

# BYLAW GUIDE

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Board Member Use of Social Networks  
Dec 17

[See **POLICY ALERT No. 214**]

## 0169.02 BOARD MEMBER USE OF SOCIAL NETWORKS

In accordance with the School Ethics Act - N.J.S.A. 18A:12-21 et seq., Board of Education members must avoid conduct which is in violation of the public trust or which creates a justifiable impression among the public that such trust is being violated. To avoid conduct that may be in violation or perceived to be in violation of the School Ethics Act, the Board of Education adopts this Policy to provide guidance to Board members in their use of social networks.

For the purposes of this Policy, “social network(s)” shall include, but not be limited to: Internet blogs, electronic bulletin boards, emails, social networking websites, text messages, or any other online platform where people may post or communicate interests, opinions, or any other information that may be viewed by others with or without permission from the person making such post or re-publishing such post. “Social networks” also means an Internet-based service that allows individuals to: construct a public or semi-public profile within a bounded system created by the service; create a list of other users with whom they share a connection within the system; and view and navigate their list of connections and those made by others within the system.

For the purposes of this Policy, “use of a social network” shall include, but not be limited to: posting to a social network, reposting another person’s post to a social network, messaging, or any other publication of material on a social network.

Nothing in this Policy prevents a Board of Education member from using a social network. However, a Board member must avoid conduct on a social network that would violate the School Ethics Act – N.J.S.A. 18A:12-21 et seq., which includes the Code of Ethics for Board Members. Board members should be advised communications, publications, photographs, and any other information posted by the Board member or reposted by the Board member on a social network could violate the School Ethics Act and be cause for sanctions in accordance with the law.



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While this Policy respects the right of Board members to use social networks, Board members shall recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. A Board member's use of social networks shall not damage the reputation of the school district, employees, students, or their families. Board members who use social networks shall ensure their conduct is appropriate for a Board of Education member. Board members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding what is private in the digital world often has the possibility of becoming public, even without their knowledge or consent.

Board members should carefully review the privacy settings on social networks they use and exercise care and good judgment when posting content and information. When using social networks, Board members are advised to:

1. Not post anything that would violate any of the district's policies for Board members;
2. Uphold the district's value of respect for any individual(s) and avoid making defamatory statements about the Board of Education, the school district, employees, students, or their families;
3. Not disclose any confidential information about the school district or confidential information obtained as a result of being a Board member, about any individual(s) or organization, including students and/or their families;
4. Not use or refer to their Board of Education title or position when soliciting for a business organization that he or she or any immediate family member has an interest in, as well as posting or referencing any confidential information regarding the Board of Education or the school district obtained through their Board membership, unless authorized by law;
5. Refrain from having communications through social networks with other Board members regarding any Board of Education business to avoid any potential violation of the New Jersey Open Public Meetings Act;



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Board Member Use of Social Networks

6. Not respond to any postings regarding Board of Education or school district business or respond to any question or inquiry posted to the Board member or posted on any social network regarding Board of Education or school district business and shall refer any such questions or inquiries to the Superintendent of Schools to address, as appropriate; or
7. Not post any information on a social network determined by the New Jersey School Ethics Commission to be a violation of the New Jersey School Ethics Act.

A Board member shall comply with all Board policies regarding acceptable use of computers and computer networks whenever a Board member is using a Board of Education electronic device.

If the Board or Superintendent believes a Board member's activity on any social network may violate the Board's policies or the New Jersey School Ethics Act, the Board or Superintendent may request the Board member cease such activity.

This Policy has been developed and adopted by this Board to provide guidance and direction to a Board member to avoid actual and/or a perceived appearance of inappropriate conduct or conduct prohibited by the School Ethics Act while using social networks.

N.J.S.A. 18A:12-21 et seq.  
N.J.S.A. 10:4-6 et seq.



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Adopted:



# POLICY GUIDE

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STUDENTS

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## Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

Mar 18

M

[See POLICY ALERT Nos. 192 and 215]

### 5561 USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES

The Board of Education strives to provide a safe, caring atmosphere that supports all students in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain or seclude a student with a disability in accordance with N.J.S.A. 18A:46-13.4 through 13.7.

