grades Kindergarten through 6
1. Any of the following signs may indicate a disruptive student in the elementary grades:
 - a. Unsatisfactory grades in citizenship or work habits,
 - b. A worsening negative attitude,
 - c. Disobedience and willful disregard of rules,
 - d. Lack of concern for the rights of others,
 - e. Argumentative behavior and truculence,
 - f. Disregard for authority, or
 - g. Fighting with classmates.
 2. Any of the following steps may be followed, singly or in combination, to deal with the elementary student who has been identified as disruptive:
 - a. After-school detention
 - b. Use of behavior modification as well as other techniques designed to change disruptive classroom displays,
 - c. Intervention by the Principal,
 - d. Parent-teacher conference,
 - e. Suspension, in accordance with Policy No. 5610,
 - f. Referral to the I&RS Team,
 - g. Referral to the Child Study Team.



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Disruptive Students

B. Grades 7 and 8

1. Any of the following signs may indicate a disruptive student in the middle school:
 - a. Argumentative behavior and truculence,
 - b. Willful disregard of school rules and lack of concern for others,
 - c. Disrespect for authority figures,
 - d. Excessive absence or truancy,
 - e. Acting-out and/or aggressive behavior, or
 - f. Difficulty with community or law enforcement agencies.

2. Any of the following steps may be used singly or in combination to deal with the disruptive student in the middle school:
 - a. Detention after school during which time the student may be admonished about his/her conduct in the classroom,
 - b. Referral to the school's guidance counselor for counseling,
 - c. Conference among the teacher, guidance counselor, and parent(s) or legal guardian(s),
 - d. Referral to the Administration when the student is constantly disruptive or causes major infractions of the school rules,
 - e. In-school suspension during which the student is placed under the supervision of a teacher, isolated from the mainstream, and assigned school work to complete,
 - f. Home suspension, in accordance with Policy No. 5610, when other alternatives fail to curb the student's disruptiveness,
 - g. Referral to the I&RS Team,
 - h. Referral to the Child Study Team,
 - i. Referral to the Director of Student Support Services for appropriate placement.



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Disruptive Students

C. Grades 9 - 12

1. Any of the following signs may indicate a disruptive student in the high school:
 - a. Argumentative behavior and truculence,
 - b. Willful disregard of school rules and lack of concern for others,
 - c. Disrespect for authority figures,
 - d. Excessive absence or truancy,
 - e. Acting-out and/or aggressive behavior, and
 - f. Difficulty with community or law enforcement agencies.

2. Any of the following steps may be used singly or in combination to deal with the disruptive student in high school:
 - a. Detention after school during which time the student may be admonished about his/her conduct in the classroom,
 - b. Referral to the guidance counselor for counseling,
 - c. Conference among the teacher, guidance counselor, and parent(s) or legal guardian(s),
 - d. Referral to the Administration when the student is constantly disruptive or causes major infractions of the school rules,
 - e. In-school suspension during which the student is placed under the supervision of a teacher, isolated from the mainstream, and assigned school work to complete,
 - f. Suspension from school, in accordance with Policy No. 5610, when other alternatives fail to curb the student's disruptiveness,
 - g. Referral to the I&RS Team,
 - h. Referral to the Child Study Team,
 - i. Referral to the Director of Student Support Services for appropriate placement.

Issued: 12 January 2010



5561 USE OF PHYSICAL RESTRAINT

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

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

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

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

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

Adopted: 10 September 2013



R5561 USE OF PHYSICAL RESTRAINT

A. Definitions

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

B. Physical Restraint Limitations

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

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

C. Physical Restraint Training Requirements

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

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

D. Interventions

1. Classroom interventions may include, but not be limited to, the following strategies:



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Use of Physical Restraint

- a. The staff member may ignore the behavior;
 - b. The staff member may redirect the student to a task with verbal or non-verbal prompts or gestures. Proximity helps, as may the use of gentle humor, when appropriate;
 - c. The staff member shall be clear, polite, and respectful when requesting the targeted behavior. The staff member may make eye contact and tell the student what to do such as "I can't teach when you are talking, throwing things, ..." or "Please stop and listen, read, write, ..." The staff member should remind the student of consequences and rewards if they comply with the staff member's request;
 - d. The staff member shall be polite at all times. The staff member may repeat steps a. through c. above and/or quietly give the student adequate wait time. Sometimes if the staff member moves on with the lesson the student may comply after the initial confrontation;
 - e. The staff member may advise the student to proceed to a time-out area in the classroom for a limited time (elementary and middle school) and
 - f. If classroom removal is required, the staff member shall follow school discipline procedures for notification and request for assistance if necessary.
2. Security interventions may include, but are limited to, the staff member;
- a. Standing quietly in the doorway and asking the student to accompany the staff member;
 - b. Informing the student of the violation of the school discipline code and procedure and assure the student they have the choice to leave the classroom quietly; and/or
 - c. Using a minimal and gentle hold on arm to remove the student
- E. Use of Physical Restraint
1. If the student's behavior reaches the level defined as an emergency, physical restraint may be needed.



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Use of Physical Restraint

2. If necessary, the staff member may utilize approved physical restraint, using the least amount of force necessary.
3. If necessary, the staff member shall restrain the student until the emergency no longer exists (i.e. the student stops punching, kicking, spitting, damaging property, etc.).
4. The staff member shall immediately contact the appropriate administrator and school nurse and complete a written report on the physical restraint the staff member used during the emergency situation.
5. If physical restraint is used, the Principal or designee shall attempt to notify the parent/legal guardian by telephone of the use of physical restraint on the day it occurs and written notification of the incident shall be mailed to the parent within one school day after the use of physical restraint.
6. Written documentation, including the Principal's or designee's report and any staff member's report regarding the incident and use of physical restraint shall be placed in the student's school file.
7. The use of physical restraint is subject to the following requirements:
 - a. The student must possess a physical risk to him/herself, or others;
 - b. Physical restraint techniques shall consider the student's medical conditions and shall be modified as necessary;
 - c. Staff applying physical restraint shall have been trained in the safe application of physical restraint;
 - d. Students will not be subjected to physical restraint for using profanity or other verbal displays or disrespect, or for non-compliance. A verbal threat will not be considered as constituting a physical danger unless a student also demonstrates a mean of or intent to carry out the threat;
 - e. In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising staff should consider the potential for injury to the student, the student's need for privacy, and the educational and emotional well-being of the other students in the vicinity;



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- f. A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing harm to him/herself, or others, or imminent property destruction; and
- g. The student shall be examined by school nurse after any restraint.

Issued: 10 September 2013



5570 **SPORTSMANSHIP**

The Board of Education requires that all individuals involved in or attending the athletic and intramural programs sponsored by the Board exhibit sportsmanship when representing the school at any athletic event. Sportsmanship is defined as abiding by the rules of the contest as defined or accepted by the participating teams and the gracious acceptance of victory or defeat. In exhibiting sportsmanship all participants shall:

1. Understand and follow the rules of the contest;
2. Recognize skilled performance of others regardless of affiliation;
3. Display respect for all individuals participating in the athletic event;
4. Treat opponents in an empathetic manner; and
5. Congratulate opponents in victory or defeat.

Failure to exhibit good sportsmanship shall include, but not be limited to the following conduct:

1. Any person who strikes or physically abuses an official, coach, player or spectator;
2. Any person who intentionally incites participants or spectators to abusive action;
3. Any person who uses obscene gestures or unduly provocative language or action towards officials, coaches, opponents or spectators;
4. Any school or athletic staff member who is publicly critical of a game official or opposing coaches and/or players;
5. Any person who engages in conduct which exhibits bias based on race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; and
6. Schools or school organizations engaging in pre-event activities of an intimidating nature, e.g. use of fog machines, blaring sirens, unusual sound effects or lighting, or similar activities.
7. Any violation of the rules of the New Jersey State Interscholastic Athletic Association.



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Failure to exhibit good sportsmanship may result in the Board denying the opportunity for any individual to participate in the athletic program or attend athletic events.

NJSIAA Guidelines

Adopted: 12 January 2010



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Sportsmanship

R 5570 SPORTSMANSHIP

Individuals who violate Policy No. 5570, Sportsmanship shall be subject to the following disciplinary actions to be imposed by the Principal or designee.

- A. Violations shall be dealt with in the following manner:
 - 1. First Offense - warning by the Principal or designee.
 - 2. Second Offense - short term suspension from the athletic or intramural program - duration to be determined by the Principal or designee, but not to exceed ten school days.
 - 3. Third Offense - long term suspension - up to one school year from the athletic or intramural program.
 - 4. Fourth Offense - permanent expulsion from participation in the athletic or intramural program by the Principal or designee.
- B. The determination of the Principal or designee may be appealed to the Superintendent who shall make a determination within ten working days.
- C. A determination by the Superintendent resulting in a long term suspension or expulsion from the athletic or intramural program may be appealed to the Board which may hold a hearing on the matter and render a determination of the matter within thirty calendar days.

Issued: 12 January 2010



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Student Discipline/Code of Conduct

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5600 STUDENT DISCIPLINE/CODE OF CONDUCT

The Board of Education adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent of Schools will establish a process for the annual review and update of the district's Student Discipline/Code of Conduct Policy and Regulation that may involve a committee of parents, students, and community members that represent, where possible, the composition of the district's schools and community. The Superintendent will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy and Regulation.

The Student Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, students, and parents. The Board of Education shall provide to all employees annual training on the Student Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of student conduct that violates the district's Policy and Regulation. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

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

The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).



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Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board of Education approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students' histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy and Regulation 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy and Regulation 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

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

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. 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. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7.2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.



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Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. Consequences for a 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, and shall be consistent with this Policy and the school district’s Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school district’s Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.

In accordance with the provisions of N.J.A.C. 6A:16-7.8, when a student transfers to a public school district from another public school district, all information in the student’s record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.



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The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;
18A:37-1 et seq; 18A:37-13.1 et seq.
N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Cross reference: Policy Guide Nos. 2460, 5500, 8330, 5519, 5530

Adopted: 12 January 2010
Adopted: 13 September 2011
Adopted: 10 September 2013
Adopted: 11 November 2014
Adopted: 13 October 2015



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Student Discipline/Code of Conduct

R 5600 STUDENT DISCIPLINE/CODE OF CONDUCT

A. Purpose

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

1. Foster the health, safety, social, and emotional well-being of students;
2. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;
3. Promote achievement of high academic standards;
4. Prevent the occurrence of problem behaviors;
5. Establish parameters for the intervention and remediation of student problem behaviors at all stages of identification; and
6. Establish parameters for school responses to violations of the code of student conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders, and students' histories of inappropriate behaviors in accordance with N.J.A.C. 6A:16-7.2 through 7.8, as appropriate.

B. Expectations for Academic Achievement, Behavior, and Attendance

All students have a responsibility to comply with State statutes and administrative codes for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1.

C. Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2, any student who is guilty of continued and willful disobedience, open defiance of the authority of any teacher or person having authority over the student, the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, any of the following:

1. Continued and willful disobedience;



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2. Open defiance of the authority of any teacher or person, having authority over the student;
3. Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
4. Physical assault upon another student;
5. Taking, or attempting to take, personal property or money from another student, or from the student's presence, by means of force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property;
7. Participation in an unauthorized occupancy by any group of students or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the Principal or other person then in charge of such building or facility;
8. Incitement which is intended to and does result in unauthorized occupation by any group of students or others of any part of a school or other facility owned by any school district;
9. Incitement which is intended to and does result in truancy by other students;
10. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and
11. Harassment, intimidation, or bullying.
12. In addition, students shall not:
 - a. Create disorder or disruptions on school premises;
 - b. Use, threaten, or incite the use of physical force against other students, staff members, or visitors to the school;
 - c. Steal, damage, or deface the property of other students, staff members, or the district;



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- d. Engage in the sexual and/or other harassment of students or staff members;
- e. Possess or use weapons or any implement intended to harm others;
- f. Use foul, abusive, derogatory, or demeaning language, including racial and ethnic remarks;
- g. Convey information about other students or staff members known to be false;
- h. Act so recklessly as to endanger the safety of others;
- i. Procure the property of others by threat or intimidation;
- j. Enter school premises or any specific portion of the premises without permission and without authority;
- k. Vandalize school property, real or personal;
- l. Create litter on school property;
- m. Be truant from school or class;
- n. Cheat or otherwise engage in academic dishonesty;
- o. Persistently refuse to complete homework and other assignments;
- p. Engage in illegal gambling;
- q. Smoke on school property;
- r. Falsify an excuse or any school document;
- s. Set fire to or cause a fire in any way on school premises;
- t. Possess or explode a firecracker or other explosive device on school premises;
- u. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
- v. Possess, use, or distribute a substance in violation of Policy No. 5530;



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- w. Join a secret society prohibited by law;
 - x. Engage in any other activity expressly prohibited by a school staff member in authority; or
 - y. Sagging or Pants Slouching is prohibited.
3. Students assigned to a school bus must obey all school rules, and
- a. Show respect for the driver at all times;
 - b. Enter and leave the bus in an orderly manner;
 - c. Ride only the bus to which they have been assigned;
 - d. Be and remain seated while the bus is in motion;
 - e. Avoid reckless and boisterous activity at all times, including during waits at pickup points;
 - f. Talk in a reasonable tone of voice and avoid loud noises;
 - g. Extend no portion of the body or other object out a bus window;
 - h. Keep aisles clear at all times;
 - i. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;
 - j. Refrain from smoking, eating, and drinking on the bus; and
 - k. Possess, use, or distribute no substance in violation of Policy No. 5530.

Students shall also be suspended from school for assault upon a school staff member in accordance with the provisions of N.J.S.A. 18A:37-2.1 and 2.2.

D. Students' Rights

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

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;



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2. Education that supports students' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of students' marriage, pregnancy, or parenthood;
5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8, and N.J.A.C. 6A:16-7.2 through 7.5;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3 and N.J.A.C. 6A:16-7.1 through 7.8; and
7. Protections pursuant to 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Student Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7165, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by students, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Student records, creation, maintenance and retention, security and access, regulations, non-liability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records, as well as other existing Federal and State laws and rules pertaining to student protections.

E. Comprehensive Behavioral Supports

Below are behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports may include, but are not limited to, the following:

1. Positive Reinforcement for Good Conduct and Academic Success

A student will be provided positive reinforcement for good conduct and academic success which may include, but are not limited to those found in Board of Education Policy 5440.



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2. Supportive Interventions and Referral Services

A student may be referred to the school's Intervention and Referral Services Team in accordance with the provisions of N.J.A.C. 6A:16-8.1 and 8.2 and Policy and Regulation 2417.

