

# POLICY

NUTLEY  
SCHOOL DISTRICT

PROGRAM  
2110/page 1 of 2  
Philosophy of Education/  
District Mission Statement

## 2110 PHILOSOPHY OF EDUCATION/DISTRICT MISSION STATEMENT

Free public education for all children is a cornerstone of a democratic society that values the worth and dignity of each individual. The primary goal of this Board of Education shall be to offer each child in this district the educational opportunity that will enable him/her to function politically, economically, and socially in that democratic society.

The Board, as the agent responsible for the education of the children of the district, will provide a planned program of learning that incorporates into its curriculum the lessons and experiences, within and without the classroom, needed to realize the educational goals of this district. The Board appreciates the need for constant improvement of the instructional program and will strive unremittingly to provide an educational system that assists each pupil in becoming a self-respecting individual who can function effectively and satisfyingly.

It is the expectation of this school district that all pupils achieve the New Jersey Core Curriculum Content Standards at all grade levels.

The Board will seek out and work cooperatively with the available resources of home and community including business and industry, in the improvement of the educational program.

The Board will endeavor to employ a high caliber, well-prepared staff of adequate size and wide-ranging abilities. Moreover, the Board will provide pupils and staff, as needs dictate and means permit, with adequate educational supplies, equipment, and facilities.

The purpose of education in the schools of this district is to facilitate the development of each child to his/her greatest potential. The school staff shall recognize individual differences among pupils and encourage their achievement and progress, not only in basic skills but in the ability to think independently and critically. The school staff shall help pupils to understand our democratic society; to believe in it and to act fairly in their relationships with others; to develop in themselves attitudes of respect and

PROGRAM  
2110/page 2 of 2  
Philosophy of Education/  
District Mission Statement

helpfulness toward others; to want, and to be able to perform well, some portion of the work of the world; to acquire knowledge and skills necessary to do this with satisfaction to themselves and society; to understand and use effective methods in framing the questions and tackling the problems that they encounter in their lives to the end that they may function politically, economically, and socially in a democratic society.

Adopted: 03 May 2004  
Revised:

# POLICY

NUTLEY

SCHOOL DISTRICT

PUPILS

5512.01/page 1 of 11

Harassment, Intimidation, and Bullying

## 5512.01 HARASSMENT, INTIMIDATION, AND BULLYING

### Policy Statement

The Board of Education prohibits acts of harassment, intimidation, or bullying. A safe and civil environment in school is necessary for pupils to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil's ability to learn and a school's ability to educate its pupils in a safe environment; and since pupils 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.

"Harassment, intimidation, or bullying" means any gesture, 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 and that:

1. Is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or
2. By any other distinguishing characteristic; and
3. A reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of harm to his/her person or damage to his/her property; or
4. 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.

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

Acts of harassment, intimidation, or bullying may also be a pupil exercising power and control over another pupil, either in isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

The Policy will impose consequences for acts of harassment, intimidation, or bullying that occur off school grounds, such as cyber-bullying (e.g., the use of electronic or wireless devices to harass, intimidate, or bully), to the extent this Policy complies with the provisions of N.J.A.C. 6A:16-7.6, Conduct Away from School Grounds, and the district's pupil code of student conduct, pursuant to N.J.A.C. 6A:16-7.1. In all instances of harassment, intimidation, or bullying behavior occurring off school grounds, the consequences only may be exercised when it is reasonably necessary for the pupil's physical or emotional safety and well-being or for reasons relating to the safety and well-being of other pupils, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of a proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. All acts of harassment, intimidation, or bullying that include the use of school property (e.g., school computers, other electronic or wireless communication devices) apply to the provisions of N.J.S.A. 18A:37-15 and N.J.A.C. 6A:16-7.9, harassment, intimidation, and bullying, whether the subject or recipient of the bullying is on or off school property.