For the purposes of this Policy:

"Physical restraint" means the use of a personal restriction that immobilizes or reduces the ability of a student to move all or a portion of his or her body.

"Seclusion technique" means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, but does not include a timeout.

"Timeout" means a behavior management technique that involves the monitored separation of a student in a non-locked setting, and is implemented for the purpose of calming.

A school district, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. A student is not restrained in the prone position, unless the student's primary care physician authorizes, in writing, the use of this restraint technique;



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## Use of Physical Restraint **and Seclusion** Techniques for Students with Disabilities

3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board of Education to be qualified to provide such training, and that the training is updated at least annually;
4. The parent of a student is immediately notified when physical restraint is used on that student. This notification may be by telephone or electronic communication. A full written report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;
5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

A school district, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;



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### Use of Physical Restraint **and** Seclusion Techniques for Students with Disabilities

2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure that it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

The New Jersey Department of Education shall establish guidelines for school districts, educational services commissions, and APSSDs to ensure that a review process is in place to examine the use of physical restraints or seclusion techniques in emergency situations, and for the repeated use of these methods for an individual child, within the same classroom, or by a single individual. The review process shall include educational, clinical, and administrative personnel. Pursuant to the review process the student's individualized education plan team may, as deemed appropriate, determine to revise the behavior intervention plan or classroom supports, and a school district, educational services commission, or APSSD may determine to revise a staff member's professional development plan pursuant to N.J.S.A. 18A:46-13.7.

N.J.S.A. 18A:6-1; 18A:46-13.4; 18A:46-13.5; 18A:46-13.6; 18A:46-13.7



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Adopted:





**5610 SUSPENSION (M)**

**[See POLICY ALERT No. 140, 144, 147, 176, 203 and 212]**

**M**

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. 18A:37-4, 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 accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature that endangers others. Students in preschool shall not receive an out-of-school suspension except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq.

The district shall implement an early detection and prevention program to identify students in preschool through grade two who are experiencing behavioral or disciplinary problems and provide behavioral supports for these students which may include, but not be limited to, remediation of problem behaviors,

positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

**Optional**

[The Board's failure to take any such action at its second regular meeting after the suspension or at any regular meeting thereafter will terminate the suspension, and the student shall be readmitted to school.]

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.

In each instance of a long-term suspension, the district shall assure the rights of the student pursuant to N.J.A.C. 6A: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 New Jersey Student Learning 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.S.A. 18A:54-20g [vocational districts]

N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Adopted:

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## **STRAUSS ESMAY ASSOCIATES**

STUDENTS

5610 SUSPENSION (M)

5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES (M)**M**

[See **POLICY ALERT** Nos. 135, 144, 147, 158 and 203]

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.

Policy and Regulation 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 school grounds. A student, other than a student with a 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. 6A:16-9. A student with a disability convicted or adjudicated delinquent 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 final 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 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 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

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### **5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES (M)**

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 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; 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:

5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES (M)**M****[See POLICY ALERT No. 158 and 203]**

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 student's parent or appropriate agency takes custody of the student. The Principal or designee will immediately report to the Superintendent the removal of the student and notify 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

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### **5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES (M)**

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.

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:

## 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES (M)

5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES (M)

[See **POLICY ALERT No. 203**]

**M**

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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## **5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES (M)**

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:

**5620 EXPULSION (M)**

**[See POLICY ALERT Nos. 101, 140, 147, 166, 170, 176, 203 and 212]**

**M**

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 following:

1. 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
2. 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.
  - a. The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 - Program Criteria; N.J.A.C. 6A:16-10.2 - Home or Out-of-School Instruction for General Education Students; N.J.A.C. 6A:14-2.1 et seq. - Special Education, Procedural Safeguards; and N.J.A.C. 6A:14-4.3 et seq. - Special Education, Program Options, whichever are 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 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.

In accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not be expelled from school, except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq. Students in preschool shall not be expelled, except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq.

