



# Code of Conduct



**The School District of  
South Orange-Maplewood**  
July 19, 2010



# THE SCHOOL DISTRICT OF SOUTH ORANGE-MAPLEWOOD

## Code of Conduct

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# School District of South Orange and Maplewood Code of Conduct

## **Introduction**

To promote the intellectual, social, emotional and physical growth of all students, the South Orange and Maplewood School District is committed to providing not only a safe and secure learning environment for all students and staff, but to use a management approach that promotes respect for self and others. Appropriate behaviors must be modeled by staff, students, and parents/guardians. Our emphasis is to prevent problems by helping students to understand each other, work well together, and develop responsibility for their own actions.

This Code of Conduct is presented to assist students, staff, and parents/guardians understand the expectations for acceptable conduct while in school or attending school-sponsored activities, on school grounds, and while on the way to and from school. All students are expected to follow the Code of Conduct in a developmentally age appropriate manner. Principals will review the Code of Conduct with their staff and students at the beginning of each school year. It is the collective responsibility of students, staff, and parents/guardians to see that the expectations set forth in this Code of Conduct are supported.

This Code of Conduct will be applied equitably without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, marital status, pregnancy, parenthood, or a mental, physical or sensory disability or by any other distinguishing characteristics as required by law. For students with disabilities, subject to an Individualized Education Plan, the Code of Conduct shall be implemented in accordance with the components of the applicable plans.

### **Cornerstones of Good Character**

In order to create an atmosphere where learning can take place, the following character traits are essential for students to compete locally, nationally and internationally. They should be modeled and maintained by adults and students:

- Respect – *Showing high regard for self, others and property*
- Responsibility – *Being accountable for individual behavior*
- Honesty – *Being truthful in word and action*
- Caring – *Showing concern for the well-being of others*
- Justice and Fairness – *Demonstrating impartial, unbiased and equitable treatment for all*
- Citizenship – *Being an informed, responsible and caring participant in the community*
- Courage – *Doing the right thing in the face of difficulty and following the conscience instead of the crowd*
- Perseverance – *Demonstrating commitment, pride and a positive attitude in completing tasks*
- Hope – *Believing in success*
- Honesty – *Sincerity in thought, word, and deed*

### **Expectations**

We believe that every child is entitled to a safe and peaceful environment conducive to learning. The safety of each student in our schools and the ability to maintain an appropriate environment for learning are of utmost importance. To accomplish this goal it is imperative that students, staff and parents/guardians work together.

#### **Administration, faculty and staff are expected to:**

- Establish and maintain a positive, safe, secure, orderly and non-threatening learning environment that allows for open communication, dialogue, and discussion;
- Be precise about expectations regarding student requirements for classroom work;
- Be good role models by being courteous and respectful to all, being sensitive to individual needs, using appropriate language, and dressing in a professional manner;
- Treat individual students fairly, consistently, and respectfully;
- Communicate student progress and behavior to students, parents/guardians and other staff in a timely, consistent and effective manner; and
- Actively engage every student in the learning process and promote achievement of high academic standards.

**The parents/guardians are expected to:**

- Ensure that their child attends school on time and regularly;
- Be supportive of the staff's authority and responsibility to maintain a positive, productive, safe, orderly and non-threatening learning environment;
- Be good role models by demonstrating common courtesy, using appropriate language, being sensitive to individual needs and being respectful to all;
- Provide space, time and necessary supervision in which their child can study and complete assignments;
- Ensure that their child is appropriately dressed for school;
- Be responsible for property lost or damaged by their child;
- Respect and follow the visitor policy at all schools; and
- Respect and follow the traffic, parking and safety rules at all schools.

**Students are expected to:**

- Attend school regularly and be on time for school and classes;
- Be prepared for and participate in learning by having a positive attitude, asking thoughtful questions, completing and returning homework on time, and seeking help when needed;
- Respect themselves and others;
- Respect school property and the personal property of others;
- Respect one another's differences and resolve interpersonal conflicts using discussion, peer mediation, or assistance from school personnel;
- Take responsibility for their own behavior, realizing there are always options and consequences for their choices;
- Demonstrate personal academic integrity and social responsibility in their interaction with everyone;
- Contribute to the creation and maintenance of a safe, clean, green, and orderly school;
- Commit themselves to constant personal growth and improvement;
- Follow all directions;
- Dress in an appropriate and safe fashion; and
- Bring home communication from school to home and return all necessary materials.