3. Remediation of Problem Behavior

The following actions may be taken to remediate problem behavior. These actions will take into account the behavior's nature, the students' developmental ages, and the students' histories of problem behaviors and performance.

a. Restitution and Restoration

- (1) A student may be required to make restitution for any loss resulting from the student's conduct; or
- (2) A student may be required, at the discretion of the school district and when appropriate, to restore to its former condition any damaged or defaced property resulting from the student's conduct.

b. Counseling

- (1) A student may be required to consult with support service staff such as the school counselors, social worker, SAC or Child Study Team members.
- (2) The support staff member will explain why the student's conduct is unacceptable to the school and damaging to the student, what the consequences of continued misconduct are likely to be, and appropriate alternative behaviors.
- (3) The support staff member may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to the Child Study Team, the school's Intervention and Referral Services Team, a public or private social agency, a legal agency, or any other referral service that may assist the student.



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c. Parent Conferences

- (1) Students may be required to attend a meeting with their parent and appropriate school staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

d. Alternate Educational Program

- (1) Students may be assigned to an alternate educational program as recommended by the student's counselor, social worker, SAC, classroom teacher, Child Study Team, and/or other school staff member.

4. Students with Disabilities

For students with disabilities, the remedial measures and behavioral interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

F. School Responses to Violations of Behavioral Expectations

1. In accordance with the provisions of N.J.A.C. 6A:16-7.1(c)5, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Board of Education that, at a minimum are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behavior that shall:
 - a. Include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions;
 - b. Be consistent with other responses, pursuant to N.J.A.C. 6A:16-5.5;
 - c. Provide for equitable application of the Code of Student Conduct without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical, or sensory disability; or any other distinguishing characteristic, pursuant to N.J.S.A. 10:5-1 et seq. and
 - d. Be consistent with provisions of N.J.S.A. 18A:6-1, Corporal Punishment of Students.



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G. Description of School Responses

School responses to violations of behavioral expectations are listed below:

1. Admonishment/Reprimand

- a. A school staff member in authority may admonish or reprimand a student's unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.

2. Temporary Removal from Classroom

- a. The classroom teacher may direct the student report to the office of the administrator in charge of student discipline.
- b. The teacher will complete a form that indicates the student's name and the conduct that has caused the student's removal from the teacher's room.
- c. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed.

3. Meeting with School Administration and Parent

- a. The student's parent may be required to attend a meeting with the Principal or designee and the student to discuss the student's conduct and to ensure the parent and the student understand school rules and expectations.

4. Deprivation of Privileges

- a. Students may be deprived privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment. These privileges may include, but are not limited to:
 - (1) Moving freely about the school building;
 - (2) Participation in co-curricular or inter/intrascholastic activities;
 - (3) Attendance at a school-related social or sports activity;
 - (4) Participation in a graduation ceremony;



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- (5) Transportation to and from school on a school bus; or
 - (6) Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy and Regulation 5600 and N.J.A.C. 6A:16-7.1 et seq.
5. Detention
 - a. A student may be required to report before or after the school day to detention. This detention may be assigned by the teacher or the Principal or designee.
 - b. Transportation to detention before school or from detention after school will be the responsibility of the parent.
 - c. A student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.
6. Grade Adjustment
 - a. A student who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence may suffer a reduced grade by virtue of the disqualified work. In no other instance may a student's grade be lowered as a direct penalty for misconduct.
7. In-school Suspension
 - a. If the school operates an in-school suspension program, a student may be removed from his/her regular classes and required to report to the in-school suspension program.
 - b. In-school suspension will not be imposed without the due process procedures set forth in Policy and Regulation 5610.
8. Suspension from School
 - a. A student may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2 and 6A:16-7.3, and Policy 5610.



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- b. Suspension from school will not be imposed without the due process procedures set forth in Policy and Regulation 5610.
- 9. Expulsion
 - a. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4, and Policy 5620.
 - b. Expulsion is an extremely serious disciplinary measure and will not be imposed without the due process set forth in Policy and Regulation 5610 and Policy 5620.

H. Chart of Discipline

The Building Principal or designees shall have the authority to assign discipline to students and the right to impose a consequence on a student for conduct in school, away from school grounds, including on a school bus or at a school-sponsored function. 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. Consequences and remediation shall be handled in accordance with Policy and Regulation 5600.

1. Disciplinary Measures

The following disciplinary measures may be applied as appropriate to the student's violation of school rules. Repeated chronic or cumulative offenses may require more aggressive interventions and consequences. All disciplinary measures should involve parent conferences with written notification.

- A. Classroom level interventions and consequences. If these interventions are successful, referral to the school administrator may not be necessary. At least three (3) occurrences must be documented before proceeding to the next level.

Reinforcement of appropriate behavior
Re-Teach expectations and skills
Seat Change
Guided student resolution
Written reflection about incident
Loss of Privileges (Logical connection to behavior)

Reminder and/or redirection
Warning
Teacher conference with student
In-class time out and/or take a break
Parent contact



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- B. Teachers use the following interventions based on specific behavior or when Level A responses have not been effective. Parent involvement is desired. If these interventions are successful, a referral to an administrator may not be necessary.

Confiscation of item	Supervised time-out outside of classroom
Phone call and/or letter to parent	Teacher conference with parent
Parent, student, and teacher contract	IR&S referral
Peer mediation	Conflict resolution with counselor
Mentoring	Class or Schedule Change
Parent accompany student to school or classes	Referral to Attendance Officer
	Referral to CST Case Manager

- C. Office referral and documented parent notification required.

Restorative discipline conference	Detention
Community Service	In-School Suspension (1/2 day or more)
Referral to CST/Support Staff	Behavior Progress Report
Suspension from bus	Referral to IR&S
Modification of IEP, Functional Behavior Assessment	Parent Conference with administrator and teacher

- D. Office referral and documented parent notification required

Suspension from school	Loss of bus privileges
Referral to SAC	Restricted activity
Referral to community based services	30 day suspension from activities and sports
Referral to school counselor and/or social worker CST (if appropriate)	Community Service (volunteer work as a form of restitution)

- E. Disciplinary action required - May have mandated consequences.
OFFICE REFERRAL REQUIRED - PARENT NOTIFICATION REQUIRED

Suspension for 5-10 days	Referral to SAC
Referral to BOE Hearing for removal and reassignment to an alternative educational setting	Suspension from activities /sports for up to a year

- F. Required referral for Hearing
OFFICE REFERRAL REQUIRED - PARENT NOTIFICATION REQUIRED
- Suspension for 10 days with recommendation to Board Hearing for removal from educational setting or expulsion.



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Please Note: Suspended students must be provided with educational services within 5 days of removal for disciplinary reasons. Provision must be made for students to make up academic work missed during the time of suspension.

CODE OF CONDUCT OFFENSES

Below is a Chart of Student Discipline listing school responses to violations of behavioral expectations. These behavioral expectations and school responses include, but are not limited to:

I. Offenses that Disrupt the Learning Environment

Attendance:

Unauthorized absence from class; unauthorized absence from school

May include, but not limited, unauthorized: Absence, Tardy, Cutting Classes & Departure

1st Offense: *Staff Conference with Student
Parent Notification*

2nd Offense: *Parent Conference with Disciplinarian/Administrator
In-School Suspension or Detention*

3rd Offense: *Referral to Attendance Officer for Absenteeism
Parent Conference with Disciplinarian/Attendance Officer/Administrator
Referral to School Support Services
Out of School Suspension
Referral to Community Resources
Possible School Based Administrative Hearing*

Disruptive Behavior:

Any disruptions of classroom, school, or District sponsored activity. Any disturbance or disruption that interferes with effective functioning staff, another student, a class, or another school activity. May include, but not limited to:

- Violation of classroom rules
- Profane/Vulgar words or actions
- Blatantly loud, disruptive, or offensive behavior
- Inappropriate contact and displays of affection towards another student
- Any behavior that disrupts the routine of school activities or work - District employee
- Loitering, Littering and Gambling

1st Offense: *Staff Conference with Student
Staff Conference with Parent
Restorative Practice (EOCHS only)
Referral to School Support Service Staff*



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2nd Offense: *Parent Conference with Disciplinarian/Administrator*
Detention
In-School Suspension
Loss of Privileges
Restorative Practices (EOCHS only)

3rd Offense: *Parent Conference with Disciplinarian/Administrator*
In-School or Out of School Suspensions
Restorative Practices (EOCHS only)
Referral to School Support Service Staff
School Based Administrative Hearing

Insubordination:

Verbal or nonverbal refusal to comply with established procedures and/or reasonable requests from school personnel, including refusal to identify oneself. Behaviors that disobey, undermine, or defy the lawful authority of a District employee or agent. May include, but is not limited to:

- Cheating, forgery and/or dishonesty
- Cell phone or electronic device misuse
- Safety violation
- District transportation violation
- Accomplice or conspirator
- Malicious statement, image, or website about staff or another student
- Failure to comply with given consequence
- Persistent failure to comply
- Inappropriate attire/Violation of Dress Code

1st Offense: *Staff Conference with Student*
Staff Conference with Parent
Restorative Practice (EOCHS only)
Referral to School Support Service Staff or Disciplinarian/Administrator

2nd Offense: *Parent Conference with Disciplinarian/Administrator*
Detention
In-School Suspension
Loss of Privileges
Restorative Practices (EOCHS only)

3rd Offense: *Parent Conference with Disciplinarian/Administrator*
In-School or Out of School Suspension
Loss of Privileges
Restorative Practices (EOCHS only)
Referral to Community Resources
School Based Administrative Hearing



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Offensive Materials:

To possess, view, display, including on a website, or attempt to access any material that is blatantly offensive, discriminatory, and/or inappropriate. May include, but is not limited to material that are:

- Pornographic
- Racist
- Sexually explicit
- Drug, Alcohol or Tobacco Related

1st Offense: *Staff Conference with Student*
 Staff Conference with Parent
 Restorative Practice (EOCHS only)
 Referral to School Support Service Staff or Disciplinarian/Administrator

2nd Offense: *Parent Conference with Disciplinarian/Administrator*
 Detention
 In-School Suspension
 Loss of Privileges
 Restorative Practices (EOCHS only)

3rd Offense: *Parent Conference with Disciplinarian/Administrator*
 In-School or Out of School Suspension
 Loss of Privileges
 Restorative Practices (EOCHS only)
 Referral to Community Resources
 Referral to School Based Administrative Hearing

Weapons:

Weapons includes but not limited to, all firearms, knives, dangerous instruments intended to inflict harm, components that can readily assembled into a weapon, explosive devices, and imitation firearms. For the purpose of this policy "firearm" means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921 and Policy and Regulations 8467.

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

Any student 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



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immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. Students 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 student. **Please see Policy and Regulations 8467 for the full policy.**

Threats:

Behavior, whether written (including text message, email, or internet posting) verbal or physical that is threatening against persons, groups, events or property related to school or school activities. May include, but not limited to:

- Threat of violence
- Threatening a prank

1st Offense: *Staff conference with student*
 Restorative Practice (EOCHS only)
 Loss of Privileges
 Referral to School Support Service Staff or Disciplinarian/Administrator
 No Contact Contract
 Law Enforcement Notification

2nd Offense: *Parent conference*
 Restorative Practice (EOCHS only)
 Loss of Privileges
 Referral to School Support Service Staff or Disciplinarian/Administrator
 Detention
 Referral to Community Resources
 No Contact Contract
 Law Enforcement Notification
 In-School or Out of School Suspension

3rd Offense: *Parent conference with Disciplinarian/Administrator*
 In-School or Out of School Suspension
 Loss of Privileges
 Restorative Practices (EOCHS only)
 No Contact Contract
 Referral to Community Resources
 Law Enforcement Notification
 Referral for School Based Administrative Hearing



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Gang Related Behavior & Recruitment:

Any student found using any manner or means in representing a gang, promoting gang membership or activities, or engaging in any criminal gang activity or recruiting potential gang members.

1st Offense: *Staff Conference with student*
 Restorative Practice (EOCHS only)
 Loss of Privileges
 Referral to School Support Service Staff & Disciplinarian/Administrator
 Referral to Community Resources
 Possible Law Enforcement Notification
 Referral to School Based Administrative Hearing

2nd Offense: *Parent Conference*
 Restorative Practice (EOCHS only)
 Loss of Privileges
 In-School Suspension
 Detention
 Referral to School Service Staff & Disciplinarian/Administrator
 Referral to Community Resources
 Law Enforcement Notification
 Referral to Central Office Administrative Hearing

3rd Offense: *Parent Conference*
 Restorative Practice (EOCHS only)
 Loss of Privileges
 Out of School Suspension
 Detention
 Referral to School Support Service Staff & Disciplinarian/Administrator
 Referral to Community Resources
 Law Enforcement Notification
 Referral to Board of Education Hearing

Teen Dating Violence:

Teen Dating violence is defined as the physical, sexual, or psychological/emotional violence within a dating relationship, as well as stalking. It may occur between a current or former dating partner.

1st Offense: *Staff Conference with student*
 Parent Notification
 Restorative Practice (EOCHS only)
 Loss of Privileges
 Referral to School Support Service Staff & Disciplinarian/Administrator



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No Contact Contract
Implementation of Remediation Guidelines from Policy 5519
Referral to Community Resources
Possible Law Enforcement Notification

2nd Offense: *Parent Conference*
Restorative Practice (EOCHS only)
Loss of Privileges
Referral to School Support Service Staff & Disciplinarian/Administrator
No Contact Contract
In-School Suspension or Out-of-School Suspension
Detention
Implementation of Remediation Guidelines from Policy 5519
Referral to Community Resources
Law Enforcement Notification
Referral to School Based Administrative Hearing

3rd Offense: *Parent Conference*
Restorative Practice (EOCHS only)
Loss of Privileges
Referral to School Service Staff & Disciplinarian/Administrator
No Contact Contract
Out of School Suspension
Implementation of Remediation Guidelines from Policy 5519
Referral to Community Resources
Law Enforcement Notification
Referral to Central Office Administrative Hearing

II. Offenses Against Persons

Aggressive Behavior:

Careless, reckless, aggressive physical behavior directed toward another person that is entered into by mutual consent. May include but is not limited to:

- Hitting, Punching or Slapping
- Kicking, Tripping
- Shoving
- Attempting to Injure
- Horseplay/Play Fighting
- Mutual Combat



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1st Offense: *Parent Conference*
Restorative Practice (EOCHS only)
In-School or Out of School Suspension
Referral to Disciplinarian/Administrator
Refer to Support Service Staff for Counseling
Possible Law Enforcement Notification

2nd Offense: *Parent Conference*
Restorative Practice (EOCHS only)
Out of School Suspension
Referral to Support Service Staff for Counseling
Referral to Community Resources
Referral for School Based Administrative Hearing
Possible Law Enforcement Notification

3rd Offense: *Referral to Central Office Administrative Hearing*

Assault:

Non-mutual aggressive behavior; Attempts to cause or purposely, knowingly or RECKLESSLY causes bodily injury to another; or Negligently causes bodily injury to another with a deadly weapon; or Attempts by physical MENACE to put another in FEAR of imminent serious bodily injury. May include but not limited to:

- Sexual
- Physical
- Verbal

1st Offense: *Parent Conference*
Restorative Practice (EOCHS only)
In-School or Out of School Suspension
Referral to Disciplinarian/Administrator
Refer to Support Service Staff for counseling
Possible Law Enforcement Notification

2nd Offense: *Parent Conference*
Restorative Practice (EOCHS only)
Out of School Suspension
Law Enforcement Notification
Referral to Support Service Staff for Counseling
Referral to Community Resources
Referral for School Based Administrative Hearing

3rd Offense: *Central Office Administrative Hearing*



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Assault with Weapons:

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.