The district shall implement an early detection and prevention program to: identify students in preschool through grade two who are experiencing behavioral or disciplinary problems; and provide behavioral

supports for these students which may include, but not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

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 et seq.

N.J.S.A. 18A:36A-9; 18A:37-2; 18A:37-2a; 18A:37-2b

N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted:

5860 SAFETY PATROL (M)**M**

[See **POLICY ALERT No. 171**]

The Board of Education recognizes the value of a school safety patrol as a means of preventing accidents, instructing students in good habits, and providing opportunities for leadership training.

The Board authorizes the establishment of a school safety patrol of students

**Choose only one of the following alternatives:**

  X   in grade(s)   6  .

       who have attained the age of                      years.

All eligible students may apply for appointment to the safety patrol. No student may serve without the written consent of his/her parent(s) or legal guardian(s). All applicants must acknowledge the possible hazards of safety patrol duty and agree that in the case of injury no liability will be attached to the Board or to any employee of this Board. Selection among applicants will be made on the basis of the applicant's demonstrated sense of responsibility, good citizenship, leadership capacity, maturity, and academic proficiency. Members of the safety patrol must attend a training program before they may assume duties. Safety patrol members shall serve for 1 school year. A member may be removed from the safety patrol for violation of school rules or failure to maintain the high standard of conduct expected of school safety patrol members.

Members of the school safety patrol may be assigned to control and direct student traffic on school grounds, on school buses, on sidewalks and paths adjacent to a street or roadway, and across streets and roadways. No school safety patrol member shall be permitted to direct or place himself or herself in the path of vehicular traffic.

All students shall be instructed to respect the authority of school safety patrol members in the performance of their duties.

No liability shall attach to the Board or any person holding office, position or employment under the Board, by virtue of the organization, maintenance or operation of a school safety patrol organized, maintained, and operated under authority of N.J.S.A. 18A:42-1.

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5860 SAFETY PATROL (M)

N.J.S.A. 18A:42-1

N.J.A.C. 6A:26-12.2(a)3.

Adopted:

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PROPERTY  
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Lead Testing of Water in Schools  
Dec 17

[See POLICY ALERT No. 214]

## 7425 LEAD TESTING OF WATER IN SCHOOLS

The health, safety, and welfare of the children in the school district are of utmost importance to the Board of Education. The potential exposure to lead-contaminated drinking water poses serious health problems, particularly for children, as well as for teachers and school personnel, since the risk of lead contamination can come from pipe and plumbing fixtures in school facilities or on school grounds. The Board shall assure the availability of potable drinking water through sanitary means in school facilities or on school grounds. The Board of Education shall provide, in accordance with N.J.A.C. 6A:26-12.4, testing for lead in all district sources of drinking water.

The Board shall conduct lead sampling and analysis in all drinking water outlets to which a student or staff member has or may have access in each school facility, other facility, or temporary facility, as soon as practicable, but no later than July 13, 2017, unless the district qualifies for an exemption in accordance with N.J.A.C. 6A:26-12.4(d)(h)(i). This testing shall be conducted with a lead sampling plan in accordance with N.J.A.C. 6A:26-12.4(d)1, 2, and 3, and shall be in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1.

Within twenty-four hours after the Board or designee has completed a review of final laboratory results in accordance with the provisions of N.J.A.C. 6A:26-12.4(e), the test results shall be made publicly available at the school facility and on the Board of Education's website. If any results exceed the permissible lead action level, the Board shall provide written notification to the parents of all students attending the facility, facility staff, and the New Jersey Department of Education. This notification shall include: a description of the measures taken by the Board or designee to immediately end the use of each drinking water outlet where the water quality exceeded the permissible lead action level; the measures taken to ensure that alternate drinking water has been made available to all students and staff members; and information regarding the health effects of lead in accordance with N.J.A.C. 6A:26-12.4(e)1 and 2. After the initial screening, the Board will conduct these lead screenings every six years and shall sample for lead after the replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet, in accordance with N.J.A.C. 6A:26-12.4(f)1 and 2.