**Administration, faculty and staff can expect to:**

- Be treated with courtesy, respect, honesty and fairness;
- Work in a safe, orderly, supportive environment;
- Have the assistance, cooperation and support of the administrative staff and the Board of Education, the students, and the parents/guardians in the performance of their duties; and
- Be treated as professionals who possess and use unique and varied teaching styles.

**Parents/Guardians can expect to:**

- Be treated with courtesy, respect, honesty and fairness;
- Have faculty and staff committed to creating a learning environment which is productive, orderly, supportive and safe;
- Have ongoing, timely communication with the faculty and staff;

- Have notification consistent with the policies and procedures established pursuant to the New Jersey Administrative Code; and
- Have records and privacy protections pursuant to Federal and State laws and regulations.

**Students can expect to:**

- Be treated with courtesy, respect, honesty and fairness;
- Learn in a safe, orderly, supportive, and intellectually challenging environment;
- Be supported in their academic and behavioral growth;
- Have provided an education that supports student development into productive citizens;
- Have due process and appeal procedures, where applicable, as stipulated in New Jersey Administrative Code;
- Have advance notice of behaviors that will result in suspensions/expulsions
- Have records and privacy protections pursuant to Federal and State laws and regulations; and
- *For Secondary Students* to be able to attend school irrespective of a student’s marital status, pregnancy or parenthood.

**Behavior Management**

The most effective behavior management occurs when the teacher and student interact together. Most problems can be solved within the classroom. Parents/guardians are partners with the school and will be made aware of issues in need of resolution when appropriate. Parents/guardians may arrange conferences with teachers to discuss any concerns and are encouraged to share any situations that may affect a child’s behavior or general academic performance.

Teachers provide positive reinforcement for good conduct and academic success and develop and accurately follow classroom behavior plans that include positive outcomes for students who consistently make the right choices. There will be a variety of consequences for students who do not make the right choices, as well as supportive interventions and referral services as needed. Remediation of problem behaviors will always take into account the nature of the behaviors, the developmental age of the students, and the student’s history of problem behaviors and performance. For students with disabilities, the behavior interventions and supports will be pursuant to the requirements of the New Jersey Administrative Code.

Parents/guardians will be notified when such inappropriate behaviors and/or offenses occur that result in serious consequences so they may work with the school to alleviate such behaviors. All students are subject to these procedures.

The following table describes the general disciplinary infractions and associated responses which are divided into four tiers according to severity and/or the age of the student and/or the student's history of problem behaviors. The tiers are explained in the second table.	Associated Responses			
Disciplinary Infractions	Tier 1	Tier 2	Tier 3	Tier 4
Arson				✓
Behaviors that interrupt student learning	✓	✓	✓	✓
Behaviors that involve inappropriate physical contact	✓	✓	✓	✓
Behaviors that jeopardize personal or environmental safety		✓	✓	✓
Behaviors that make others feel unsafe		✓	✓	✓
Bullying (including cyber bullying), intimidation, harassment, hazing, and gang initiation	✓	✓	✓	✓
Circulating indecent or inappropriate materials	✓	✓	✓	✓
Exhibiting gang behaviors		✓	✓	✓
Extortion		✓	✓	✓
False alarms and scares			✓	✓
Fighting or assault			✓	✓
Gambling	✓	✓	✓	✓
Improper use of vehicles	✓	✓	✓	✓
Littering	✓	✓		
Off campus behavior (including on the school bus or school activities)		✓	✓	✓
Personal or academic dishonesty	✓	✓	✓	✓
Possession and/or use of alcohol, controlled substances or intoxicants of any kind			✓	✓
Possession of alcohol, controlled substances or intoxicants of any kind with intent to distribute				✓
Possession of stolen property	✓	✓	✓	✓
Possession or use of weapons, firearms, and/or look alike weapons			✓	✓
Profanity and verbal abuse				
<ul style="list-style-type: none"> <li>• To students</li> </ul>	✓	✓	✓	
<ul style="list-style-type: none"> <li>• To staff</li> </ul>			✓	✓
Smoking or possession or use of tobacco products, lighters or matches	✓	✓	✓	✓
Technology Misuse	✓	✓	✓	✓
Theft and robbery		✓	✓	✓
Threats (verbal, electronic, or written)		✓	✓	✓
Trespassing	✓	✓	✓	✓
Vandalism	✓	✓	✓	✓

Note: Shaded areas do not apply to the behavior indicated.