#### Expected Behavior

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

The Board believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parent(s) or legal guardian(s), staff and community members, producing an atmosphere that encourages pupils 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 pupils, staff and community members.

The Board believes the best discipline is self-imposed, and it is the responsibility of school district staff to use disciplinary situations as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent discipline problems and encourage pupils' abilities to grow in self-discipline.

General guidelines for pupil conduct will be developed by the Superintendent, in conjunction with school staff, and approved by the Board. These guidelines will be developed based on accepted core ethical values from a broad community involvement with input from parent(s) or legal guardian(s) and other community representatives, school employees, volunteers, pupils and administrators. These guidelines for pupil conduct will be suited to the age level of the pupils and the mission and physical facilities of the individual school(s) in the district. This Policy requires all pupils in the district to adhere to these rules and guidelines and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules and guidelines.

The district prohibits active or passive support for harassment, intimidation, or bullying. Pupils are encouraged to support other pupils who walk away from these acts when they see them, constructively attempt to stop them, and report these acts to the Building Principal or designee.

Pupils are required to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to school district teaching, support and administrative staff. Each school Principal will develop and provide a school-based program for appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success.

The Superintendent will provide annually to pupils and their parent(s) or legal guardian(s) the rules of the district regarding pupil conduct, pupil's due process and other rights. This Policy will appear in all publications of the school district's comprehensive rules, procedures and standards of conduct for school(s) within the district, including pupil handbooks. Provisions will be made for informing parent(s) or legal guardian(s) whose primary language is other than English.

### Consequences and Appropriate Remedial Actions

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

#### Factors for Determining Consequences

1. Age, developmental and maturity levels of the parties involved;
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 Remedial Measures

##### Personal

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

Environmental

1. School culture;
2. School climate;
3. Pupil-staff relationships and staff behavior toward the pupil;
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 and appropriate remedial action for pupils who commit acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as set forth in the Board adopted Pupil Discipline/Code of Conduct. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, and protect the victim of the act. 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. After-school programs;

8. Out-of-school suspension;
9. Legal action; and
10. Expulsion.

Examples of Remedial Measures - Personal

1. Restitution and restoration;
2. Mediation;
3. Peer support group;
4. Recommendations of a pupil behavior or ethics council;
5. Corrective instruction or other relevant learning or service experience;
6. Supportive pupil interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
7. Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
8. Behavioral management plan, with benchmarks that are closely monitored;
9. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
10. Involvement of school disciplinarian;
11. Pupil counseling;
12. Parent conferences;
13. Pupil treatment; or
14. Pupil therapy.

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

1. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying;
2. School culture change;

3. School climate improvement;
4. Adoption of research-based, systemic bullying prevention programs;
5. School policy and procedures revisions;
6. Modifications of schedules;
7. Adjustments in hallway traffic;
8. Modifications in pupil routes or patterns traveling to and from school;
9. Targeted use of monitors (e.g., hallway, cafeteria, bus);
10. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
11. General professional development programs for certificated and non-certificated staff;
12. Professional development plans for involved staff;
13. Disciplinary action for school staff who contributed to the problem;
14. Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
15. Parent conferences;
16. Family counseling;
17. Involvement of parent-teacher organizations;
18. Involvement of community-based organizations;
19. Development of a general bullying response plan;
20. Recommendations of a pupil behavior or ethics council;
21. Peer support groups; and
22. Law enforcement (e.g., school resource office, juvenile officer) involvement.

N.J.A.C. 6A:16-7.9(a)2.vi requires appropriate consequences and remedial actions for any staff member who commits an act of harassment, intimidation, or bullying.

#### Reporting Procedure

Complaints alleging violations of this Policy shall be reported to the Principal or designee. All school employees as well as all other members of the school community including pupils, parent(s) or legal guardian(s), volunteers, and visitors are required to report alleged violations of this Policy to the Principal or designee. While submission of an Incident Report Form to the Principal or designee is not required, the reporting party is encouraged to use the Incident Report Form available from the Building Principal or available at the school district's administrative offices. Oral reports will also 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.