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. **Please see Policy and Regulations 5613 for the full policy.**

Harassment, Intimidation and Bullying (HIB):

Behavior, whether written (including text message, email or internet posting), verbal or physical, which serves to distress, threaten, demean, annoy, bully, intimidate, or torment another person as defined by the NJ Anti-Bullying Bill of Rights.

1st Offense: *Parent Notification*
 HIB Investigation and Referral to BOE of Investigation Results
 In-School Suspension or Out of School Suspension
 Detention
 Counseling/Education by School ABS
 Possible Law Enforcement Notification
 Possible Referral to Community Resources

2nd Offense: *Parent Notification*
 HIB Investigation and Referral to BOE of Investigation Results
 In-School Suspension or Out of School Suspension
 Counseling/ Education by School ABS
 Possible Law Enforcement Notification
 Referral to Community Resources

3rd Offense: *Parent Notification*
 HIB Investigation & Referral to BOE of Investigation Results
 Referral to School Based or Central Office Administrative Hearing



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Commission of Sexual Acts:

Consensual sexual act(s) between students on school property or school sponsored events.

1st Offense: *Parent Conference*
 In-School or Out of School Suspension
 Referral to Support Service Staff
 Referral to Community Resources

2nd Offense: *School Based Administrative Hearing*

3rd Offense: *Central Office Administrative Hearing*

III. Offenses of Property

False Alarm and False Reporting:

Any false reporting to District employee or agent. Setting off fire alarm or reporting a fire to officials without a reasonable belief that a fire exists.

1st Offense: *Parent Conference*
 In-School or Out of School Suspension or Detention
 Restorative Practices (EOCHS only)
 Restitution of cost of Damage
 Police Notification of Damage over \$100

2nd Offense: *Parent Conference*
 In-School or Out of School Suspension or Detention
 Restorative Practices (EOCHS only)
 Restitution of cost of Damage
 Police Notification of Damage over \$100
 Referral to School Based Administrative Hearing

3rd Offense: *Parent Conference*
 In-School or Out of School Suspension or Detention
 Restorative Practices (EOCHS only)
 Restitution of cost of Damage
 Police Notification of Damage over \$100
 Referral to Central Office Administrative Hearing

Fire/Chemical:

Any act, or attempted act, of fire setting. To intentionally, knowingly, or recklessly mishandle, or inappropriately use, dangerous chemicals or any behavior that could or does result in the evacuation or lockdown of a school building, district facility, or bus.



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1st Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Damage
Police Notification of Damage over \$100

2nd Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Damage
Police Notification of Damage over \$100
Referral to School Based Administrative Hearing

3rd Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Damage
Police Notification of Damage over \$100
Referral to Central Office Administrative Hearing

Property Damages:

To damage property belonging to student, staff, agent or East Orange School District

1st Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Damage
Police Notification of Damage over \$100

2nd Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Damage
Police Notification of Damage over \$100
Referral to School Based Administrative Hearing

3rd Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Damage
Police Notification of Damage over \$100
Referral to Central Office Administrative Hearing

Theft:

Theft of property belonging to student, staff, agent or East Orange School District, or to be knowingly in possession or control of stolen property.



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1st Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Theft
Police Notification of Theft over \$100

2nd Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Theft
Police Notification of Theft over \$100
Referral to School Based Administrative Hearing

3rd Offense: *Parent Conference*
In-School or Out of School Suspension or Detention
Restorative Practices (EOCHS only)
Restitution of cost of Damage
Police Notification of Damage over \$100
Referral to Central Office Administrative Hearing

Vehicle Misuse:

Using any vehicle on school grounds or at a District sponsored activity in a reckless or unsafe manner; to cause a disruption with any vehicle. Parking in an unauthorized location.

1st Offense: *Parent Conference*
Suspension or Detention
Restorative Practices (EOCHS only)
Vehicle Towing
Police Notification of Criminal Activity Involvement, if applicable

2nd Offense: *Parent Conference*
Suspension or Detention
Restorative Practices (EOCHS only)
Vehicle Towing
Police Notification of Criminal Activity Involvement, if applicable
Referral to School Based Administrative Hearing

3rd Offense: *Parent Conference*
Suspension or Detention
Restorative Practices (EOCHS only)
Vehicle Towing
Police Notification of Criminal Activity Involvement, if applicable
Referral to Central Office Administrative Hearing



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Criminal/Student Trespass:

Entering any District property or facility without proper authority; including during suspension or expulsion period. Trespassing is when a student knowingly or unknowingly is an East Orange School District are without legitimate purpose.

1st Offense: *Parent Conference*
Restorative Practices (EOCHS only)
Referral to School/Community Resources

2nd Offense: *Parent Conference*
In or Out of School Suspension
Restorative Practices (EOCHS only)
Referral to School Community Resources
Police Notification
Referral to School Based Administrative Hearing

3rd Offense: *Parent Conference*
Police Notification
Out of School Suspension
Referral of Central Office Administrative Hearing

Bomb Threat:

Possessing any device or substances with the ability or potential to explode in such a manner as to cause physical harm or alarm. The presence of such articles in a student's locker, automobile, purse, book bag, or similar container is considered to be possession by that student.

1st Offense: *Parent Conference with Building Administrator*
Out of School Suspension
Referral to School/Community Support Services
Restorative Practices (EOCHS)
Police Notification

2nd Offense: *Parent Conference*
Out of School Suspension
Referral to Central Office Administrative Hearing
Police Notification

3rd Offense: *Parent Conference*
Out of School Suspension
Police Notification
Referral to Central Office Administrative Hearing

IV. Offenses Concerning Computer Misuse, Electronic, Devices and Accessories *Unauthorized (no consent by staff or agent) use of production of and transmission of* **Unauthorized Use of Electronic Devices:**



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Unauthorized Performances of the following:

- Recording(s)
- Picture(s)
- Texting
- Emailing
- Downloading
- Uploading
- Videoing
- Social Media
- Charging Devices

1st Offense: *Use of the network only under direct supervision
Suspension of network privileges
Revocation of network privileges
Suspension of computer privileges*

2nd Offense: *Use of the network only under direct supervision
Suspension of network privileges
Revocation of network privileges
Suspension of computer privileges
Suspension from school*

3rd Offense: *Use of the network only under direct supervision
Suspension of network privileges
Revocation of network privileges
Suspension of computer privileges
Suspension from school
Expulsion from school
Legal action and Prosecution by the Authorities*

Computer Misuse:

Unauthorized of school computers and/or electronic devices and Wi-Fi as per East Orange Policy 5751 and 2361

1st Offense: *Use of the network only under direct supervision
Suspension of network privileges
Revocation of network privileges
Suspension of computer privileges*

2nd Offense: *Use of the network only under direct supervision
Suspension of network privileges
Revocation of network privileges
Suspension of computer privileges
Suspension from school*



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3rd Offense: *Use of the network only under direct supervision*
 Suspension of network privileges
 Revocation of network privileges
 Suspension of computer privileges
 Suspension from school
 Expulsion from school
 Legal action and Prosecution by the Authorities

V. Tobacco, Alcohol and Drugs

Distribution, Possession of Prescription OTC, E-Cigarettes, Pipes and Smoking Devices:

Possession, selling, buying, distributing, being under the influence of, or otherwise using alcohol; illegal or any unauthorized drugs as defined by but not necessarily limited to the Title 24 Controlled Dangerous Substances, NJS 24:21-1 to 45:1-32; includes look-alikes being represented as a controlled substance, and/or misuse of prescription or non-prescription drugs. Possessing any drug paraphernalia. May include, but is not limited to:

- Alcohol
- Illegal Drugs
- Prescription or OTC
- Pipes/Smoking Devices
- E-Cigarettes

1st Offense: *Parent Conference with Administrator and SAC*
 Referral to SAC
 Referral for Substance Abuse Testing by SAC
 Out of School Suspension
 School and/or Community Intervention based on Test Results

2nd Offense: *Parent Conference with Administrator and SAC*
 Referral to SAC
 Referral for Substance Abuse Testing by SAC
 Out of School Suspension
 School and/or Community Intervention based on Test Results
 Referral for School Based Administrative Hearing

3rd Offense: *Parent Conference*
 Referral to SAC
 Referral for Substance Abuse Testing by SAC
 Out of School Suspension
 School and/or Community Intervention based on Test Results
 Referral for Central Office Administrative Hearing



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2. The school responses to violations of behavioral expectations that are subject to student discipline including suspension or expulsion pursuant to N.J.S.A. 18A:37-2 outlined in a Chart of Student Discipline shall be consistent with the Board's policies and regulations/procedures on attendance, pursuant to N.J.A.C. 6A:16-7.6 and harassment, intimidation, and bullying, pursuant to N.J.A.C. 6A:16-7.7.
 3. The Principal or designee will maintain a list of community-based health and social service provider agencies available to support a student and a student's family, as appropriate, and a list of legal resources available to serve the community.
 4. The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment.
 5. Nothing in Policy and Regulation 5600 shall prevent the school administration from imposing a consequence for unacceptable student conduct not listed or included in a Chart of Student Discipline.
- I. Student Conduct Away from School Grounds
1. The Building Principal or designee has the right to impose a consequence on a student for conduct away from school grounds that is consistent with the Board's Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.
 - a. 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.
 - b. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.
 - c. Consequences for conduct away from school grounds shall be handled in accordance with the Board approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1, Policy and Regulation 5600, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 7.3, or 7.4.



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2. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.
- J. School Bus Conduct
- Violations of the rules regarding student conduct on school buses will be handled as follows:
1. The bus driver will report unacceptable conduct to the Principal of the school in which the student is enrolled by submission of a completed written report that includes the name of the student, the school, and the student's conduct.
 2. The Principal or designee will investigate the matter, which may include meeting with the bus driver, bus aide, other students on the school bus, and the student who was reported by the bus driver.
 3. The parent will be notified of the student's reported conduct.
 4. The Principal or designee will make a determination if the student violated behavioral expectations and the discipline to be administered in accordance with the Code of Student Conduct.
 5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.
- K. Students with Disabilities
- For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, N.J.A.C 6A:14, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.
- L. Records
1. Instances of student discipline will be recorded in the student's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330.



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2. When a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information; Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), and N.J.A.C. 6A:32-7.5.
 - a. The record shall be provided within two weeks of the date that the student enrolls in the receiving district.
 - b. Written consent of the parent or adult student shall not be required as a condition of the record transfer; however, written notice of the transfer shall be provided to the parent or the adult student.
3. When a student transfers to a private school, which includes all sectarian or nonsectarian, nonprofit, institutional day, or residential schools that provide education for students placed by their parents and that are controlled by other than public authority, all student disciplinary records with respect to suspensions or expulsions, shall be provided by the public school district of residence to the private school upon written request from the private school, in the same manner the records would be provided to a public school, pursuant to 20 U.S.C. § 6301, Title IV § 4155 of the Elementary and Secondary Education Act.
4. The Board shall not use a student's past offenses on record to discriminate against the student.
5. All student disciplinary records pursuant to N.J.A.C. 6A:16-7 shall conform to the requirements set forth in N.J.A.C. 6A:16-7.8(d).

M. Annual Review

The Superintendent will designate a school staff member to coordinate an annual review and update of Policy and Regulation 5600. The Superintendent's designee will:

1. Compile an annual summary report of violations of the student behavioral expectations and the associated school responses to the violations in the Student Discipline/Code of Conduct Policy and Regulation.



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2. Convene a Student Discipline/Code of Conduct Committee comprised of parents, students, and community members that represent the composition of the district's schools and community to review the annual summary report and to develop recommendations, if any, to improve and update the Student Discipline/Code of Conduct Policy and Regulation.
3. The Superintendent's designee shall submit the Committee's recommendations, if any, to improve or update the Student Discipline/Code of Conduct Policy and Regulation.
4. The Superintendent will review the Committee's report with school administrators and will determine if the Student Discipline/Code of Conduct Policy and Regulation should be updated.
5. The Superintendent will recommend to the Board revisions to the Student Discipline/Code of Conduct Policy, if needed.

N. Policy and Regulation Publication and Distribution

The Student Discipline/Code of Conduct Policy and Regulation 5600, including the Chart of Student Discipline shall be disseminated annually to all school staff, students, and parents. These documents may be disseminated in handbooks, electronically, or in hard copy form. Principals will ensure these documents are made available to all students on or before the first day of each school year and to transferring students on the first day of their enrollment in this district.

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Suspension

5610 SUSPENSION

The Board of Education recognizes that even the temporary exclusion of a student from the educational program of this district is a severe sanction and one that cannot be imposed without due process.

Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, the conduct as defined in N.J.S.A. 18A:37-2 and the school district's Student Discipline/Code of Conduct Policy and Regulation in accordance with the N.J.A.C. 6A:16-7.1. et seq.

For the purposes of this policy, "suspension" means the temporary removal of a student from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for one, but not more than ten consecutive school days and "long term suspension" means a suspension for more than ten consecutive school days.

In accordance with the provisions of N.J.S.A. 18A37-4, a student may be suspended only by the Principal, who shall report any suspension to the Superintendent as soon as possible. The Superintendent shall report the suspension to the Board at its next regular meeting. The suspended student may be reinstated by the Principal or by the Superintendent prior to the second regular meeting of the Board following the suspension, unless the Board reinstates the student at the first regular meeting. No student suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that student's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the student or continue the suspension.

In each instance of a short-term suspension, the student will be provided oral or written notice of the charges and an informal hearing conducted by the Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension.



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In each instance of a long-term suspension, the district shall assure the rights of the student pursuant to N.J.A.C. 16A:16-7.3.

The district will comply with the requirements of N.J.A.C. 6A:16-7.2 and 7.3, in addition to all the procedural protections set forth in N.J.A.C. 6A:14, for each student with a disability who is subject to a short-term or long-term suspension.

In each instance of a short- or long-term suspension, the district shall provide academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8-3.1 et. seq., which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be provided within five school days of the suspension. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14.

Student records are subject to challenge by parents and adult students in accordance with N.J.A.C.6A:32-7.7 and Policy and Regulation 8330. The name of a disciplined student will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such student will be designated by code.