*Unless otherwise required by law, within each tier the administrator has the discretion to impose the response deemed most appropriate to address the infraction based on the severity of the infraction, the developmental age of the student and the student's history of problem behaviors. In the instances where an infraction falls within multiple tiers, it is within the discretion of the administrator to determine the tier response for that infraction. Similarly, in instances where the behavior may not be clearly listed above as a disciplinary infraction, it is within the discretion of the administrator to determine the tier response.*

*Participation in extracurricular activities, school functions, sports or graduation exercises may be denied where necessary to maintain the order and integrity of the school environment.*

Tier One: Minor infractions on an infrequent basis
<ul style="list-style-type: none"> <li>• Conference with teacher/staff members</li> <li>• Teacher selected consequence: verbal warning of next step; loss of privilege</li> <li>• Teacher contacts parent/guardian via telephone</li> <li>• Record of contact submitted to principal and parent/guardian for signature</li> <li>• Referral to mediation if appropriate</li> <li>• Restitution*</li> </ul>
Tier Two: Repeated infractions or a serious first infraction
<ul style="list-style-type: none"> <li>• In-school parent/guardian conference with teacher/staff member to develop a behavior plan</li> <li>• Possible referral to counselor/nurse</li> <li>• Referral to mediation if appropriate</li> <li>• Teacher selected consequence and additional loss of privileges</li> <li>• Restitution*</li> </ul>
Tier Three: Continuing infractions or more serious infractions
<ul style="list-style-type: none"> <li>• Teacher/staff member refers incident to principal or designee</li> <li>• Parent/guardian contacted by principal or designee</li> <li>• Parent/guardian conference with principal and/or designee</li> <li>• Possible short term suspension</li> <li>• Restitution*</li> </ul>
Tier Four: Infractions that are highly serious or cause imminent danger to self or others
<ul style="list-style-type: none"> <li>• Immediate referral to principal or designee</li> <li>• Parent/guardian contact</li> <li>• Parent/guardian conference</li> <li>• Possible long-term suspension or expulsion</li> <li>• Contact police/fire department</li> <li>• Restitution*</li> </ul>

The following infractions shall result in mandatory suspension of a student: Firearms offenses, assaults with weapons and assaults on district Board of Education members or employees.  
N.J.A.C. 6A:16-7.4

\* Students may be required to make restitution to the school district or to individuals. Such restitution may include, but not be limited to, financial reimbursement, apologies, or school service.

**Procedures for Short-term Suspensions (less than 10 days), also see N.J.A.C. 6A:16-7.2**

- 1) As soon as practicable, a student being suspended shall receive oral or written notice of the charges and an explanation of the evidence forming the basis of the charges.
- 2) An informal hearing shall be conducted by the school administrator or designee, prior to the suspension in which the student can present the student's version of the offense and be advised of the action to be taken.
- 3) If the student's behavior presents a continuing danger or an ongoing threat of disruption the student may be removed immediately and the hearing held as soon as practical afterwards.
- 4) Oral or written notice of the specific charges and the factual basis for the charges shall be given to the student's parent or guardian of the student's removal prior to the end of the day on which the administrator makes the decision to suspend the student;
- 5) The student shall be given notice of his/her due process rights;
- 6) The student shall be appropriately supervised while waiting for the parent or guardian to remove the student during the school day.
- 7) The student shall be given the terms and conditions of the suspension.
- 8) Home instruction shall be provided to a student who is suspended for more than 5 days.
- 9) Services provided to a student with disabilities shall be consistent with the student's IEP.
- 10) The school administrator shall advise the Superintendent of the suspension. The Superintendent shall advise the Board of Education at its next regular meeting.

**Procedures for Long-term Suspensions (greater than 10 days), also see N.J.A.C. 6A:16-7.3**

- 1) Immediate notification to the student and the student's parent or guardian prior to the student's removal from school;
- 2) An informal hearing, conducted by the school administrator or designee, prior to the suspension in which the student can present the student's version of the offense and be advised of the action to be taken;
- 3) The student shall be appropriately supervised while waiting for the parent or guardian to remove the student during the school day.
- 4) Written notification to the parent or guardian from the Superintendent or designee within 2 days of the start of the suspension stating the specific charges and the facts on which they are based, the student's due process rights and a notice that **"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;** The parent or guardian shall provide written acknowledgement of this notification.