A school employee who promptly reports an incident of harassment, intimidation, or bullying in accordance with this Policy, 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, as set forth in N.J.S.A. 18A:37-16.c.

#### Investigation

The Principal or designee is responsible for determining whether an alleged act constitutes a violation of this Policy. The Principal or designee shall conduct a prompt, thorough and complete investigation of the alleged incident. The Principal or designee will maintain a record of each investigation regarding allegations of harassment, intimidation, and bullying.

#### Response to an Incident of Harassment, Intimidation, or Bullying

An appropriate response will be provided to the individual who commits any incident of harassment, intimidation, or bullying. Some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school respond appropriately to the individual(s) committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation, or bullying that require a response either at the classroom, school building or school district level or by law enforcement officials.

Consequences and appropriate remedial actions for pupils who commit an act of harassment, intimidation, or bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions.

In considering whether a response beyond the individual level is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. The school district's responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff. The district's responses may also include participation of parent(s) or legal guardian(s) and other community members and organizations, small or large group presentations for fully addressing the actions and the school district's response to the actions, in the context of acceptable pupil behavior and the consequences of such actions, and the involvement of law enforcement officers, including school resource officers. The district will also make resources available to individual victims of harassment, intimidation, and bullying.

#### Reprisal or Retaliation Prohibited

The Board prohibits reprisal or retaliation against any person 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 Principal or designee 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.

#### Consequences for False Accusation

The Board prohibits any person from falsely accusing another as a means of harassment, intimidation, or bullying. Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation, or bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Pupils 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.

Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of harassment, intimidation, or bullying shall be disciplined in accordance with district policies, procedures, and agreements.

Consequences and appropriate remedial action for a visitor or volunteer, found to have falsely accused another as a means of harassment, intimidation, or bullying shall be determined by the Principal or designee, after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

#### Policy Publication

This Policy will be disseminated annually to all school staff, pupils, parent(s) or legal guardian(s), along with a statement explaining the Policy applies to all applicable acts of harassment, intimidation, and bullying that occur on school property, at school-sponsored functions or on a school bus. A range of options may be implemented by the school district for publicizing this Policy to include, but not limited to, publishing in pupil handbooks that are provided to pupils and parent(s) or legal guardian(s).

#### Harassment, Intimidation, and Bullying Prevention Programs

Pursuant to N.J.S.A. 18A:37-17.c and N.J.A.C. 6A:16-7.9(d)1.i, information regarding the district's Harassment, Intimidation, and Bullying Policy shall be incorporated into a school's employee training program.

Pursuant to N.J.A.C. 6A:16-7.9(d)3, the district is required to annually review the extent and characteristics of harassment, intimidation, and bullying behavior in the schools of the district and implement locally determined programmatic or other responses, if determined appropriate by the district Board of Education.

Pursuant to N.J.A.C. 6A:16-7.9(d)1, the school district is required to annually review the training needs of district staff for the effective implementation of the harassment, intimidation, and bullying policy, procedures, programs, and initiatives of the district Board of Education and implement locally determined staff training programs consistent with the annual review of training needs and the findings of the annual review and update of the code of pupil conduct, pursuant to N.J.A.C. 6A:16-7.1(a)3, as determined appropriate by the district Board of Education.

Pursuant to N.J.A.C. 6A:16-7.9(d)2, the school district is required to develop a process for annually discussing the school district's harassment, intimidation, and bullying policy 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.

N.J.S.A. 18A:37-13 through 18A:37-19  
N.J.A.C. 6A:16-7.9 et seq.

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Revised:

# POLICY

## NUTLEY SCHOOL DISTRICT

FINANCES  
6422/page 1 of 2  
Budget Transfers

### 6422 BUDGET TRANSFERS

Except as otherwise provided pursuant to N.J.S.A. 18A:22-8.1 and N.J.A.C. 6A:23-2.11, whenever a school district desires to transfer amounts among line items and program categories, the transfers shall be by resolution of the Board approved by a two-thirds affirmative vote of the authorized membership of the Board.