N.J.S.A. 18A:37-1; 18A:37-2 et seq.; 18A:37-4; 18A:37-5.
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Adopted: 12 January 2010
Adopted: 14 October 2014



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R 5610 SUSPENSION PROCEDURES

A. Short-Term Suspensions

1. In each instance of a short-term suspension, the Principal or designee, shall assure the rights of a student suspended for one, but more than ten consecutive school days by providing for the following:
 - a. As soon as practicable, oral or written notice of charges to the student.
 - (1) When charges are denied, an explanation of the evidence forming the basis of the charges shall also be provided.
 - b. Prior to the suspension, an informal hearing during which the student is given the opportunity to present his or her version of the events regarding his or her the actions leading to the short-term suspension and is provided notice of the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2. and 5.
 - (1) The informal hearing shall be conducted by a school administrator or designee;
 - (2) To the extent that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension;
 - (3) The informal hearing should take place even when a school staff member has witnessed the conduct forming the basis of the charge; and
 - (4) The informal hearing and the notice given may take place at the same time.
 - c. Oral or written notification to the student's parent of the removal from the student's educational program prior to the end of the school day on which the Principal decides to suspend the student. The notification shall include an explanation of:
 - (1) The specific charges;
 - (2) The facts on which the charges are based;



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- (3) The provision(s) of the student code of conduct the student is accused of violating;
 - (4) The student's due process rights, pursuant to N.J.A.C. 6A:16-7.1 (c)3 and N.J.A.C. 6A:16-7.2; and
 - (5) The terms and conditions of the suspension.
 - d. Appropriate supervision of the student while waiting for the student's parent to remove the student from school during the school day; and
 - e. Academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards.
 - (1) The student's academic instruction shall be provided within five school days of the suspension.
 - (2) At the completion of a short-term suspension, the Board of Education shall return a general education student to the general education program for which he or she was suspended.
 - (3) The academic instruction provided to a student with a disability shall be provided consistent with N.J.A.C. 6A:14.
 2. The Principal suspending the student shall immediately report the suspension to the Superintendent, who shall report it to the Board of Education at its next regular meeting, pursuant to N.J.S.A. 18A:37-4.
 3. An appeal of the Board's decision affecting the general education student's educational program shall be made to the Commissioner, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
 4. For a student with a disability, the provisions set forth in N.J.A.C. 6A:16-7.2 shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.
 - B. Long-Term Suspensions
 1. In each instance of a long-term suspension, the Principal or designee shall assure the rights of a student suspended for more than ten consecutive school days by providing the following:



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- a. Notification to the student of the charges, prior to the student's removal from school;
- b. Prior to the suspension, an informal hearing during which the student is given the opportunity to present his or her version of events regarding his or her actions leading to the long-term suspension and is provided notice of the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
- c. Immediate notification to the student's parent of the student's removal from school;
- d. Appropriate supervision of the student while waiting for the student's parent to remove the student from school during the school day;
- e. Written notification to the parent by the Superintendent or designee within two school days of the initiation of the suspension, stating:
 - (1) The specific charges;
 - (2) The facts on which the charges are based;
 - (3) The student's due process rights, pursuant to N.J.A.C. 6A:16-7.1(c)3 and N.J.A.C. 16:7-3; and
 - (4) Further engagement by the student in conduct warranting expulsion, pursuant to N.J.S.A. 18A:37-2, shall amount to a knowing and voluntary waiver of the student's right to a free public education, in the event that a decision to expel the student is made by the Board, pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.4.
 - (a) The Board shall request from the parent and student written acknowledgement of the notification provided pursuant to N.J.A.C. 6A:16-7.3 (a)5iv subsequent to the removal of the student from his or her student's educational program, pursuant to N.J.A.C. 6A:16-7.3.
- f. A list of witnesses and their statements or affidavits, if any, no later than five days prior to the formal hearing, pursuant to below;
- g. For a student with a disability, a manifestation determination, pursuant to N.J.A.C. 6A:14-2.8 and the Federal regulations;



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- h. Information on the student's right to secure an attorney and legal resources available in the community identified pursuant to N.J.A.C. 6A:16-7.1(c)8;
- i. Either in or out of school educational services that are comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25, which may include a public education program provided in accordance with of N.J.A.C. 6A:16-9 or 10.
 - (1) The student's educational services shall be provided within five school days of the suspension.
 - (2) The Board shall make decisions regarding the appropriate educational program and support services for the suspended general education student based on the Core Curriculum Standards and the following consideration:
 - (a) A behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team, as appropriate;
 - (b) The results of relevant testing, assessments or evaluations of the student;
 - (c) The student's academic, health, and behavioral records;
 - (d) The recommendation of the Superintendent, Principal, or other relevant school or community resource;
 - (e) Considerations of parental input; or
 - (f) Consultation with the Intervention and Referral Services Team, in accordance with N.J.A.C. 6A:16-8.
 - (3) Educational services provided to a student with a disability shall be provided consistent with N.J.A.C. 6A:14.
- j. A formal hearing before the Board that shall, at a minimum:
 - (1) Be conducted by the Board or delegated by the Board to a Board committee, a school administrator or an impartial hearing officer for the purpose of determining facts or making recommendations.



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- (a) Before taking final action the Board as a whole shall receive and consider either a transcript or detailed report on the hearing.
 - (2) Include the opportunity for the student to:
 - (a) Confront and cross-examine witnesses, if there is a question of fact; and
 - (b) Present his or her own defense and produce oral testimony or written supporting affidavits.
 - (3) Take place no later than thirty calendar days following the day the student is suspended from the general education program; and
 - (4) Result in the Board's decision that shall be based, at a minimum, on the preponderance of competent and credible evidence.
- k. A written statement to the student's parent regarding the Board's decision within five school days after the close of the hearing. The statement shall include at a minimum:
- (1) The charges considered;
 - (2) A summary of the documentary or testimonial evidence from both the student and the administration that was brought before the Board at the hearing;
 - (3) Factual findings relative to each charge and the Board's determination of each charge;
 - (4) Identification of the educational services to be provided to the student pursuant to above;
 - (5) The terms and conditions of the suspension; and
 - (6) The right to appeal to the Commissioner of Education the Board's decision regarding the student's general education program in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.



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- a. The status of the student's suspension;
 - b. The appropriateness of the suspended student's current educational program; and
 - c. Whether the suspended student's current placement, pursuant to above, should continue or whether the student should return to the general education program.
5. When the Board votes to continue a general education student's suspension, it shall make in consultation with the Superintendent, the final determination on:
- a. When the student is prepared to return to the general education program;
 - b. Whether the student will remain in an alternative education program or receive home or other in-school or out-of-school instruction, based on the criteria set forth in B.3.a.(1) through (4) above; or
 - c. Whether to initiate expulsion proceedings in accordance with N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4 and Policy 5620.
6. The Board shall provide a general education student suspended under N.J.A.C. 6A:16-7.3 with an appropriate educational program or services, based on the criteria set forth under B.1.i.(2) above, until the student graduates from high school or reaches the age of twenty, whichever comes first.
- a. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and 6A:14-2 and 4.3, whichever is applicable; or
 - b. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.
7. For a student with a disability who receives a long-term suspension, the Board shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the student's educational placement to an interim or alternate educational setting.
- a. All procedural protections set forth in N.J.A.C. 6A:14 and N.J.A.C. 6A:16-7.3 shall be afforded to a student with a disability who is subjected to a long-term suspension.



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- b. All decisions concerning the student's educational program or placement shall be made by the student's Individualized Education Program team.
- c. The provisions of B.2. through B.6. above shall not apply to students with disabilities.

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5611 **REMOVAL OF STUDENTS FOR FIREARMS 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 student offenses involving firearms, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. §921, pursuant to The Zero Tolerance For Guns Act, N.J.S.A. 18A:37-7 through N.J.S.A. 37-12.

Regulation and Policy 5611 shall apply to a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds, convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, or found knowingly in possession of a firearm on any school grounds. A student, other than a student with disability, convicted or adjudicated delinquent for these firearm offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6:16-9. A student with a disability convicted or adjudicated delinquent for these firearm offenses shall be immediately removed in accordance for these firearm offenses 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:16-5.5(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 firearm offenses, the student shall be immediately returned to the program from which he or she was removed.

The Superintendent shall make the determination on whether the general education student removed in accordance with the requirements of N.J.A.C.6A:16-5.5 and this Policy is prepared to return to the general education program or will remain in an alternate education program, pursuant to N.J.A.C. 6A:16-9, or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10 based on the criteria outlined in N.J.A.C. 6A:16-5.5(i).

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.5 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.



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for Firearms Offenses

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C.6A:16-5.5 utilizing the Electronic Violence and Vandalism Reporting System pursuant to N.J.A.C.6A:16-5.3(d)1.

This Policy and Regulation 5611, implementing the requirements of N.J.A.C.6A:16-5.5; 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:16-5.5 through 6A:16-9 et seq.

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

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Removal of Students
for Firearms Offenses
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R 5611 **REMOVAL OF STUDENTS FOR FIREARMS OFFENSES**

A. Definitions

“Removal” means the exclusion of a student from the regular 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 Firearm Offenses

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.5, any student, other than a student with a disability, committing the following offenses shall be immediately removed from the school’s general education program for a period of not less than one calendar year:
 - a. Convicted or adjudicated delinquent for possession of a firearm on school grounds;



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- b. Convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds; and
 - c. Found knowingly in possession of a firearm on school grounds.
 2. The Superintendent may modify, on a case-by-case basis, the removal of a general education student.
 - a. The Superintendent shall develop and maintain a written record of case-by-case modifications of the removal requirement of N.J.A.C. 6A:16-5.5(b), which shall be made available to the Commissioner of Education upon request.
 3. Nothing in N.J.A.C. 6A:16-5.5 or this Policy and Regulation shall be construed to prohibit the expulsion of a general education student.
 4. The Board shall immediately remove students with disabilities for offenses involving firearms in accordance with N.J.A.C. 6A:14 and applicable Federal regulations.
- C. Procedures - Removal of Students for Firearm Offenses
 1. The Principal 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



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- (4) A general education student's due process rights, as set forth in N.J.A.C. 6A:16-7.2 through 7.6, or the due process rights of a student with a disability, 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 N.J.A.C. 6A:16-5.5 shall be placed in an alternative education program, according to the requirements of N.J.A.C. 6A:16-9.
 - 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 a hearing before the Board of Education in accordance with N.J.A.C. 6A:16-7.3 through 7.5.
 5. If it is found that the removed student did not commit the offenses in B. above, 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, pursuant to N.J.A.C. 6A:16-9, or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10, 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.



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E. Exception

1. The provisions of N.J.A.C. 6A:16-5.5 shall not apply to a firearm that is lawfully stored in a locked vehicle on school grounds, or when it is for activities approved and authorized by the Board of Education, as long as the Board adopts appropriate safeguards to ensure student safety.
 - a. All students shall obtain written authorization from the Superintendent to possess a firearm stored inside a locked vehicle on school grounds or used for participation in a school-sponsored function.
 - (1) The Superintendent shall not provide authorization to a student who has been convicted or adjudicated delinquent for possession of a firearm or for a crime involving the use of a firearm.

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Assault by Students on District
Board of Education Members or Employees
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5612 **ASSAULT BY STUDENTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES**

Any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school district employee, or Board member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, shall be immediately removed from school pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7.

A student, other than a student with a disability, who commits an assault as defined in N.J.S.A. 2C:12-1(a)1, shall be immediately removed from school consistent with due process procedures, pending a hearing pursuant to N.J.A.C. 6A:16-7.2 through 7.5. Nothing in N.J.S.A. 18A:37-2.1 or N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student. A student with a disability who commits an assault as defined in this Policy, shall be removed in accordance with N.J.A.C. 6A:14 and due process proceedings in accordance with N.J.A.C. 14-2.7 and 2.8.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(a), said proceedings shall take place no later than thirty calendar days following the day on which the student is suspended. The decision of the Board shall be made within five days after the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within ninety days of the Board's decision. The provisions herein shall be construed in a manner consistent with 20 U.S.C. § 1400 et seq.

The Principal or designee shall remove, isolate and place the student under the supervision of school staff until the parent or appropriate agency takes custody of the student. The Principal or designee will immediately report to the Superintendent the removal of the student's parent of the removal action and the student's due process rights. The Principal or designee will notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(b), whenever a teacher, administrator, Board member, other school district employee, or a labor representative on behalf of an employee makes an allegation in writing that the Board member or employee has been assaulted by a student, the Principal shall file a written report of the alleged assault with the Superintendent. The Superintendent shall report the alleged assault to the Board at its next regular meeting; provided that the name of the student who allegedly committed the assault, although it may be disclosed to the Board members, shall be kept confidential at the public Board of Education meeting.

Any person who fails to file a report of an alleged assault as required pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7 may be liable to disciplinary action by the Board.



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Assault by Students on District
Board of Education Members or Employees

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.7 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e)1.

Policy and Regulation 5612, implementing the requirements of N.J.A.C. 6A:16-5.7, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-2.1

N.J.A.C. 6A:14-2.7; 6A:14-2.8; 6A:16-5.7; 6A:16-7.2; 6A:16-7.3; 6A:16-7.4; 6A:16-7.5

Adopted: 12 January 2010

Adopted: 14 October 2014



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Assault by Students on District

Board of Education Members or Employees

R 5612 **ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES**

A. Definitions

“Removal” means the exclusion of a student from the regular 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 Assault on Board Members and Employees

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.7, any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school Board employee, or Board of Education member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, pursuant to N.J.S.A. 18A:37-2.1 shall be immediately removed from school.



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Assault by Students on District Board of Education Members or Employees

2. A student, other than a student with a disability, who commits an assault pursuant to B.1. above, shall be immediately removed from school consistent with due process procedures, pending a hearing, pursuant to N.J.A.C. 6A:16-7.2 through 7.5.
 - a. Nothing in N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student.
 3. A student with a disability who commits an assault pursuant to B.1. above shall be removed in accordance with N.J.A.C. 6A:14.
- C. Procedures – Removal of Students for Assault on Board Members and Employees
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 an appropriate agency takes custody of the student;
 - c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the student's parent of the removal action and the student's due process rights; and
 - e. Notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.
 2. The Board of Education shall provide due process proceedings for all students in accordance with N.J.A.C. 6A:16-7.2, 7.3, 7.4, and 7.5 and for a student with a disability in accordance with N.J.A.C. 6A:14-2.7 and 2.8.