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PROPERTY  
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Lead Testing of Water in Schools

The Board shall submit to the New Jersey Department of Education by June 30 of each year a statement of assurance, that the school district completed lead testing in accordance with N.J.A.C. 6A:26-12.4; that notifications were provided consistent with N.J.A.C. 6A:26-12.4; and that alternative drinking water continues to be made available to all students and staff, if necessary, pursuant to N.J.A.C. 6A:26-12.4(g).

The Board may apply for reimbursement for the costs of any water supply testing and analysis conducted, in accordance with N.J.A.C. 6A:26-12.4(j).

N.J.S.A. 58:12A-1 et seq.  
N.J.A.C. 6A:26-12.4



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Adopted:





7440 SCHOOL DISTRICT SECURITY (M)

[See **POLICY ALERT Nos. 96 and 214**]

**M**

The Board of Education believes the buildings and facilities of the school district represent a substantial community investment. The Board directs the development and implementation of a plan for school district security to protect the school community's investment in the school buildings and facilities.

The school district security program will include: maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and compliance with safe practices in the use of electrical, plumbing, heating, and other school building equipment. The Board directs close cooperation of district officials with law enforcement, fire officials, and other emergency agencies.

The Superintendent of Schools shall designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist certification in accordance with the provisions of N.J.S.A. 18A:17-43.2. The School Safety Specialist shall also serve as the school district's liaison with local law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

Access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained access improperly.

Building records and funds shall be kept in a safe place and secured as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of school resource officers, school security officers, and/or law enforcement officers in situations in which special risks are involved.

N.J.S.A. 18A:17-43.1; 18A:17-43.2; 18A:17-43.3

Adopted:

7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS (M)

[See **POLICY ALERT Nos. 177 and 214**]

**M**

The Board of Education authorizes the use of electronic surveillance systems in school buildings and on school grounds to enhance the safety and security for school district staff, students, community members, and other building occupants and to protect the school district's buildings and grounds.

The content produced by the surveillance system under certain circumstances may be considered a student record and if so it will be subject to the Board of Education policy and regulation regarding confidential student records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding.

In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education shall enter into a Memorandum of Understanding (MOU) with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video. The MOU shall include the provisions of N.J.S.A. 18A:41-9 and any additional information required by law enforcement officials. In the event the parties to the MOU are unable to reach an agreement regarding any provision required to be included in the MOU as per N.J.S.A. 18A:41-9a, the County Prosecutor shall make the final determination regarding that provision. Nothing in N.J.S.A. 18A:41-9 shall be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that does not have the ability to have live streaming video.

The Board of Education shall post signage in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used.

In addition to posting, the district shall notify school staff members, parent(s), and students that electronic surveillance may be used in school buildings and on school grounds through publication in student and staff handbooks, school calendars, notice sent home with students, or any other effective means to publish the district's use of electronic surveillance equipment in school buildings and on school grounds.

N.J.S.A. 18A:41-9

Adopted:

7523 SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STUDENTS

[See **POLICY ALERT No. 199**]

The Board of Education may provide technology devices to students in the district for school district authorized use only. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school district technology device provided to students of this district. For the purposes of this Policy, "technology device" or "device" shall include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school district provides to students to be used as part of their educational program.

A technology device made available to students will not be considered a textbook or supply, as defined in N.J.S.A. 18A:34-1, mandatory to a successful completion of the classroom curriculum. Therefore, because a technology device defined in this Policy is not mandatory to a successful completion of a student's classroom curriculum, a student will not be required to obtain a technology device provided by the school district as defined in this Policy. In the event the school district provides a technology device that is deemed mandatory to a successful completion of the classroom curriculum, the district will provide students with such a technology device consistent with its textbook or supply policies. Nothing in this Policy prohibits a student from using their personal technology device in accordance with school rules and regulations.

A technology device provided by the school district may include pre-loaded software. A student is prevented from downloading additional software onto the technology device or tampering with software installed on the technology device. Only school district authorized staff members may load or download software onto a school district provided technology device.