- 5) A list of witnesses and their statements or affidavits, if any, no later than 5 days prior to the hearing;
- 6) A manifestation determination shall be made for students with disabilities. N.J.A.C. 6A:14-2.8.
- 7) Information concerning the right to secure an attorney and the legal resources available in the community;
- 8) Appropriate home instruction after 5 days;
- 9) A formal hearing within 30 calendar days following the first day of suspension that is conducted by the Board of Education or delegate to a board committee, a school administrator or impartial hearing officer to determine the facts and make a recommendation; The Board of Education shall consider the transcript or a detailed report of such hearing prior to taking final action.
- 10) A suspension shall not continue beyond the Board of Education's second regular meeting following the suspension unless the Board of Education specifically so determines based on the nature and severity of the offense, relevant evaluations of the student, the recommendation of the Superintendent or other administrator or out-of-school instruction provider.
- 11) At the hearing the student shall have the opportunity to confront and cross-examine witnesses if there is a question of fact and to present his or her own defense and produce oral testimony or written affidavits.
- 12) The decision of the Board of Education shall be based on the preponderance of competent and credible evidence and shall be transmitted to the student's parent/guardian within 5 school days after the close of the hearing.
- 13) If it is found the student did not commit the offense, the student shall be returned immediately to the general education program, or, if the student is a special education student, to a program consistent with the student's IEP.
- 14) Any appeal of the Board's decision shall be made to the Commissioner of Education.
- 15) Cases of students on long-term suspensions shall be reviewed at each subsequent Board of Education meeting to determine the continued appropriateness of the suspension and of the student's current educational program.

## **Selected Relevant Board Policies**

For additional information, please consult the following board policies at:

<http://www.somds.k12.nj.us/189610121793241930/blank/browse.asp?A=383&BMDRN=2000&BCOB=0&C=55093>

- 2412 Home Instruction
- 2481 Home or Out-of-School Instruction for General Education Pupils
- 5500 Expectations for Pupil Conduct
- 5511 Dress and Grooming
- 5513 Care of School Property
- 5514 Pupil Use of Vehicle
- 5516 Pagers and Cellular Telephones
- 5520 Disorder and Demonstration
- 5533 Use of Tobacco Products
- 5600 Pupil Discipline
- 5611 Removal of Pupils from Regular Education for Weapons/Firearms
- 5612 Assault by Pupils on Board Members or Employees
- 5620 Expulsion
- 5700 Pupil Rights
- 5701 Academic Honesty
- 5751 Sexual Harassment
- 5752 Marital Status and Pregnancy
- 5770 Pupil Right of Privacy
- 8465 Hate Crimes and Bias Incidents in Schools

Policies 5512 Harassment, Intimidation, Bullying and Hazing, 5530 Substance Abuse and 8467 Prohibition of Weapons are set forth in full on the following pages.

## **Policy 5512 - Harassment, Intimidation, Bullying and Hazing**

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS  
5512  
Harassment, Intimidation,  
Bullying and Hazing

### 5512 HARASSMENT, INTIMIDATION, BULLYING AND HAZING

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

A safe and civil environment in school is necessary for students to learn and achieve high academic standards. The Board expects students to conduct themselves with a proper respect for self and others and a proper regard for the rights and welfare of other students and school staff as well as the school facilities and equipment. Harassment, intimidation, bullying or hazing, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Pupils are expected to conduct themselves on school property, at school sponsored events and on school buses as described by Policy 5500, Expectations for Pupil Conduct.

#### Definitions

**"Harassment, intimidation, and/or bullying"** means any gesture, any written, verbal or physical act, or any electronic communication that takes place on school property, at any school-sponsored function or on a school bus that:

- is motivated either by an 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; and
- a reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a pupil or damaging the student's property, or placing a student in reasonable fear of harm to his person or damage to his property; or
- has the effect of insulting or demeaning any pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

Acts of harassment, intimidation or bullying shall include a pupil exercising power and control over another pupil, in either isolated incidents or patterns of harassing or intimidating behavior. Active and/or passive bystander support for harassment, intimidation or bullying is prohibited.

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

**"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.

Any pupil 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 pupils who are otherwise qualified to fill the special aims of such organization, is prohibited.

## Reporting

All staff members, pupils and school volunteers shall be alert to possible behavior, circumstances, or events that might include harassment, intimidation, bullying and hazing. Any District employee who detects harassment, planned harassment, intimidation, planned intimidation, bullying, planned bullying, hazing and/or planned hazing shall immediately direct the pupil(s) involved to cease all such behavior and/or conduct and inform them of the prohibition against this behavior and/or conduct. The employee shall immediately report alleged violations of this policy to the Building Principal. The Superintendent or his/her designee shall prepare forms for reporting acts that may be a violation of this policy. All other members of the school community, including students, parents, volunteers and visitors, are encouraged to report any acts that may be a violation of this policy. Oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

The Building Principal will report to the Affirmative Action Officer and the Superintendent any incident reported from a staff member, pupil, parent, legal guardian or any other source.