Adopted: 14 October 2014



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
Offenses

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



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Removal of Students for Assaults with Weapons
Offenses

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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Removal of Students for Assaults with Weapons
Offenses

- 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
Offenses

- 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



5615 SUSPECTED GANG ACTIVITY

Students that initiate, advocate, or promote unacceptable activities or conduct, openly or otherwise, and/or threaten the safety or well-being of others, disrupt the school environment and are harmful to the educational process in this school district. This unacceptable conduct, including but not limited to, physical or verbal harassing, intimidating, or bullying conduct; unlawful use of force; threats; violence; or other violations of the school district's student code of conduct by a student or group of students directed toward any school staff member or any other student or group of students anywhere on school grounds, at any school related or sponsored activity, on school buses, at school bus stops, and any other place where students are supervised by school district staff will not be tolerated.

In the event the Principal or designee, believes any unacceptable activities or conduct was, or is being committed, for the benefit of, at the direction of, or in association with a group of three or more persons, the school staff will investigate further to determine if the conduct was committed by students representing a "criminal street gang" (hereinafter referred to as a "gang") as defined in N.J.S.A. 2C:33-29.

In accordance with N.J.S.A 2C:33-29, "criminal street gang" means three or more persons associated in fact. Individuals are associated in fact if: (1) two of the following seven criteria that indicate criminal street gang membership apply: (a) self-proclamation; (b) witness testimony or official statement; (c) written or electronic correspondence; (d) paraphernalia or photographs; (e) tattoos; (f) clothing or colors; (g) any other indicia of street gang activity; and (2) individually or in combination with other members of a criminal street gang, while engaging in gang-related activity, have committed or conspired or attempted to commit, within the preceding five years from the date of the present offense, excluding any period of imprisonment, one or more offenses on separate occasions of robbery, carjacking, aggravated assault, assault, aggravated sexual assault, sexual assault, arson, burglary, kidnapping, extortion, tampering with witnesses and informants or a violation of Chapter 11, Section 3, 4, 5, 6, or 7 of Chapter 35, or Chapter 39 of Title 2C of the New Jersey Statutes.

If it is determined unacceptable activities or conduct was committed by students representing a gang or by students that may be representing a gang, the Principal or designee will assign appropriate disciplinary action and will notify the parent of the victim(s) and the offender(s). The Principal or designee will also inform the Superintendent of Schools and local law enforcement.



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Suspected Gang Activity

To further ensure the safety and well-being of all students in the district and to increase awareness within the school community regarding potential gang activity, students are prohibited from wearing while on school grounds, at any school related or sponsored activity, on school buses, and any other place where students are supervised by school district staff, any type of clothing or accessory that would indicate a student has membership in, or affiliation with, any gang associated with criminal activities pursuant to N.J.S.A. 18A:11-9.

The parent of any student identified as being potentially involved in gang-related activities shall be notified by the Principal or designee. A student identified as being potentially involved in gang-related activities shall be offered appropriate counseling by school district staff.

The Superintendent of Schools, Assistant Superintendent, Principal, or other administrator employed by the school district shall attend a gang education seminar program pursuant to N.J.S.A. 52:17B-4.7 within the first year of initial employment as an administrator in the district. The Superintendent of Schools, Assistant Superintendent, Principal, or other administrator shall be exempt from this requirement if the administrator has successfully completed a gang education seminar conducted by a public school district which is substantially equivalent to the seminar required pursuant to N.J.S.A. 52:17B-4.7. Other school staff members shall be provided in-service training on gangs and gang-related conduct and activities including, but not limited to, recruitment procedures; threats/intimidation; clothing; insignia; hand signs; symbols; graffiti; terminology; or other indicia of gang association.

Information regarding gangs shall be shared by school district staff to local law enforcement officials and the school district's administrative staff members will encourage local law enforcement to share gang-related information with school officials.

Nothing in this Policy shall supersede or negate any existing New Jersey law or Board Policy regarding student discipline and/or the school district's student code of conduct. This Policy shall be made available to school staff, students, and parent(s) or legal guardian(s).

N.J.S.A. 18A:11-9

N.J.S.A.-2C:33-29

New Jersey State Police Street Gang Units – Know the Signs: A Guide to Gang Identification

Adopted: 12 January 2010

Adopted: 13 October 2015



5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a student.

The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the Board has provided the procedural due process rights set forth in N.J.A.C. 6A:16-7.1 (c)3 and 7.3, and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3; and only after the Board has provided an appropriate educational program or service, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610. The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.1 et seq., Alternative Educational Programs, and N.J.A.C. 6A:16-10.2, Home or Out-of-School Instruction for General Education Students, and N.J.A.C. 6A:14-2 et seq., Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.1 et seq., Special Education, Programs and Instruction, whichever are applicable. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25.

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

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

N.J.S.A. 18A:37-2;
N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: 12 January 2010
Adopted: 14 October 2014



5700 STUDENT RIGHTS

The Board of Education recognizes that students possess both the right to a free public education and the rights of citizenship. In granting students the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to students' ages and maturity. At the same time, the Board will respect the right of each student to equal treatment and equal access to the educational program, the due process of law, freedom of expression and association, and the privacy of his/her own thoughts.

Attendant on the rights guaranteed to each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the policies and regulations of this district.

As students differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the student and the student's need for continuing guidance and control.

A student who has reached the age of majority and is emancipated possesses the full rights of an adult and may issue authorizations previously delegated to his/her parent(s) or legal guardian(s). The adult student is fully responsible for his/her educational performance, attendance, compliance with district regulations, and care of school property. The parent(s) or legal guardian(s) of each adult student will be informed of the rights of the student and will continue to be informed of the student's progress in school.

N.J.S.A. 9:17B-1
N.J.S.A. 18A:36-20

Adopted: 12 January 2010



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Plagiarism

5701 PLAGIARISM

- A. Students are expected to be honest in all of their academic work. This means that they will not engage in any of the following acts:
1. Cheating on examinations, including but not limited to, the non-authorized use of books or notes, the use of crib sheets, copying from other students' papers, exchanging information with other students orally, in writing, or by signals, obtaining copies of the examination illegally and other similar activities.
 2. Plagiarism is not permitted in term papers, themes, essays, reports, images, take-home examinations, and other academic work. Plagiarism is defined as stealing or use without acknowledgment of the ideas, words, formulas, textual materials, on line services, computer programs, etc. of another person, or in any way presenting the work of another person as one's own.
 3. Falsifications, including forging signatures, altering answers after they have been graded, the insertion of answers after the fact, the erasure of grader's markings, and other acts that allow for falsely taking credit.
- B. A student found guilty of academic dishonesty may be subjected to a full range of penalties including, but not limited to, reprimand and loss of credit for all of the work that is plagiarized.
- C. A teacher who believes that a student has been academically dishonest in his/her class should resolve the matter in the following manner:
1. Reprimand the student orally and/or in writing. The teacher is also authorized to withhold credit in the work tainted by the academic dishonesty.
 2. If warranted, the teacher shall file a written complaint against the student with the Principal, requesting a more stringent form of discipline. The complaint must describe in detail the academic dishonesty that is alleged to have taken place, and must request that the matter be reviewed by the Principal.
 3. The Principal will determine if further discipline of the student is appropriate, and will determine the nature of the discipline on a case-by-case basis.
 4. If the student is not in agreement with the disciplinary action of the teacher, he/she may appeal the action to the Principal. If the student is dissatisfied with the Principal's disposition of the case, he/she may grieve the action in accordance with Policy No. 5710, Student Grievance.

Adopted: 12 January 2010



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East Orange Board of Education

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Student Grievance

5710 STUDENT GRIEVANCE

Official avenues for the expression and correction of grievances are to be available in the East Orange School District. Each school shall establish procedures for the consideration of student problems and for processing student complaints and appeals. These procedures should be developed through the cooperative efforts of students, faculty, and administrators and shall be included in the Student/Parent Handbook. The Superintendent shall establish and maintain procedures for appeals beyond the decision of the Principal. Procedures implementing this policy shall be made known to students, and staff, parent/guardian, and students who wish to use them will be assured of access to the appropriate personnel within a reasonable period of time.

Adopted: 12 January 2010



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East Orange Board of Education

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Student Grievance Procedures

R 5710 STUDENT GRIEVANCE PROCEDURES

The primary purpose of these procedures is to clarify channels of communication available to students when they have grievances about certain actions, policies or procedures of the school district, and to provide ways for students to present suggestions for the improvement of the system.

1. Suggestions

- a. Student suggestions should be of a constructive nature and contribute toward the realization of the educational goals of the district, in contrast to grievances.
- b. Staff members should be open to the opinions of students and reminded that it is the desire of most students to contribute toward the betterment of their school.
- c. Students shall be encouraged to approach the appropriate staff member directly and offer suggestions. If advisable, and if the suggestion cannot be dealt with at that level, the staff member may relay the suggestion to a member of the administration.
- d. If he/she so wishes, a student may submit his/her suggestion in writing to the Principal of his/her school, who shall consult with the appropriate staff member.
- e. The Principal may decide to call a conference of the persons involved or appoint a committee of students and staff to investigate the matter and make recommendations to the administration.
- f. If the student feels his/her suggestion has not received a satisfactory hearing, the student may forward it in writing to the Superintendent.
- g. In all cases, the student shall be informed of the disposition of his/her suggestion. When the student's suggestion has been offered in writing, the response shall be made in writing.

2. Grievances

It shall be the basic intent of the student grievance procedure to encourage students to discuss their grievance(s) informally with the faculty member against whom the grievance is directed prior to utilizing the more formal grievance procedure



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Student Grievance Procedures

outlined below. It is expected that the majority of grievances will be settled in this manner. If not, the following procedure shall apply.

Student grievances generally involve one of three categories: academic matters, disciplinary action, and student social, physical or operational conditions.

a. Academic

If a student (or group of students) feels he/she is not being treated fairly with respect to academic matter such as scheduling, examinations, marks, etc., and if the student cannot resolve the question himself/herself with the faculty member involved, the student may ask his/her parent(s) or legal guardian(s) to come to school to attempt to resolve the matter.

- (1) If a teacher is involved, the parent(s) or legal guardian(s) shall arrange a conference with the teacher through the guidance office or through the Principal.
- (2) If the decision is still unsatisfactory to the parent(s) or legal guardian(s), he/she together with the student may appeal within five school days in writing to the Principal.
- (3) If the Principal's decision is still unsatisfactory to the parent(s) or legal guardian(s), the parent(s) or legal guardian(s) together with the student may appeal step-by-step to the:
 - (a) Superintendent's designee;
 - (b) Superintendent;
 - (c) Board of Education;
 - (d) State Board of Education.
- (4) Whenever an appeal is made at or beyond the Principal's level, it shall be made in writing within ten school days of notification of a decision unsatisfactory to a parent(s) or legal guardian(s).
- (5) An attorney may represent the student and his/her parent(s) or legal guardian(s) at any point beyond the appeal to the Principal, provided prior notification is made to the school authorities.

b. Disciplinary



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Student Grievance Procedures

If a student (or a group of students) feels that disciplinary action applied to him/her is unfair, the student may file a written request with the Principal, requesting a review of the action.

- (1) If the decision is unsatisfactory to the student, he/she may ask his/her parent(s) or legal guardian(s) to come to school to attempt to resolve the matter directly with the Principal.
- (2) If the Principal's decision is still unsatisfactory to the parent(s) or legal guardian(s), the parent(s) or legal guardian(s) may follow the steps of appeal designated above.

c. Social, Physical or Operational

If a student (or group of students) feels that a particular social, physical or operational condition in the school should be modified or provided, he/she may contact the student council through his/her representative to student council or through the school Principal.

- (1) The student's suggestion or complaint shall be in writing. He/she may request or be requested to attend a student council meeting to present the problem in person. Any matter shall be discussed and appropriate action taken by the student council.
- (2) If the action taken so requires, the student council may refer the matter in writing to the Principal for his/her consideration and/or decision.
- (3) If the matter is felt by the student council not to have been satisfactorily resolved, the student council may refer the item, in writing, to the Superintendent's designee for a decision or recommendation by the Superintendent. At this step, the Principal may be asked to present his/her summary of the question in writing. The Superintendent's designee's reply shall be in writing.
- (4) If the student council is still dissatisfied, an appeal may be made within 10 school days, in writing, to the Superintendent of Schools. The Superintendent's decision shall be in writing.



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Student Grievance Procedures

- (5) If the student council is still dissatisfied, a further appeal may be made within ten school days, in writing, to the Board of Education. The Board's decision which shall be in writing, shall be final except in those matters where State law permits appeal to a higher authority. At any point in the discussion and/or appeals, either the student council or the school authorities may draw on parent(s) or legal guardian(s) or staff members for advice and suggestions for resolution of the problem.
- (6) If the student (or group of students) does not feel that appropriate action has been taken by the student council, the student may follow the steps or appeal designated above.

A time interval shall be applied to each step in this grievance procedure. At the school, a time limit of ten school days will be applied to each step in the grievance procedure. At higher levels, appropriate time intervals shall be applied to each step in this grievance procedure.

Issued: 12 January 2010



5721 INDEPENDENT PUBLICATIONS

The Board of Education respects the right of students to express themselves in written word or picture, or video image or computer generated illustrations, and to distribute printed materials as part of that expression; at the same time, the Board recognizes that the exercise of that right is limited by the rights of other members of the school community.

For the purposes of this policy, “printed materials” include any written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and similar materials but do not include any publication that is sponsored by this Board.

Certain printed materials are not protected by a student’s right of free expression because they violate the rights of others. The Board may identify and prohibit the distribution on school premises of printed materials that are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender; libel any person or persons; seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other; advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of students; contain obscenity or material otherwise deemed to be harmful to impressionable students; incite violence, advocate the use of force, or urge the violation of law or school regulations; advertise goods or services for the benefit of profit-making organizations; fail to identify the student responsible for distribution and the agent responsible for reproduction; solicit funds for non-school organizations when such solicitations have not been approved by the Board; or promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or questions submitted at any election.

The Board requires that the distribution of printed material take place only at the places and during the times established by rule in order not to disrupt the orderly operation of the educational program.

N.J.S.A. 2C:34-3
N.J.S.A. 18A:42-4

Adopted: 12 January 2010



Policy/Regulations

East Orange Board of Education

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Distribution of Independent Publications

R 5721 **DISTRIBUTION OF INDEPENDENT PUBLICATIONS**

A. Definition

“Independent publications” are written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and other documents prepared and distributed by students, independent of any curricular or co-curricular activity sponsored by the Board of Education.

B. Distribution

1. Independent publications may be distributed on school premises only by the students enrolled in that school.
2. Distribution may be conducted during periods of time when the activity will not interrupt the instructional program or interfere with an exercise necessary for student safety, such as a fire drill.
3. Distribution may be conducted in places in which the activity will not obstruct the passage of persons, cause a safety hazard, or interfere with the orderly operation of the school.
4. The Principal will establish, in consultation with recognized student organizations, rules setting specific times and places for the distribution of independent publications on the school premises.

C. Littering

1. Distribution will be conducted in a manner that reduces the possibility of litter.
2. Students who distribute independent publications are responsible for policing the area in which the distribution takes place and assuring that all litter is promptly removed.