To receive a school district provided technology device, the parent and student must sign a School District Provided Technology Device Form requiring the parent and the student to comply with certain provisions. These provisions may include, but are not limited to:

1. A school district provided technology device must be used only by the student for school district authorized use;
2. A student shall comply with the school district's acceptable use of technology policies, which shall be attached to the School District Provided Technology Device Form, in their use of any school district provided technology device;
3. Any school district provided technology device loaned to a student must be returned to the school district in the condition it was initially provided to the student considering reasonable use and care by the student;

## 7523 SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STUDENTS

4. The parent or student shall be responsible to reimburse the school district the cost of any technology device that is lost, damaged beyond reasonable use or beyond its value, abandoned, missing, stolen, or cannot be returned to the district in accordance with the terms of the School District Provided Technology Device Form;
5. The district may require, or offer as an option, depending on the type of technology device provided to the student, an insurance policy to be purchased by the parent or student that would cover certain losses or damage to a technology device during the time period the student has possession of the device. The parent or the student shall pay any insurance policy required deductibles in the event of a loss;
6. In the event the school district does not require the purchase of an insurance policy for a technology device or the parent or student elects not to purchase optional insurance, the parent and/or student shall be responsible for any loss or damage to the technology device in accordance with the terms of the School District Provided Technology Device Form;
7. A student will be required to report any hardware or software problems in the operation of the device to the school district staff member, designated on the School District Provided Technology Device Form, within two school days of the commencement of the problem;
8. A student must report to the school district staff member designated on the School District Provided Technology Device Form within two school days in the event the technology device has been damaged or is missing;
9. A parent or student is required to immediately file a police report in the event it is believed the technology device has been stolen. Within one school day after filing a police report, a parent or student shall complete the School District Provided Technology Device Loss Form and submit the completed Loss Form and a copy of the police report to the Principal or designee;
10. A student shall be required to provide routine cleaning and care of the device in accordance with school district cleaning and care guidelines;
11. The student shall have the technology device in their possession in school as required; and
12. Any other provisions the Superintendent of Schools determines should be included on the School District Provided Technology Device Form.

**7523 SCHOOL DISTRICT PROVIDED TECHNOLOGY DEVICES TO STUDENTS**

The school district will provide the student and parent with written or electronic notification that the technology device provided by the school district may record or collect information on the student's activity or the student's use of the technology device if the device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the student's activity or use of the device. This notification shall also include a statement that the school district shall not use any of the capabilities in a manner that would violate the privacy rights of the student or any individual residing with the student. The parent shall be required to acknowledge receipt of this notification and the parent acknowledgement shall be retained by the Principal or designee for as long as the student retains the use of the school district provided technology device. The parent acknowledgement and a signed School District Provided Technology Device Form shall be required before the issuance of a technology device to a student. In accordance with the provisions of P.L. 2013, Chapter 44, a school district failing to provide this notification shall be subject to a fine of \$250 per student, per incident. The fine shall be remitted to the New Jersey Department of Education, and shall be deposited in a fund that shall be used to provide laptop or other portable computer equipment to at-risk students as defined in N.J.S.A. 18A:7F-45.

Students shall comply with all school district policies for the use of a school district provided technology device. A student shall be subject to consequences in the event the student violates any school district policy, including the district's acceptable use policies; student code of conduct; any provision of this Policy; or any provision of the School District Provided Technology Device Form.

N.J.S.A. 18A:34-1

P.L. 2013, Chapter 44 – "The Anti-Big Brother Act"

Adopted:

**8420 EMERGENCY AND CRISIS SITUATIONS (M)****M**

**See POLICY ALERT Nos. 140, 172, 189 and 191]**

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district will develop and implement written plans and procedures to provide for the protection of health, safety, security, and welfare of the school population; the prevention of, intervention in, response to and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and supportive services for staff, students, and their families.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and community resources, as appropriate, in the development of the school district's plans, procedures, and mechanisms for school safety and security. The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education and shall be reviewed annually, and updated as appropriate.