There will be no reprisals or retaliation against any person(s) making such report of harassment, intimidation, bullying and/or hazing behavior. Any allegations of reprisals or retaliation shall be reported directly to the Superintendent or designee, 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 harassment, intimidation, bullying and/or hazing.

A school employee who promptly reports an incident of harassment, intimidation, bullying and/or hazing to the Building Principal, in accordance with N.J.S.A. 18A:37.1 et seq., is immune from a cause of action for damages arising from any failure to remedy the reported incident.

## Investigation

The Building Principal, in conjunction with the Affirmative Action Officer, will immediately investigate any report of actual or planned harassment, intimidation, bullying or hazing. The Building Principal will determine whether an alleged act constitutes a violation of this policy. In so doing, the principal shall conduct a prompt, thorough and complete investigation of the alleged incident. The Building Principal shall maintain a record of each investigation regarding allegations and shall report his/her findings to the Affirmative Action Officer and the Superintendent.

## Corrective Action

If the investigation determines harassment, intimidation, bullying and/or hazing behavior was planned or was present, the administration shall 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. In determining the appropriate response to students who commit acts of harassment, intimidation or bullying, school administrators shall consider the following factors: the development and maturity levels of the parties involved, the levels of harm, the surrounding circumstances, the nature of the behaviors, past incidences or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Concluding whether a particular action or incident constitutes a violation requires a determination based on all of the facts and surrounding circumstances.

The corrective action should in no way penalize the pupil(s) who was harassed. The administration may need to provide support services to the pupil(s) who was harassed, intimidated, bullied and/or hazed, which may include, but is not limited to, counseling, re-taking a course, tutoring and/or other services to the pupil(s) to remedy the past harassing, intimidating, bullying and/or hazing behavior.

When acts of harassment, intimidation, bullying or hazing are isolated incidents, the school Principal will respond appropriately to the individual(s) committing the acts. When acts are so serious or part of a larger pattern of harassment, intimidation, bullying or hazing, the school Principal, in conjunction with the Superintendent, will respond either at the classroom, school building or school district level. The Superintendent will also inform law enforcement officials if a possible violation of New Jersey Code of Criminal Justice occurred.

### Consequences for Harassment, Intimidation and Bullying

Consequences and appropriate remedial action for students who commit acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under NJSA 18A:37-1.

### Consequences for Hazing

#### A. High School and Middle School Students

1. Involvement in an act of hazing shall result in a minimum suspension of 4-10 days for all those engaged, but very likely may result in a recommendation to the Board of Education for a long-term suspension. It is recognized that in these incidents, some students, based on degree of participation, may receive more severe consequences than others.
2. Involvement in an act of hazing shall result in the student being denied participation in all extra-curricular activities or co-curricular activities (not required for course credit) for at least the remainder of the school year.
3. Any student leader (e.g., captain, officer, editor, class representative) who commits an act of hazing shall be removed from that position and may not hold any position of leadership or trust for the equivalent of one calendar year from the time of the infraction.
4. Students who commit an act of hazing shall be required to perform school community service as determined by the administration.

#### B. Elementary

Recognizing the varying maturity levels of this age group, discipline administered for acts of hazing shall be at the discretion of the building administrator and could include such things as:

1. Peer mediation sessions;
2. Counseling/Social Worker service;
3. Meeting with parents;
4. In-house or out-of-school suspension; and
5. Denied privileges.

### Consequences of False Accusations

Consequences and appropriate remedial action for a person found to have falsely accused another as a means of harassment, intimidation or bullying range from

1. positive behavioral interventions up to and including suspension or expulsion for a student,
2. discipline in accordance with district policies, procedures and agreements for a District employee, and
3. administrative action, including reports to appropriate law enforcement officials for visitors and volunteers.

### Policy Implementation, Dissemination & Training

The Superintendent shall establish, implement and communicate specific procedures to implement this policy while ensuring due process for handling suspensions, expulsions, and other disciplinary consequences that may result from violations of this policy. The Superintendent shall provide annually to students and their parents/guardians the rules of the District regarding student conduct, along with a statement that this policy applies on school property, at school-sponsored functions and on a school bus. This policy shall appear in all publications of the District's rules, procedures and standards of conduct shall be posted on the district web site, and shall be distributed annually to parents and guardians. Provisions shall be made for informing parents\guardians whose primary language is other than English.