D. Enforcement

1. The Principal will enforce these regulations and will determine whether distribution violates the standards set forth in paragraph B2 and paragraph B3.
2. A decision of the Principal may be appealed to the Superintendent.

Issued: 12 January 2010



5750 EQUAL EDUCATIONAL OPPORTUNITY

The Board of Education directs that all students enrolled in the schools of this district shall be afforded equal educational opportunities in strict accordance with law. No student shall be denied access to or benefit from any educational program or activity or from a co-curricular or athletic activity on the basis of the student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, **gender, gender identity or expression, socioeconomic** status, or disability. The Board shall assure that all students are free from harassment, sexual or otherwise.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the schools and classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will eliminate discrimination, promote mutual acceptance and respect among students, and enable students to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability:

1. School climate/learning environment;
2. Courses of study, including Physical Education;
3. Instructional materials and strategies;
4. Library materials;
5. Software audio-visual materials, other forms of technology;
6. Guidance and counseling;
7. Extra-curricular programs and activities;
8. Testing and other assessments.

The school district's curricula will include Multi-cultural Education content and practices, instruction on African-American History in the teaching of U.S. History and instruction on the Holocaust and genocide.



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Equal Educational Opportunity

Affirmative action shall be taken to ensure that students are protected from the effects of discrimination, in accordance with Policy 2260. Students who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation 5750 to report and appeal any harassment or discriminatory practice.

The conduct of teaching staff members shall exemplify the highest principles of equality and democracy. Conduct and attitudes that display discrimination are contrary to the policies of this Board and, further, are destructive to the self-esteem that this Board wishes to encourage in all students. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation gender, gender identity or expression, socioeconomic status, or disability shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a student or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this policy.

42 U.S.C.A. 12101
N.J.S.A. 10:5-1
N.J.S.A. 18A:4A-1, et seq.; 18A:6-5 et seq.; 18A:36-20
N.J.A.C. 6A:7-1.1 et seq.; 6A:14-1.2

Adopted: 12 January 2010
Adopted: 9 August 2016



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Equal Educational Opportunity Complaint Procedure

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R 5750 **EQUAL EDUCATIONAL OPPORTUNITY COMPLAINT PROCEDURE**

A. Purpose and Application

1. The purpose of this procedure is to give any student or the parent of a student the opportunity to appeal an allegedly discriminatory practice in the program of this district or an alleged denial of equal educational opportunity.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual students.

B. Definitions

1. "Board of Education" means the Board of Education of the East Orange School District.
2. "Complaint" means an unresolved problem concerning the interpretation or application by an officer or employee of the school district relating to compliance with law, regulations, or policies regarding equal educational opportunities.
3. "Complainant" means a student or a parent of a student who alleges a complaint.
4. "Day" means a working or calendar day as identified.
5. "Student" means an individual enrolled in any formal educational program provided by the school district.
6. "School district" means the East Orange School District.

C. Procedure

1. A complainant shall discuss his/her complaint with the staff member most closely involved, in an attempt to resolve the matter informally.



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Equal Educational Opportunity Complaint Procedure

2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the Building Principal. The complaint will include:
 - a. The student's name and, in the complaint of a person acting on behalf of the student, the name and address of the complainant;
 - b. The specific act or practice that the complainant complains of;
 - c. The school employee, student, or third party, if any, responsible for the allegedly discriminatory act;
 - d. The results of discussions conducted in accordance with paragraph C1; and
 - e. The reasons why those results are not satisfactory.
3. The Building Principal will investigate the matter informally and will respond to the complainant in writing no later than ten working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Building Principal may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.
5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of.
6. The Superintendent will render a written decision in the matter no later than ten working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board of Education.



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Equal Educational Opportunity Complaint Procedure

7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal will include:
 - a. The original complaint,
 - b. The response to the complaint,
 - c. The Superintendent's decision,
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/her right to appeal the Board's decision to the Commissioner of Education or to the New Jersey Division on Civil Rights.

D. Record

The records of any complaint processed in accordance with this procedure shall be maintained in a file separate from the student's cumulative file. A notation shall be made in the student's file of the existence of the record in the separate file.

Issued: 12 January 2010

Issued: 9 August 2016



5751 SEXUAL HARASSMENT

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. Sexual harassment of students is a form of prohibited sex discrimination. School district staff will investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

The Board shall establish a grievance procedure through which school district staff and/or students can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

Definitions:

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any "person" from sex discrimination; accordingly both male and female students are protected from sexual harassment engaged in by school district employees, other students, or third parties. Sexual harassment, regardless of the gender of the harasser, even if the harasser and the student being harassed are members of the same gender is prohibited. Harassing conduct of a sexual nature directed toward any student, regardless of the student's sexual orientation, may create a sexually hostile environment and therefore constitute sexual harassment. Nonsexual touching or other nonsexual conduct does not constitute sexual harassment.

The regulation and grievance procedure shall provide a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.



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Sexual Harassment

The Superintendent, or designee, will take steps to avoid any further sexual harassment and to prevent any retaliation against the student who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The school district staff can learn of sexual harassment through notice and any other means such as from a witness to an incident, an anonymous letter or telephone call.

This policy and regulation on sexual harassment of students shall be published and distributed to students and employees to ensure all students and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for students to ensure the staff and the students understand what type of conduct can cause sexual harassment and that the staff know the school district policy and regulation on how to respond.

In cases of alleged harassment, the protections of the First Amendment must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom and in all other programs in the public schools. The Superintendent, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, students and third parties.

In addition, if the Board accepts federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of students. Title IX applies to all public school districts that receive federal funds and protects students in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (1997)

Adopted: 12 January 2010
Adopted: 10 September 2013



R 5751 **SEXUAL HARASSMENT OF STUDENTS**

Sexual harassment of students is prohibited by the Board of Education. The Superintendent and school district staff will use the following methods to investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

A. Definitions

1. Quid Pro Quo Harassment - When a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. Hostile Environment Sexual Harassment - Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.
3. Notice - The school district has notice if it actually "knew, or in the exercise of reasonable care, should have known" about the harassment. If an agent or responsible employee of the school district received notice, the school district is deemed to have notice. The school district may receive notice in many different ways:
 - a. A student may have filed a grievance or complained to a teacher about fellow students harassing him/her.
 - b. A student, parent, or other student may have contacted other appropriate school personnel.
 - c. An agent or a responsible employee of the school district may have witnessed the harassment.
 - d. The school district may obtain information in an indirect manner such as staff, community members, newspapers, etc.



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Sexual Harassment of Students

4. Constructive Notice - A school district will be in violation if the school district has “constructive notice” of a sexually hostile environment and fails to take immediate and appropriate corrective action. Constructive notice exists if the school district “should have” known about the harassment and if the school district would have found out about the harassment through a “reasonable diligent inquiry.”
5. Gender-based Harassment - Gender-based harassment that includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.
6. Title IX of the Education Amendments of 1972 - Title IX applies to all public school districts that receive federal funds and protects students in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school at another location, or elsewhere. Title IX protects any “person” from sex discrimination; accordingly both male and female students are protected from sexual harassment engaged in by school district employees, other students, or third parties. Title IX prohibits sexual harassment regardless of the gender of the harasser even if the harasser and the student being harassed are members of the same gender. Although Title IX does not specifically prohibit discrimination on the basis of sexual orientation, sexual harassment directed at gay or lesbian students may constitute sexual harassment as prohibited by Title IX. Harassing conduct of a sexual nature directed toward gay or lesbian students may create a sexually hostile environment and therefore be prohibited under Title IX.
7. Grievance Procedure - The grievance procedure provides for prompt and equitable resolution of discrimination complaints, including complaints of sexual harassment. The grievance procedure provides the school district with a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.
8. Office Of Civil Rights (OCR) - The OCR of the United States Department of Education has federal government’s enforcement authority of Title IX.
9. Unwelcomeness - In order to be actionable as harassment, sexual conduct must be unwelcomed. Conduct is unwelcomed if the student did not request or invite it and “regarded the conduct as undesirable or offensive.” The school district will be concerned about the issue of welcomeness if the harasser is in a position of authority.



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Sexual Harassment of Students

10. Acquiescence - Acquiescence in the conduct or the failure to complain does not always mean the conduct was welcome. The fact that a student may have accepted the conduct does not mean that he/she welcomed it. The fact the a student willingly participated in conduct on one occasion does not prevent him/her from indicating that the same conduct has become unwelcome on a subsequent occasion. On the other hand, if a student actively participates in sexual banter and discussions and gives no indication he/she objects, then the evidence generally will not support a conclusion that the conduct was unwelcomed.
11. Sufficiently Severe, Persistent, or Pervasive Conduct - In determining whether conduct is sufficiently severe, persistent, or pervasive, the conduct should be considered from a subjective and objective perspective. In making this determination, all relevant circumstances should be considered:
 - a. The degree to which the conduct affected one or more students' behavior. The conduct must have limited a student's ability to participate in or benefit from his/her education or altered the conditions of the students' educational environment.
 - b. The type, frequency, and duration of the conduct.
 - c. The identity of and relationship between the alleged harasser and the subject or subjects of the harassment.
 - d. The number of individuals involved.
 - e. The age and gender of the alleged harasser and the subject or subjects of the harassment.
 - f. The size of the school, location of the incidents, and context in which they occurred.
 - g. Other incidents at the school.
 - h. Incidents of gender-based, but non-sexual harassment.

B. Grievance Procedure

The following Grievance Procedure shall be used for an allegation(s) of Harassment of Students by School Employees, Other Students, or Third Parties:

1. Reporting of Sexual Harassment Conduct



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Sexual Harassment of Students

- a. Any person with any information regarding actual and/or potential sexual harassment of a student by any school employee, other students, or third parties must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.
 - (1) The Building Principal or Supervisor shall immediately notify the Superintendent, the Affirmative Action Officer and if applicable the Director of Human Resource Services.
 - (2) If the Building Principal deems it appropriate, he/she may immediately notify the parent(s) or legal guardian(s) of the alleged harasser(s) or alleged victim(s) upon receipt of any information.
 - (3) The Building Principal will not disclose the name(s) of the alleged harasser(s) or alleged victim(s) to the other party.
 - (4) In cases involving alleged sexual harassment involving staff with student, the Division of Child Protection Services must be notified. N.J.A.C. 6A:16-11.1
- b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter or telephone call.
- c. Nothing in the Policy and Regulation on Student Sexual Harassment shall preclude the Building Principal, or designee, from complying with the provisions of Policy No. 5600 - Student Discipline or Policy No. 5519 - Teen Dating Violence in order to maintain the health, safety and welfare of staff and/or students.
- d. A report from the school Building Principal or an immediate supervisor will be forwarded to the school district Superintendent and Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.
- e. Upon receipt of an allegation and/or report, the Affirmative Action Officer shall immediately notify the parent(s) or legal guardian(s) of any alleged harasser(s) and victim(s) for which a report has been filed even if the Building Principal has previously notified the parent(s) or legal guardian(s).



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Sexual Harassment of Students

- f. The Affirmative Action Officer shall notify the parent(s) or legal guardian(s) of all involved students and any other involved individuals of the process to be followed in investigating a report or complaint.

2. Affirmative Action Officer's Investigation

- a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.
- b. When a student or the parent(s) or legal guardian(s) of a student provides information or complains about sexual harassment of the student, the Affirmative Action Officer will initially discuss what actions the student or parent(s) or legal guardian(s) is seeking in response to the harassment.
- c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any students who may have been sexually harassed by any school employee, other students, or third parties and any other reasonable methods to determine if sexual harassment conduct existed.
- d. The Affirmative Action Officer will request, if relevant to an investigation, the parent(s) or legal guardian(s) of any student involved in the investigation to assist in the investigation to determine if sexual harassment conduct exist(ed).
- e. The Affirmative Action Officer will provide a copy of the Board Policy and Regulation to all persons who are interviewed with potential knowledge and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.
- f. The Affirmative Action Officer will explain the avenues for formal and informal action, including a description of the grievance procedure that is available for sexual harassment complaints and an explanation on how the procedure works.
- g. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.



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Sexual Harassment of Students

- h. The Affirmative Action Officer and/or Superintendent may contact law enforcement agencies if there is potential criminal conduct by any party.
- i. The school district administrators may take interim measures during an Affirmative Action Officer's investigation of a complaint in order to alleviate any conditions which prohibit the student from assisting in the investigation.
- j. If elementary or middle school students are involved, it may become necessary to determine the degree to which they are able to recognize that certain sexual conduct is conduct to which they can or should reasonably object and the degree to which they can articulate an objection. The Affirmative Action Officer will consider the age of the student, the nature of the conduct involved, and other relevant factors in determining whether a student had the capacity to welcome sexual conduct.
- k. The Affirmative Action Officer will consider particular issues of welcomeness if the alleged harassment relates to alleged "consensual" sexual relationships between a school employee and a student.
 - (1) If elementary or middle school (grades K-8) students are involved, welcomeness will not be an issue. Sexual conduct between a school employee and an elementary student will not be viewed as consensual.
 - (2) If secondary (grades 9-12) students are involved, there is a strong presumption that sexual conduct between a school employee and a secondary student is not consensual.
 - (3) In cases involving older secondary and post-secondary students and older secondary and post-secondary special education students, the Affirmative Action Officer will consider the following to determine whether a school employee's sexual advances or other sexual conduct could be considered welcome:
 - (a) The nature of the conduct and the relationship of the school employee to the student, including the degree of influence, authority, or control the employee has over the student.



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Sexual Harassment of Students

- (b) Whether the student was legally or practically unable to consent to the sexual conduct in question.
- l. If there is a dispute about whether harassment occurred or whether it was welcome (in a case which it is appropriate to consider whether the conduct could be welcome) determinations should be based on the totality of the circumstances. The following types of information may be helpful in resolving the dispute:
 - (1) Statements made by any witnesses to the alleged incident.
 - (2) Evidence about the relative credibility of the alleged harassed student and the alleged harasser.
 - (3) Evidence that the alleged harasser has been found to have harassed others may support the credibility of the student claiming harassment.
 - (4) Evidence of the allegedly harassed student's reaction or behavior after the alleged harassment.
 - (5) Evidence about whether the student claiming harassment filed a complaint or took other action to protest the conduct soon after the alleged incident occurred.
 - (6) Other contemporaneous evidence such as did the student write about the conduct and his/her reaction to it soon after it happened in diary or letter and/or tell friends or relatives.
 - m. The scope of a reasonable response also may depend upon whether a student, or parent(s) or legal guardian(s) reporting harassment asks that the student's name not be disclosed to the harasser or that nothing be done about the harassment. The Affirmative Action Officer:
 - (1) Will provide an overview of harassment policy [and Title IX if applicable] to the student, parent(s) or legal guardian(s) guardian which shall include the prohibition of retaliation.