A copy of the school district's school safety and security plan shall be disseminated to all school district employees. New employees shall receive a copy of the school district's safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be briefed in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The school district shall develop and provide an in-service training program for all school district employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crisis, consistent with the school district's plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1. New employees shall receive this in-service training, as appropriate, within sixty days of the effective date of their employment. This in-service training program shall be reviewed annually and updated, as appropriate.

In accordance with N.J.S.A. 18A:41-1, at least one fire drill and one school security drill will be conducted each month within school hours, including any summer months, which the school is open for instructional programs. A school security drill means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a non-fire evacuation, lockdown, bomb threat, or active shooter situation that is similar in duration to a fire drill. Schools are required to hold a minimum of two active shooter, non-fire evacuation, bomb threat, and lockdown security drills annually. Fire alarm systems shall be initiated only during a fire drill evacuation. Responses made necessary by the unplanned activation of emergency procedures or by any other emergency shall not be substituted for a required school security drill.

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## **STRAUSS ESMAY ASSOCIATES**

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The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. Although these outside agencies are not required to observe school security drills, the Principal is encouraged to invite representatives from local law enforcement and emergency responder agencies to attend and observe at least four different security drills annually.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds as provided by the New Jersey Office of Homeland Security and Preparedness.

The school district will be required to annually submit a security drill statement of assurance to the New Jersey Department of Education by June 30 of each school year. Each school in the district will be required to complete a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3

N.J.S.A. 18A:41-1 et seq.

N.J.A.C. 6A:16-5.1; 6A:27-11.2

Adopted:

**8467 WEAPONS (M)****M**

**[See POLICY ALERT Nos. 113, 135, 144 and 147]**

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

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

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

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

Any 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 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



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

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

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

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

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

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

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

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

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

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

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

18 U.S.C. 921

20 U.S.C 1415

Adopted:

**8468 CRISIS RESPONSE**

**[See POLICY ALERT No. 145]**

The Board of Education recognizes its responsibility to be prepared to confront circumstances in which the physical and/or mental well-being of students, staff and other individuals on school grounds is threatened or overtly impacted upon by an individual or group of individuals. Situations at issue include, but are not limited to, acts of terrorism, hostage situations and other threats or acts of a violent nature. The Board further recognizes there is a need to deal with the aftermath of such events and circumstances, and to contend with the psychological trauma, pain and confusion which may ensue as the result of these events.

The Board establishes through the person of the Superintendent or his/her designee, a Crisis Team whose responsibility it shall be to act:

1. As a source of information;
2. As a vehicle through which direct services may be delivered;
3. In an advisory capacity to the Superintendent, or his/her designee, and/or other agents or agencies dealing with the crisis situation.

The Crisis Team shall consist of the following membership:

1. The Superintendent of Schools, or his/her designee;
2. An administrator from each of the schools within the district;
3. School Psychologist(s);
4. Guidance Counselor(s);
5. School Social Worker(s);
6. Director of Special Services and/or Guidance;
7. Director of Buildings and Grounds;
8. Teacher representative(s);

9. A representative of local/State Police;
10. A representative of local medical facility/hospital;
11. School Nurse;
12. Others as deemed appropriate to the function of the Crisis Team; e.g., a fire department representative, EMT specialist, other school or community representatives.

The Crisis Team shall be convened at least on an annual basis:

1. To review established policy and procedures;
2. To orient new members as to their responsibilities;
3. To maintain and reinforce lines of communication between the various disciplines and specialists who make up the Crisis Team.

Adopted:

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Breakfast Offer Versus Serve (OVS)  
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[See POLICY ALERT Nos. 202 and 214]

[For School Districts that Implement a Breakfast Offer Versus Serve Program]

## 8507 BREAKFAST OFFER VERSUS SERVE (OVS)

The Board of Education, to be in compliance with the Healthy Hunger Free Kids Act (HHFKA) of 2010, adopts this Offer Versus Serve (OVS) Policy. Offer Versus Serve is a Policy for Federally reimbursable meals that allows students to decline a certain number of food components in the meal to reduce plate waste and food cost. Board of Education approval to implement a Breakfast OVS Policy is optional at all grade levels. The provisions of the Breakfast OVS Policy shall be in accordance with the requirements of the HHFKA of 2010.