The District shall develop and conduct training and information programs, in conjunction with Building Principals and support staff supervisors, for all school staff, pupils, parents and interested community members on the district's Harassment, Intimidation, Bullying and Hazing Policy. The Superintendent shall develop a process for the building Principals to discuss the district's policy on harassment, intimidation, bullying and hazing with students annually.

### Bullying Prevention Programs

Pursuant to N.J.S.A. 18A:37-17.c., information regarding the district's Harassment, Intimidation and Bullying Policy shall be incorporated into a school's employee training program.

Pursuant to N.J.S.A. 18A:37-17.a., the district will establish bullying prevention programs, and other initiatives. School staff, pupils, administrators, volunteers, parent(s) or legal guardian(s), law enforcement and community members may be involved in developing such programs and initiatives.

Pursuant to N.J.S.A. 18A:37-17.b., the district is encouraged to, and to the extent funds are appropriated for these purposes, provide training on the school district's harassment, intimidation and bullying policies to school employees and volunteers who have significant contact with pupils.

Pursuant to N.J.S.A. 18A:37-19, the school district may apply to the Commissioner of Education for additional costs due to the implementation of the provisions of N.J.S.A. 18A:37-13 through N.J.S.A. 18A:37-18.

This Policy shall be forwarded to the County Superintendent of Schools and published in pupil and staff handbooks upon its adoption by the Board.

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

Cross Reference: 5500, 5520, 5560, 5600, 5700, 5751, 8461, 8465

First Reading:	January 7, 2008
Second Reading:	January 28, 2008
Adopted:	January 28, 2008

## **Policy 5530 – Substance Abuse**

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

PUPILS  
5530  
Substance Abuse  
M

### **5530 SUBSTANCE ABUSE**

The Board of Education recognizes that a pupil's abuse of harmful substances seriously impedes that pupil's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish and maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this district.

**Definitions**      *N.J.S.A. 18A: 40A-9; N.J.A.C. 6:29-6.2*

For the purposes of this policy:

**"Evaluation"** means those procedures used to determine a pupil's need for an educational program or treatment that extends beyond the regular school program by virtue of the use of substances by the pupil or a member of the pupil's family.

**"Intervention and referral to treatment"** means those programs and services offered to help a pupil because of the use of substances by the pupil or a member of the pupil's family.

**"Substance"** means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2, anabolic steroids, or any chemical or chemical compound that 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. 2A:170-25.9.

**"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.

**Discipline**      *N.J.S.A. 18A:40A-10; 18A:40A-11; N.J.A.C. 6:29-6.3(c)2*

The Board prohibits the use, possession, and/or distribution of a substance on or near school premises, at any event away from the school premises that is sponsored by this Board, and on any transportation vehicle provided by this Board.

Pupils shall be subject to discipline for any violation of the foregoing prohibition. Discipline will be graded to the severity of the offense and may include suspension or expulsion. The pupil may be reported to appropriate law enforcement personnel.

**Instruction**      *N.J.S.A. 18A:40A-1; N.J.A.C. 6:29-6.6*

The Board shall provide a program of instruction on the nature and effects of substances and tobacco. The program will be included in the health education curriculum and conducted in accordance with law, rules of the State Board of Education, and Policy No. 2422.

**Identification, Evaluation, and Intervention**      *N.J.S.A. 18A:40A-11; N.J.A.C. 6:29-6.3*

All staff members shall be alert to signs of substance abuse by pupils and shall respond to those signs in accordance with administrative regulations. Such regulations shall provide for prompt examination by a physician to determine whether a substance has been used, notification of the pupil's parent or legal guardian and appropriate school officials, evaluation services, and referrals for treatment. Treatment will not be at Board expense.

When a pupil's substance abuse or suspected substance abuse threatens the pupil's life or places the pupil and/or others in imminent peril, all procedures shall be expedited in accordance with the emergency. Policy No. 8441, Care of Injured and Ill Persons, may be implemented as appropriate, provided no component of the procedures implementing this policy is omitted.

The Board will provide intervention and treatment referral services by teaching staff members who are properly and appropriately certified and trained to render such services.

Such services may include instruction, counseling, and related services to a pupil who is receiving medical or therapeutic care for diagnosed substance abuse; referral to a community agency approved by the County Local Advisory Council on Alcoholism or Drug Abuse or the State Department of Health; support services for pupils who are in care or returning from care for substance dependency; and/or a special class or course designed to meet the needs of pupils with problems of substance abuse.

A substance abuser who has also been identified as potentially disabled shall be referred to the Child Study Team to determine his or her eligibility for Special Services and/or related services.