In the event the student, parent(s) or legal guardian(s) request the student's name remain confidential, the Affirmative Action Officer will inform the student, parent(s) or legal guardian(s) that the request may limit the school district's ability to respond.



- (2) Will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors to be considered shall be the seriousness of the alleged harassment, the age of the student harassed, whether there have been any other complaints or reports against the alleged harasser. And the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result.
 - (3) May use other means available to address the harassment. Steps that may be taken to limit the effects of the alleged harassment and prevent its reoccurrence without initiating a formal complaint and revealing the identity of the complainant. These steps may require sexual harassment training at the site where the problem occurred, taking a student survey concerning any harassment problems that may exist, or other systematic measures where the alleged harassment occurred.
 - (4) By conducting a limited investigation without revealing the name of the student sexually harassed, may be able to learn about or confirm a pattern of harassment based on claims of different students that were harassed by the same individual. The Affirmative Action Officer may place an individual on notice of allegation of harassing behavior and counsel appropriately without revealing, even indirectly, the identity of the student who notified the school district.
3. Investigation Results
- a. Upon the conclusion of the investigation, but not later than ten working days after reported, the Affirmative Action Officer will prepare a summary of findings to the parties. At the least this shall include the person(s) providing notice to the school district and the student(s) who were alleged to be sexually harassed.
 - b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
 - c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.



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Sexual Harassment of Students

- d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administrators and staff shall take reasonable, age-appropriate, and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action, as specified in student and/or staff discipline policies and regulations. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.
 - e. In the event the Affirmative Action Officer determines a hostile environment exists, the school district administrators and staff shall take steps to eliminate the hostile environment. The school district administrators may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed student, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any student that reports such conduct.
 - f. In some situations, the school district administrators may need to provide other services to the student that was harassed if necessary to address the effects of the harassment on that student. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed student's work, re-taking a course with a different instructor, tutoring and/or other measures that are appropriate to the situation.
 - g. The school district administrators will take steps to avoid any further sexual harassment and to prevent any retaliation against the student who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed student and his/her parent how to report any subsequent problems and make follow-up inquiries to see if there have been any new incidents or retaliation.
 - h. All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.
4. Affirmative Action Officer's Investigation Appeal Process



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Sexual Harassment of Students

- a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any student who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.
 - b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.
- C. Office of Civil Rights (OCR) Case Resolution
- Parents or students not satisfied with the resolution of an allegation of sexual harassment by the school district officials or the Board may request the Office of Civil Rights (OCR) of the United States Department of Education to investigate the allegations.
1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).
 2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of students, including incidents caused by employees, other students, or third parties, OCR will consider whether:
 - a. The school district has a policy prohibiting sex discrimination under Title IX and an effective Title IX grievance procedure;
 - b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and
 - c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.
 3. If the school district officials have taken the steps described in 2 above, the OCR will consider the case against the school district resolved and take no further action other than monitoring compliance with any agreement between the school district and the OCR. This shall apply in cases in which the school district was in violation of Title IX, as well as those in which there has been no violation of Title IX.

Issued: 12 January 2010
10 September 2013



Policy/Regulations

East Orange Board of Education

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Marital Status and Pregnancy
M

5752 MARITAL STATUS AND PREGNANCY

The Board of Education will not discriminate among students on the basis of their marital status or parenthood. No student, male or female, who is married or a parent shall be denied access to or benefit from any educational, co-curricular, or athletic program or activity on the basis of his/her marital status or parenthood.

A pregnant student shall not be excluded from any educational program or activity because of her pregnancy or pregnancy-related condition unless the student so requests or a physician certifies that her exclusion is necessary for the student's physical, mental, or emotional well-being. An excluded pregnant student will be provided with adequate and timely opportunity for instruction to continue or make up her schoolwork without prejudice or penalty. Pregnant students will be provided a special instructional program in accordance with Policy No. 2416.

N.J.A.C. 6A:7-1.7(a)6

Adopted: 12 January 2010
Adopted: 8 November 2016



5755 **EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES**

Equity In Student Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation gender, gender identity or expression, socioeconomic status, or disability.

The school district administration will ensure: that all students will have equal and barrier-free access to all school and classroom facilities, that minority and female students are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male students are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all students and that all limited English-proficient students and students with disabilities will have equal and bias-free access to all school programs and activities. The school district will ensure equal and bias-free access for all students to computers, computer classes, vocational education classes, and technologically-advanced instructional assistance, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation gender, gender identity or expression, socioeconomic status, or disability.

The Board of Education will refrain from locating new facilities in areas that will contribute to imbalanced, isolated, or racially identifiable school enrollments. The school district administration will assign students to ensure that the racial/national origin composition of each school's enrollment reflects the composition of the district-wide enrollment and so that school and classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation gender, gender identity or expression, socioeconomic status, or disability.

Students will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation gender, gender identity or expression, socioeconomic status, or disability within schools, courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority students and students with disabilities will be utilized. Pregnant students will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the student will be provided equivalent instruction.

Equity in Guidance Programs and Support Services



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Equity in Educational Programs and Services

The school district will ensure the guidance program and support services provides access to adequate and appropriate counseling services for all students, including, but not limited to, minority students, limited English-proficient students, non-college bound students, and students with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all students.

Equity in Physical Education

All school district physical education programs will be co-educational with any exceptions to be in accordance with Federal and State laws and regulations.

Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male students to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will have relatively equal numbers of varsity and sub-varsity teams for male and female teams and equitable scheduling of night games, practice times, and numbers of games for male and female teams.

Appeal Procedure

Any student or their parent may appeal school practices involving equity through the procedure established in Regulation 5750.

N.J.A.C. 6:4-1 et seq.

Title IX of the Education Amendments of 1972 (revised 10/25/06)

N.J.A.C. 6A:7-1.1 et. seq.

Adopted: 12 January 2010

Adopted: 9 August 2016



5756 **TRANSGENDER STUDENTS**

The Board of Education is committed to provide a safe, supportive, and inclusive learning environment for all students. In furthering this goal, the Board adopts this Policy to ensure all students, including transgender students, have equal educational opportunities and equal access to the school district's educational programs and activities. The Board of Education, administration, and all school staff members will comply with Federal and State laws and regulations regarding transgender students and no student shall be subjected to discrimination on the basis of gender identity or expression.

For the purposes of this Policy:

1. "Gender expression" refers to the way a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
2. "Gender identity" means a student's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth.
3. "Gender identity or expression" also means having or being perceived as having a gender-related identity or expression whether or not stereotypically associated with a person's assigned sex at birth.
4. "Gender nonconforming" describes a student whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.
5. "Transgender" describes students whose gender identity is different from their gender assigned at birth.

The Board of Education believes the responsibility for determining a student's gender-identity rests with the student; or, in the case of young students not yet able to advocate for themselves, with the parent. Therefore, the Board will accept a student's assertion of his or her gender identity when there is consistent and uniform assertion of the gender-identity, or any other evidence that the gender-identity is sincerely held as a part of the student's core identity. The Board of Education will not question or disregard the assertion of a student's gender identity. However, the Board authorizes the Superintendent or designee to question a student's asserted gender identity when there is a credible basis for believing the student's gender-identity is being asserted for some improper purpose.



Policy/Regulations

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Transgender Students

Confirmation of a student's asserted gender identity must include a letter from a parent to the Superintendent of Schools indicating the student is gender non-conforming. In the event the parent does not consent to the student's gender identity, the Superintendent or designee will meet with the parent and the student to determine how the student's gender identity shall be addressed by the school district.

The Board recognizes school-related issues regarding transgender students will vary on a case-by-case basis. Therefore, the Superintendent of Schools or designee will meet with the parent and the student to discuss school-related issues. The issues to be discussed shall include, but are not limited to, the following:

1. Names/Pronouns – The school district will honor the request of the parent and student to have the student addressed by a name or pronoun different from those associated with the student's gender at birth.
2. Student Records – The school district's official, permanent student record will be maintained in accordance with Federal law, State statutes, and administrative code and will indicate the legal name and gender appearing on the student's birth certificate, unless there is a legal name change. However, the school district will use the name requested by the parent and student in other school-related documents to include, but not be limited to, student identification cards, library cards, school photographs, grade books, posted lists of student names, and any other places where students' names are commonly written.
3. Restrooms – Transgender students shall have access to the restroom that corresponds to their gender identity. The use of a "gender neutral" restroom, if available, shall be a matter of choice by a transgender student.
4. Locker Rooms – Transgender students shall have access to locker room facilities that correspond to their gender identity. The school district will make available a reasonable alternative changing area for a transgender student, if requested.
5. Physical Education Classes - Transgender students shall be permitted to participate in physical education classes in a manner consistent with their gender identity.
6. Intramurals Programs – A transgender student's participation in the school district's intramural athletic programs shall be in accordance with the eligibility requirements for participation in interscholastic athletics as determined by the New Jersey Interscholastic Athletic Association.



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Transgender Students

7. Interscholastic Athletics – A transgender student’s participation in the school district’s interscholastic athletic programs shall be in accordance with eligibility requirements for participation in interscholastic athletics as determined by the New Jersey State Interscholastic Athletic Association.
8. Dress Codes – Transgender students shall comply with the dress code requirements that correspond to their gender identity.

In the event a student no longer identifies with a previously asserted gender other than their gender at birth, a parent of the student must submit a letter to the Superintendent of Schools indicating the student is no longer gender nonconforming. The Superintendent or designee will meet with the parent and the student to discuss the transition of the student from gender nonconforming to gender conforming. In the event the parent does not consent to the student’s assertion the student is no longer gender nonconforming, the Superintendent or designee will meet with the parent and the student to determine how the student’s gender identity should be addressed by the school district.

The school district and school staff members will ensure the privacy of any student’s transgender status and will not disclose or acknowledge a student’s transgender status unless required to in accordance with any Federal law, State statute, administrative code, or if the parent and student have authorized such disclosure.

N.J.S.A. 10:5-1 et seq.
Title IX, 20 U.S.C. Section 1681

Adopted: 11 November 2010
Adopted: 11 November 2014
Adopted: 13 October 2015



5770 **STUDENT RIGHT OF PRIVACY**

The Board of Education recognizes that a student's right of privacy may not be violated by unreasonable search and seizure and directs that no student be searched without reason or in an unreasonable manner.

Teaching staff members are charged with the responsibility of maintaining order and discipline in the schools and of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, a teaching staff member may search or request the search of the person or property of a student as authorized by this policy, with or without the student's consent, whenever he/she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history. Except in exigent circumstances, an intrusive search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender.

The Board acknowledges the need for the in-school storage of students' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such storage places, students may lock them against incursion by other students. In no storage place provided by the Board shall students have such an expectation of privacy as to prevent examination by a school official. Students shall be notified in writing at the beginning of each school year that inspections of their lockers, desks, and other storage facilities on school district property may be conducted. The school Principal or designee is directed to conduct, without further notice, the regular inspection of such facilities provided to students for the storage of property.

Except as required by exigent circumstances, a request for the search of a student or a student's private possessions will be directed to the Building Principal or designee who shall, whenever feasible, first request the freely offered consent of the student to the inspection.

The Superintendent shall be notified of the proposed search of a student's person or intimate personal belongings.

Whenever possible, a search will be conducted by the Principal in the presence of the student, the student's parent(s) or legal guardian(s) or a representative of the parent(s) or legal guardian(s), and a teaching staff member other than the Principal. Under no circumstances shall any student be subjected to a strip search or a body cavity search.

A search prompted by the reasonable belief that the circumstances are exigent and pose an immediate threat, will be conducted by any teaching staff member with as much speed and dispatch as may be required to protect persons and property.



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Student Right of Privacy

The Principal shall conduct a student search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the student or when the Principal has independent grounds to suspect the presence of an incriminating object. All incidents/activities involving law enforcement shall be in accordance with the Uniform Memorandum of Agreement.

The Principal shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

N.J.S.A. 18A:36-19.2, 18A:37-6

Adopted: 12 January 2010



5810 **STUDENT PARTICIPATION IN SCHOOL GOVERNANCE**

The Board of Education believes that students should be encouraged to participate appropriately in the governance of various school activities. As institutions fundamental to the operation of a democratic society, the schools should strive to exemplify the democratic ideal of citizen participation in decision making.

The Board directs that students be invited to participate, as appropriate to the students' ages and interests, in deliberations and decisions regarding student conduct and the disciplinary code, curriculum planning, co-curriculum planning, grading systems, safety programs, the selection of resource materials, and the scheduling of the school day. Student participation should fairly represent the interests of the entire student body, and participants should be duly elected representatives of student organizations.

Adopted: 12 January 2010



5820 STUDENT GOVERNMENT

The Board of Education recognizes the importance of offering students the opportunity to participate in representative self-government and to develop leadership skills. Students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board of Education.

The Board recognizes the Student Council as the official voice of the student body for students in elementary, middle, and high school, provided the constitution and bylaws of that organization have been duly approved by the students it represents and by the Board and provided that all students have equal access to their student government and an equal opportunity to vote and hold office.

The Board shall appoint a qualified teaching staff member to serve as advisor to student government activities.

The Board directs that decisions made and actions duly taken by the official student government, in accordance with and within the scope of its constitution and bylaws, may not be voided or vetoed by any staff member.

Adopted: 12 January 2010



5830 STUDENTS FUND RAISING

The solicitation of donations and contributions from students shall be restricted to those organizations recognized by the Board of Education as outlined in the fund raising regulations as prepared by the office of the Superintendent.

All selling campaigns through which student organizations seek to raise funds must be approved in advance by the Board. However, this ruling shall not apply to the sale of tickets for plays, athletic games, and other class-sponsored events, nor does it pertain to home-school (parent-teacher) organizations.

All selling campaigns through which student organizations seek to raise funds must be approved in advance by the Superintendent or his/her designee except those activities in support of field trips which require Board approval. The sale of tickets for plays, athletic games, and other class-sponsored events must be approved by the Principal.

Any organization desiring to distribute flyers or other materials to students in connection with fund drives may do so only with the approval of the Superintendent or designee.

Solicitation of and by Students

The solicitation of donations and contributions from students shall be restricted to those organizations recognized by the Board of Education as outlined in the Fund Raising Regulation.

Any organization desiring to distribute flyers or other materials to students in connection with fund drives may do so only with the approval of the Superintendent.

All selling campaigns through which student organizations seek to raise funds must be approved in advance by the Board. However, this ruling shall not apply to the sale of tickets for plays, athletic games, and other class-sponsored events, nor does it pertain to home-school (parent-teacher) organization.

Adopted: 12 January 2010



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East Orange Board of Education

STUDENTS - REGULATION
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Students Fund Raising

R 5830 STUDENTS FUND RAISING

Use of Private Funds, Donated Materials, or Free Services by Public Schools

Private industry, private organizations, citizen groups, and individual parents and citizen groups are donating time, money, expertise, and materials to augment the education provided by public funds. This behavior has existed in private schools all along but direct contributions to public school while not new, are much more evident today than in the recent past.