A school breakfast eligible for Federal reimbursement shall offer four food items from the three food components in the appropriate amounts per grade grouping:

- Fruit ~~or vegetable or juice~~ **(including optional vegetable);**
- ~~Milk; and~~ **Grains (including optional meat/meat alternate)**
- ~~Grains (including optional meat/meat alternate);~~ **Milk**

Students are allowed to decline one of the four food items offered, **but must select at least a half cup of either fruit or half cup of vegetable or half cup of a fruit/vegetable combination.**

**After taking the half cup fruit or half cup of vegetable or half cup of a fruit/vegetable combination, students must select at least two additional food items in the full amounts (per grade group requirements) to count toward the reimbursable offer versus serve meal.**

A student's decision to accept all four food items or to decline one food item shall not affect the price charged for the meal as the breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.



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Breakfast Offer Versus Serve (OVS)

School staff members cannot make exceptions to the Policy, such as requiring every student to take a particular food component. It is the student's choice to select any three or all four food items of the reimbursable meal.

At each school implementing this OVS Policy, school food service staff members will be trained annually on the provisions of the district's Breakfast OVS Policy.

**[Select One Option]**

☒ **X** Breakfast OVS will be implemented at the following schools: (List all schools in the district that will implement a Breakfast OVS Policy)

Lincoln Elementary School \_\_\_\_\_

Washington Elementary School \_\_\_\_\_

☐ Breakfast OVS will be implemented in all schools in the district.]

Adopted:

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Bus Driver/Bus Aide Responsibility

Dec 17

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[See POLICY MEMO No. 67]

[See POLICY ALERT Nos. 164, 205, 209 and 214]

## 8630 BUS DRIVER/BUS AIDE RESPONSIBILITY

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport students to and from school and school related activities must meet all requirements of N.J.S.A. 18A:39-17, 18, 19.1, and 20 and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

**“Employer” for the purposes of this Policy and Regulation means a Board of Education or a contractor that provides student transportation services under contract with the Board of Education. In the event the school district employs school bus drivers and bus aides and/or uses a contractor for transportation services, the “employer” for school district employed school bus drivers and bus aides shall be the Board of Education and the “employer” for contracted school bus drivers and bus aides shall be the contractor that provides student transportation under contract with the Board of Education.**

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1(c) ~~et seq.~~ and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a student’s record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1.

A Commissioner of Education-developed training program on proper procedures for interacting with students with special needs shall be administered **by the employer** to all school bus drivers and bus aides in accordance with the requirements of N.J.S.A. 18A:39-19.2. This training program must be administered in accordance with the provisions of N.J.S.A. 18A:39-19.3.a. and all school bus drivers and bus aides must file a certification with ~~the~~ **their employer** ~~Board of Education~~ that the individual has completed the training program within



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### Bus Driver/Bus Aide Responsibility

five business days of its completion. The **employer Board** shall retain a copy of the certificate for the duration of the individual's employment and shall file a copy of the certification to the Department of Education in accordance with the provisions of N.J.S.A. 18A:39-19.3.b.

School bus drivers and bus aides shall receive training in the use of a student's educational records and in their responsibility to ensure the privacy of the student and his or her records. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. **6A:27-11.1 et seq.** ~~6A:27-11.2(b) and (e).~~

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no student has been left on the bus.

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a student from the school bus, but if unable to manage a student, the school bus driver will report the unmanageable student to the Principal or designee of the school in which the student attends.

The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the student from the bus. The student's parent shall provide for the student's transportation to and from school during the time of exclusion.

In the event of an emergency, school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school. All other students shall receive school bus evacuation instruction at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).



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### Bus Driver/Bus Aide Responsibility

In accordance with the provisions of N.J.S.A. 18A:39-19.4, a Commissioner-developed student information card shall be completed by a parent of a student with an Individualized Education Plan (IEP), who receives transportation services, when the IEP is developed or amended. Upon receiving consent from the parent, the student information card shall be provided to a school bus driver and bus aide for each student on the bus route to which the school bus driver or bus aide is assigned for whom a student information card has been completed by the parent.