However, this Board of Education in accordance with this Policy as adopted by the Board, designates the Superintendent to approve such transfers as are necessary between meetings of the Board. Transfers approved by the Superintendent shall be reported to the Board, ratified and duly recorded in the minutes at a subsequent meeting of the Board, but not less than monthly.

Transfers of surplus amounts or any other unbudgeted or under budgeted revenue to line items and program categories shall require the approval of the Commissioner of Education and shall only be approved between April 1 and June 30 for line items and program categories necessary to achieve the thoroughness standards established pursuant to subsection a. of section 4 of P.L. 1996, c. 138 (18A:7F-4); except that upon a two-thirds affirmative vote of the authorized membership of the Board, the Board may petition the Commissioner of Education for authority to transfer such revenue prior to April 1 due to an emergent circumstance and the Commissioner may authorize the transfer if he determines that the transfer is necessary to meet such emergency.

Transfers from any general fund appropriation account that, on a cumulative basis, exceed 10% of the amount of the account included in the school district's budget as certified for taxes shall require the approval of the Commissioner of Education. In a school district wherein the Commissioner of Education has directed an in-depth evaluation pursuant to N.J.S.A. 18A:7A-14, the Board shall obtain the written approval of the County Superintendent of Schools prior to implementing any Board authorized transfer of funds.

No transfer may be made under N.J.S.A 18A:22-8.1 from appropriations or surplus accounts for interest and debt redemption charges, capital reserve account or items classified as general fund expenses except to other items so classified, or to the capital projects fund to supplement the proceeds from a bond authorization or lease purchase agreement upon application to and a formal finding by the Commissioner that the transfer is in the best interest of both the pupils and taxpayers of the district after consideration of alternative corrective actions.

N.J.S.A. 18A:22-8.1; 18A:22-8.2  
N.J.S.A. 6A:23-2.11

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# POLICY

## NUTLEY SCHOOL DISTRICT

OPERATIONS  
8461/page 1 of 2  
Reporting Violence, Vandalism,  
Alcohol, and Other Drug Abuse

### 8461 REPORTING VIOLENCE, VANDALISM, ALCOHOL, AND OTHER DRUG ABUSE

The Board of Education shall observe "School Violence Awareness Week" during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for pupil discussion on conflict resolution, issues of pupil diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession and/or distribution of alcohol or other drugs on school grounds, and any school employee who reports a pupil for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS).

The Building Principal, for each incident report of violence, vandalism, alcohol, or other drug abuse, shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.

The majority representative of the school employees' bargaining units shall have monthly access to the number and disposition of all reported acts of school violence and vandalism, pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.

OPERATIONS  
8461/page 2 of 2  
Reporting Violence, Vandalism,  
Alcohol, and Other  
Drug Abuse

The Superintendent annually shall submit a report to the Commissioner of Education of each incident of violence, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS in accordance with the requirements of N.J.A.C. 6A:16-5.3(e)1 through (e)3.

At an annual hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence and vandalism and incidents of alcohol and other drug abuse that occurred during the previous school year, according to the provisions of N.J.S.A. 18A:17-46.

Whenever it is alleged a school employee has knowingly falsified the annual report on violence and vandalism required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(g)2. Upon a determination by the Board that an employee has knowingly falsified the annual violence and vandalism report, the Board may take appropriate action as outlined in N.J.A.C. 6A:16-5.3(g)3. Any action taken by the Board shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. Any employee having been found responsible for the falsification of the annual report by the Board shall have the right to file a grievance under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

N.J.S.A. 18A:17-46; 18A:36-5.1  
N.J.A.C. 6A:16-5.2; 6A:16-5.3

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