Confidentiality *N.J.S.A. 18A:40A-7.1(a); N.J.A.C. 6:29-10.6; N.J.A.C. 6:2906.3(b)(2)*

The school shall not disclose the identity of any pupil or staff member who has voluntarily sought treatment or counseling for a substance abuse problem provided the pupil or staff member is not currently involved or implicated in any illegal activity.

In accordance with law, the district shall keep confidential all information learned in the course of or as a result of evaluation or treatment services provided by the district's substance abuse program.

Except as specifically permitted by law, no such information shall be disclosed to law enforcement personnel nor used to initiate or substantiate any criminal charges against the substance abuse program participant or to conduct any investigation of that person in response to a pupil or staff member who has voluntarily sought counsel.

In-Service Training *N.J.S.A. 18A:40A-15(b)*

The Board directs the Superintendent to develop a program of in-service training for all teaching staff members involved in the instruction of pupils. The Board will provide time for the conduct of the program during the usual school schedule. In-service training shall prepare teachers to instruct pupils on substance abuse and inform teachers about the nature of substances, the symptomatic behavior associated with substance abuse, the availability of rehabilitation and treatment programs, the legal aspects of substance abuse, and Board policy and regulations on substance abuse.

Outreach to Parents *N.J.S.A. 18A:40A-16; N.J.A.C. 6:29-6.3(c)7*

The Board will provide a program of outreach to parents or legal guardians of pupils that includes information on the district's substance abuse curriculum, the identification of substance abusers, and rehabilitation organizations and agencies. The Superintendent is directed to develop the program in consultation with local agencies recommended by the Commissioner and to offer the program at times and in places convenient to parents or legal guardians on school premises or in other suitable facilities.

Nonpublic School Pupils *N.J.S.A. 18A:40A-5, 18A:40A-17c*

The Board will lend to pupils attending nonpublic schools located in this district and to the parents or legal guardians of such pupils' educational materials on substance abuse prepared and supplied by the Commissioner. The loan of such materials shall be at no cost to the district.

Civil Immunity

*N.J.S.A. 18A:40A-13, 18A:40A-14; N.J.A.C. 6:29-6.5(c)*

No civil action of any kind 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.

Any employee who in good faith reports a pupil to the Principal, the Principal's designee, the school medical inspector, or the school nurse shall not be liable in civil damages as a result of making any such report.

Drug Free School Zones *N.J.A.C. 6:29-6.3(c)6*

The Board will cooperate with law enforcement drug operations and activities on or near school property in accordance with N.J.A.C. 6:29-10 et seq. and Policy No. 9322, Drug Free School Zones.

Policy Review and Accessibility

*N.J.S.A. 18A:40A-10; 18A:40A-11  
N.J.A.C. 6:29-6.3(b); 6:29-6.3(d); 6:29-6.4*

The Board will annually review the effectiveness of this policy in consultation with appropriate teaching staff members, a local agency approved by the State Department of Health, and community representatives.

This policy and its implementing regulations shall be made available annually, at the beginning of the school year, to all school employees, pupils, and parents or legal guardians. Each newly hired employee and transferred pupil will be offered this policy and implementing regulations on his or her arrival in the district.

The Superintendent is directed to establish regulations implementing this policy. Such regulations shall include (1) specific procedures, sanctions and due process provisions for violations of this policy, with sanctions graded according to the severity of the offense; (2) specific procedures for and responsibilities of staff in initiating or conducting searches and seizures of pupils, their property and personal effects, all in strict accordance with law; (3) provisions for maintaining confidentiality of information as described above; and (4) such other provisions as are necessary to implement this policy.

N.J.S.A. 18A:40A-1 et seq.  
N.J.A.C.6:29-6.1 et seq.

Cross References: 2422, 2460, 5500, 5600,  
5610, 5620, 8441, 9322

First Reading: March 12, 2001  
Second Reading: March 19, 2001  
Adopted: April 2, 2001

## **Policy 8467 – Prohibition of Weapons**

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

OPERATIONS  
8467  
Prohibition of Weapons  
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### **8467 – PROHIBITION OF WEAPONS**

As part of its commitment to providing an educational environment that is safe, secure and conducive to learning, the Board of Education prohibits the possession and/or use of firearms, other weapons or instruments that can be used as weapons, on school property, on a school bus, at any school-sponsored function, or while en route to or from school or any school-sponsored function. A decision to bring a weapon into a school environment endangers the school community and undermines the purposes that our schools serve. Pupils found to have violated this policy shall be subject to significant, punitive disciplinary action.