For that reason, some guidelines are needed to regulate the acceptance, possible procurement, and expenditure or use of such donations, contributions or funds.

A. District-wide Solution - This refers to:

Recognition of any outside organization or charity such as: United Way, Black United Fund, United Nations Children's Fund, Red Cross, Chamber of Commerce, Kiwanis or other civic institutions wishing to involve the total district in a fund drive or similar function.

1. Any outside organization requesting the use of students as collectors, sellers of goods, or performers for the purpose of fund raising, require Superintendent's approval and all activities must follow Board Policy.
2. Any requests from civic institutions or outside organizations which involve such activities as patriotic functions, contests, exhibits, sales of products to and by students, sending promotional materials home with students, graduation prizes, fund raising, and free teaching materials must be approved by the Superintendent or designee to insure that on balance, such activities promote student interests without advancing the special interests of any particular group, or creating an excessive drain on the students' educational time on task. Activities must follow Board Policy.
3. The Superintendent will notify Principals, in writing, if an organization has been granted approval for fund raising in district buildings.

B. Donations to the School District (Schools)

1. Acceptance of any gifts donated to a school district by any organization must be accepted by the Board.
2. Proper approval by the Superintendent of Schools and the Board shall be obtained before any school group or organization enters into any contract and/or agreement for goods or services.



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Students Fund Raising

3. Parent groups (PTA/PTO) shall work with the Principal to identify school needs which the group may wish to augment with funds or through the direct purchase of items or services. The Principal shall notify the Superintendent of those plans before any transfers of goods or services are made or before beginning any fund raising activity in support of securing the item or service.
4. Care needs to be taken to insure the educational value of the gift/donation, including the possible future expense to the Board for maintenance, service contracts, insurance, storage and operating expenses relates to the gift/donation.

C. Solicitation on School Property

Any outside organization or staff member wishing to solicit funds on school property must receive permission to do so from the Superintendent of Schools. The only exceptions shall be PTA/PTO organizations. Permission to solicit funds will be granted only to those organizations or individuals whose purposes are consistent with, the goals of this district and the interests of the community. Solicitation must take place at such times and places and in such a manner which does not interfere with the orderly operation of the schools. The Board disclaims all responsibility for the protection of, or accounting for, such funds.

D. Distribution of Miscellaneous Advertising Materials

All materials or activities proposed by outside sources for student or staff use or participation on a district-wide basis shall be reviewed by the Superintendent or designee on the basis of their educational value in the total school program and benefit to students and no such approval shall have the primary purpose of advancing the name product or special interest of the proposing group.

1. No materials may be used or circulated in the schools of this district which are deemed to be primarily advertising materials, with the following exceptions:
 - a. Imprinted materials solicited by teachers as being suitable for a project or purpose of their class.
 - b. Flyers of direct educational and cultural interest, and of any essentially non-commercial nature.
 - c. PTA/PTO literature approved by the Principal.



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Students Fund Raising

2. Outside speakers representing commercial organizations will be welcome only when the commercial aspect is limited to naming the organization represented and the subject matter advances the educational aims of the district.
3. No staff member or student representing an outside organization may distribute or post literature on that organization's behalf on district property either during or after school hours, without the permission of the Superintendent or his/her designee, with the exception of PTA/PTO organizations which are bound by their by-laws regarding the use of school property.

Issued: 12 January 2010



5841 **SECRET SOCIETIES**

The Board of Education affirms the legislative prohibition of student organizations with closed membership practices as hostile to the democratic ideals of public education.

No social organization of students will be granted the use of school facilities or permitted the use of the name of the school or this school district unless that organization has first been approved by the Superintendent and/or designee. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member.

No organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the students of this district; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, disability or political beliefs, or any other consideration not appropriate to the purpose of the organization; or if any qualifying student who applies may be denied membership.

Nothing in this policy shall prevent or otherwise deny participation in constitutionally protected prayer consistent with protections of the First Amendment of the United States Constitution.

A student who seeks to form or is a member of a fraternity, sorority, or other secret organization formed in whole or in part of students enrolled in this district may be disciplined by this Board. The Board reserves the right to require that any student attest as to his/her membership in a secret organization.

N.J.S.A. 18A:42-5; 18A:42-6

Adopted: 12 January 2010



Policy/Regulations

East Orange Board of Education

STUDENTS - POLICY

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Equal Access of Student Organizations

5842 EQUAL ACCESS OF STUDENT ORGANIZATIONS

The Board of Education will permit the use of school facilities by student-initiated organizations for non-curricular student activities. A student-initiated organization, regardless of the size of the group, will not be denied an opportunity to meet and use school facilities on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the Building Principal and/or designee, who shall grant permission provided that he/she determines that:

1. The activity has been initiated by students;
2. Attendance at the meeting is voluntary;
3. No agent or employee of the district will promote, lead, or participate in the meeting;
4. The meeting is for a lawful purpose;
5. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
6. Nonschool persons do not direct, conduct, control, or regularly attend the activity; and
7. The activity is adequately supervised by appropriately certified school district staff.

A student-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The Board will not permit the organization of a fraternity, sorority, or secret society. A student-initiated meeting may be attended by no more than two outside resource persons.

Access to school facilities by student organizations will be provided within the governing principles of the First Amendment of the Constitution of the United States.



Policy/Regulations

East Orange Board of Education

STUDENTS - POLICY

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Equal Access of Student Organizations

An appropriately certified staff member shall be assigned to attend a student-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The Building Principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

20 U.S.C.A. 1701 et seq.

United State Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Adopted: 12 January 2010



Policy/Regulations

East Orange Board of Education

STUDENTS - POLICY
5850/page 1 of 2
Social Events and Class Trips

5850 SOCIAL EVENTS AND CLASS TRIPS

The Board of Education recognizes the value of social events and class trips that will enhance and enrich the school experience for the students of this district.

For purposes of this policy, a "social event" is a party, celebration, or dance organized for the participation of students, and "class trips" are trips taken by students who share a particular interest in an activity, or students who are enrolled in a particular subject area, course or class. Social events and class trips are not related or are only indirectly related to the curriculum.

The Board will make school facilities available and assign staff members as appropriate for the conduct of social events on school premises that have been approved by the Building Principal and/or designee and for social events and class trips away from school premises that have been approved by the Building Principal and the East Orange Board of Education. A social event or class trip may be considered to have been approved by this Board only when the Board has duly assigned one or more chaperones to supervise participating students. The Board will assume no responsibility for a student social event or trip that has not been approved in accordance with this policy.

The Board will not approve a social event or class trip that has the effect of reducing the school year for participating students to fewer than one hundred eighty days.

The Board reserves the right to cancel any scheduled trip.

Social events or class trips are not part of the thorough and efficient system of education provided by the Board. Participation in them is therefore not a right and may be denied to any student without the due process of notice and an opportunity to be heard. A student who demonstrates disregard for school rules may summarily be denied participation in social events and class trips.

Students who participate in approved social events and class trips are subject to district rules for student conduct and must submit to the authority of assigned chaperones. Infractions of the rules will be subject to discipline in the same manner as are infractions of rules during the regular school program.

A student who possesses or consumes alcohol or drugs in the course of an approved social event or class trip will be deemed to have placed all other participating students at risk and will be disciplined in strict accordance with policy # 5530.

The Board will not permit persons not enrolled in this district to participate in social events, except for the Senior Prom.



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East Orange Board of Education

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Social Events and Class Trips

The Superintendent will develop regulations governing the conduct and safety of all participants in social events and class trips and will distribute them to student and adult participants.

Adopted: 12 January 2010



Policy/Regulations

East Orange Board of Education

STUDENTS - REGULATION
R 5850/page 1 of 4
Social Events and Class Trips

R 5850 SOCIAL EVENTS AND CLASS TRIPS

A. Approval

1. Requests for approval of a social event or class trip must be submitted in writing to the Building Principal not less than forty-five (45) working days before the activity is scheduled to occur. Class trips must also be submitted to the Board of Education for approval at least 45 days before the activity.
2. Each request must include:
 - a. The name of the sponsoring organization,
 - b. The name of an adult representative of the organization who will assume responsibility for the activity (such as a club's faculty advisor),
 - c. The date on which the activity is to occur,
 - d. For a social event, the place in which it is to occur (if on school premises, the specific room or facility; if off school premises, the specific location with directions and a telephone number),
 - e. For a class trip, the proposed itinerary, with specific locations of any proposed stops, including telephone numbers, and the planned means of transportation,
 - f. The group of students who will participate in the activity and the anticipated number of students,
 - g. The cost of the activity and the manner in which costs will be assessed or funds will be raised,
 - h. If appropriate, the insurance coverage for the activity, and
 - i. The number and names, to the extent they are known, of the chaperones appointed to the activity.
3. The Building Principal will consult the school calendar to determine whether the proposed activity will interfere with the instructional program or a social event or class trip given earlier approval. He/She will grant or deny the request within fifteen working days of its receipt.



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4. The Building Principal will appoint a teaching staff member as responsible adult for each approved activity. In the absence of formal appointment, the adult designated on the request for approval will serve as responsible adult.
- B. Student Participation
1. Social events and class trips are not directly related to the curriculum and students are permitted to participate only in accordance with Policy No. 5850. Students on suspension are not eligible for participation.
 2. No minor student may participate in a social event or class trip that extends beyond the school day or takes place away from school premises without the written, signed permission of the student's parent(s) or legal guardian(s). Permission slips will be distributed by the sponsoring organization not less than ten working days before the scheduled activity and signed slips will be delivered to the teacher no later than the day of the activity. Permission slips must include the following information:
 - a. The nature of the activity,
 - b. The date, time, and location of the activity,
 - c. The name of the sponsoring organization and the responsible adult,
 - d. The fee, if any, charged to the student for participation, and
 - e. Such information about the activity as may be necessary for the parent to evaluate the risk to his/her child (such as exposure to potential allergens).
- C. Student Conduct
1. Students who elect to participate in social events and class trips and their guests are subject to district rules for student conduct, including rules for conduct on buses. Infractions of rules will be subject to discipline in the same manner as are infractions of rules during the regular school program. Students shall obey the approved chaperones; disobedience to a chaperone will be tantamount to disobedience of a certified staff member.
 2. The school dress code will apply to all social events and class trips unless expressly waived by the Building Principal.



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3. Students who violate rules of conduct in the course of a class trip away from school may be denied the opportunity to participate in future field trips unless a parent/guardian accompanies him/her.
 4. Students who elect to attend a social event or class trip are expected to participate; students who attend merely to loiter on the perimeter of the activity (such as outside the facility or in parked cars or the like) will be dismissed from the school premises.
 5. The possession, use, and/or distribution of alcohol and/or drugs by any person and the presence of any person under the influence of alcohol or drugs are absolutely prohibited at any school sponsored social event or class trip, regardless of the location of the activity. Violators of this rule will be disciplined in strict accordance with Policy No. 5530.
- D. Chaperones
1. Each social event and class trip must be properly chaperoned by responsible adults under the supervision of at least one certified staff member.
 2. The organization sponsoring the activity is responsible for appointing and securing proper chaperonage, subject to the approval of the Building Principal.
 3. Chaperones who are not district employees serve as volunteers subject to Policy No. 9180 and will not be compensated by the Board for their services. The expenses incurred by chaperones in the course of the activity will be the responsibility of the sponsoring organization.
 4. Chaperones should:
 - a. Arrive promptly at scheduled activity and, if possible, well in advance of the student participants;
 - b. Acquaint themselves with school rules of conduct and with the distinctions between minor and serious rule infractions (minor infractions are punishable by reprimands, conferences, and/or detention; serious rule infractions may involve the imposition of suspension);
 - c. Circulate freely among the participants in order to detect any infractions of rules;
 - d. Frequently check lavatories, entrances, hallways and the like;



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- e. Correct students who engage in minor infractions of rules;
 - f. Report to a certified staff member any serious infraction of rules that may require school discipline or the dismissal of a student from the activity;
 - g. Report immediately to a certified staff member any person who may be under the influence of alcohol or drugs so that the teaching staff member can implement Regulation No. 5530; and
 - h. Report immediately to a certified staff member or police officer any person who may have alcohol, drugs, contraband, or a weapon in his/her possession.
- E. Post-activity Requirements
- 1. The sponsoring organization is responsible for cleaning up any decorations and debris caused by the activity and left on school premises.
 - 2. The responsible adult will submit to the Building Principal a brief but reasonably detailed report of the activity, including the names of chaperones. The report should include a description of any event that resulted in a student's dismissal from the activity.
 - 3. Any funds collected will be deposited in the Student Activities Fund and accounted for in accordance with Policy No. 6660.

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5880 PUBLIC PERFORMANCES BY STUDENTS

The Board of Education recognizes the value to students and to the community of the demonstration of student talents and skills in performances of student organizations in public events. The Board endorses such performances when they contribute to the instructional program, do not interfere with scheduled school activities, and do not exploit or endanger participating students.

Public performances of student organizations must be approved in advance by the Building Principal and/or designee. The members of a student organization invited to perform shall be polled for their willingness to perform. No student may be compelled to participate in an elective public performance or penalized for his/her failure to participate. Approval for a public performance will not be granted unless the staff advisor determines that the number of students who agree to participate is sufficient to represent the school fairly.

When public performances are scheduled as a regular part of a course of study taken for credit, students shall be informed in advance of their obligation to participate; they will be excused from participation only in accordance with Board policy on student attendance.

No student, student organization, or employee of this Board shall receive compensation for the performance in public of students organized for a school activity.

School groups may, with the permission of the Superintendent, participate in local public events which may be classified as:

1. Educational events in which the schools serve as hosts;
2. Community functions organized in the interest of the schools;
3. Noncommercial occasions of community, county, state or national interest of sufficient breadth to enlist collaboration general sympathy and cooperation;
4. Patriotic events, such as Veteran's Day, Memorial Day, etc.;
5. Charity benefit activities, provided such activity has been specifically approved in advance by the Superintendent;
6. Programs sponsored by established character – building agencies, or programs sponsored jointly by the school system and mass communication media where the time or spaces given to the programs are of a public nature.



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Public Performances by Students

School groups may not participate in events that may be classified as:

1. Events that are for the purpose of private gain or primarily for the advertising of any commercial project or product;
2. Events that are for the furtherance of any politically partisan interest. In questionable cases, the matter shall be approved by the board;
3. Events that are primarily for the furtherance of any sectarian concern;
4. Events that cause an undue amount of interference with the regular school program or that cause an excessive amount of absence due to rehearsal or preparation.

N.J.S.A. 18A:42-2 School orchestra not to compete with civilian musicians; exceptions

Adopted: 12 January 2010