#### **Terms**

For the purpose of this policy “weapon” is defined as anything capable of inflicting physical harm. This definition includes, but is not limited to, all:

1. firearms, even though not loaded or lacking a clip or other component to render them immediately operable and imitation firearms which are objects or devices reasonable capable of being mistaken for a firearm;
2. components that can be readily assembled into a weapon;
3. knives, including switchblades, daggers, dirks, stilettos, pocket knives, billies, blackjacks, bludgeons, chains, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood;
4. box cutters, razors;
5. stun guns, and any weapon or other device which projects, releases, or emits tear gas or any other substance which produces temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.

#### **Reports to Superintendent and law enforcement authorities**

Any student found or observed on school property, on a school bus, or at a school-sponsored function in possession of a weapon shall be reported to the principal or the principal's designee immediately. Except as set forth below, the principal shall remove the pupil immediately from the school's regular education program pending a hearing before the Board. The principal shall promptly inform the Superintendent and provide all known information concerning the matter, including the identity of the student involved. As required by law, the Superintendent shall notify the appropriate law enforcement officials. The Superintendent may, at his/her discretion, notify law enforcement officials when not required by law, as he/she deems appropriate.

#### **Disciplinary action required**

Disciplinary action shall be taken against students who are found to have possessed, handled, transmitted or used weapons. As described in Board policies 5600, 5610, 5611 and 5620, due process will be provided, including the right to a formal hearing before the Board. Firearms possession on any school property, on a school bus, at a school-sponsored function or while en route to or from school or any school-sponsored function will result in removal for a period of not less than one calendar year. When warranted, the maximum penalty of expulsion from school may be imposed. Except as set forth below, a pupil found to have possessed a weapon other than a firearm shall be suspended from school for a minimum of two calendar months.

A limited exception to the reporting and disciplinary action requirements may be provided when circumstances warrant. Where mitigating circumstances exist, the principal shall consult with the Superintendent, who may grant the principal the discretion to impose a penalty within the principal's authority. In such cases the Board of Education shall be notified in writing no later than the end of the month in which the exception is granted.

The Superintendent or his/her designee shall determine whether a pupil who completes a long-term suspension for a firearms offense is prepared to return to the regular education program. If the Superintendent or his/her designee determines that the pupil is not prepared to return to the regular education program at that time, the pupil shall remain on home instruction, in an alternative education program, or in another suitable facility or program in accordance with procedures established by the Commissioner of Education.

### **Implementation and Publication of Policy**

The Board directs the Superintendent to develop and publish regulations to implement this policy. At the beginning of each school year, all students and their parents or guardians shall be provided with materials that explain this policy, its requirements and the consequences for pupils who violate the policy and the regulations that support it.

N.J.S.A. 2C:39-1 et seq.; 2C:58-6.1; 18A:37-2.1 through 12; 23:4-16  
18 U.S.C. 921

Cross Reference: 2460, 5600, 5610, 5611, 5612, 5620

First Reading: January 6, 2003  
Second Reading: January 27, 2003  
Adopted: January 27, 2003

## **Community Based Health and Social Services Provider Agencies**

A current list of community-based health and social service provider agencies that are available to support a student and a student’s family as well as a list of legal resources available to serve the community is found in the Community Resource Guide published by The Parenting Center of the South Orange-Maplewood School District. This guide is available in each school and may be downloaded from the web at: <http://theparentingcenter.info/>

What follows are some, but not all, of the resources available:

<b>HOTLINES</b>	
<b>Addiction of NJ</b>	1-800-238-2333
<b>Baby Land Family Services/Domestic Violence Hotline</b>	1-973-848-4446
<b>Crisis Prevention/Suicide</b>	1-973-672-9685
<b>ER St. Barnabas Hospital</b>	1-973-322-5180
<b>FBI</b>	1-973-792-3000
<b>Gamblers Anonymous</b>	1-877-994-2465
<b>Help Line</b>	1-973-763-HELP
<b>Narcotics Anonymous</b>	1-800-992-0401
<b>National Runaway Switchboard</b>	1-800-RUNAWAY
<b>NJ AIDS Hotline</b>	1-800-624-2377
<b>NJ Child Abuse Reports</b>	1-877-652-2873
<b>Parents Anonymous/Family Helpline</b>	1-800-843-5437
<b>Poison Control Center</b>	1-800-POISON
<b>Police-Fire-Medical</b>	911



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[www.southorangemaplewood.org](http://www.southorangemaplewood.org) or [www.somsd.k12.nj.us](http://www.somsd.k12.nj.us)