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten days of the accident the Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130.

School bus drivers are prohibited from using a cellular telephone or other electronic communication device while operating a school bus unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

School bus drivers are responsible for the safety of their students and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of their school bus.

N.J.S.A. **18A:6-7.1 et seq.**; 18A:25-2; **18A:39-17; 18A:39-18;**  
**18A:39-19.1; 18A:39-19.2; 18A:39-19.3; 18A:39-19.4;**  
18A:39-28

N.J.S.A. 39:3B-25

N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.





# POLICY GUIDE

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Adopted:



**9150 SCHOOL VISITORS**

The Board of Education welcomes and encourages visits to school by parent(s) or legal guardian(s), other adult residents of the community, and interested educators. In order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, the Board directs the enforcement of rules governing school visits.

The Superintendent and Building Principal each possess the authority to prohibit the entry of any person into a school of this district or to expel any person from the school when there is reason to believe the presence of such person would be inimical to the good order of the school. If such a person refuses to leave the school grounds or creates a disturbance, the Principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Visitors shall be required to register their presence in the school. Visitors may be required to show identification. No staff member shall transact business with or permit the continuing presence in the school of a visitor who has not been duly registered.

No visitor may confer with a student in school without the approval of the Principal; any such conference may take place only in the presence of a teaching staff member and/or administrator.

The Superintendent shall develop regulations that will protect students and employees of the district from disruption to the educational program and the efficient conduct of their assigned tasks.

N.J.S.A. 2C:18-3

N.J.S.A. 18A:17-42; 18A:20-1; 18A:20-34

Cross reference: Policy Guide No. 5520, 7440

Adopted:

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Dec 17

[See POLICY ALERT No. 214]

## 9242 USE OF ELECTRONIC SIGNATURES

The New Jersey Uniform Electronic Transactions Act (UETA) authorizes a Board of Education to use electronic forms, filings, and signatures to conduct official business with the public. The use of electronic forms, filings, and signatures may save school district resources and will provide a convenient and cost-efficient option for parents to receive, review, and acknowledge receipt of information from the school district. Therefore, the Board of Education authorizes the use of electronic forms, filings, and signatures in communications between the school district and parents pursuant to the UETA.

For the purposes of this Policy, “electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

For the purposes of this Policy, “electronic record” means a record created, generated, sent, communicated, received, or stored by electronic means.

For the purposes of this Policy, “electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

For the purposes of this Policy, “information processing system” means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.

The school district may electronically send documents to parents of students enrolled in the school district. These documents may include, but are not limited to: informational notices; school or school related events or activities; periodic updates on a student’s progress; school district forms; requests for information; and any other communications between the school district and home. Some documents electronically sent to parents may require the parent to: acknowledge receipt of a document; provide parental consent for such matters as student compliance with the district’s acceptable use of school district computers and administration of surveys; and/or acknowledge receipt and acceptance of terms of a Board of Education policy, regulation, or practice. Any document sent to parents of students enrolled in the school district must be capable of retention by the recipient. To be capable of retention, the recipient at the time of receipt, must



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Use of Electronic Signatures

be able to retain and accurately reproduce the document for later reference by all persons who are entitled to retain the record. A record is not capable of retention by the recipient if the sender of its information processing system inhibits the ability of the recipient to print or store the electronic record.

The Board of Education authorizes documents may be electronically sent to parents of students enrolled in the school district only with the approval of the Superintendent of Schools. The Superintendent shall establish an information processing system to include a process for parents to electronically send, sign, and return documents to the school district. The school district shall make accommodations for a parent who is unable or unwilling to conduct business electronically. In addition, a parent may refuse to conduct business electronically for any reason and at any time. In this event, the school district shall make available a hard copy of the document(s) to the parent to review, maintain, and any document(s) requiring signatures to be returned to the district. The Superintendent will only implement an information processing system in accordance with the provisions of the UETA.

Documents that are electronically signed and returned to the school district may be maintained by the school district in electronic or non-electronic form. Documents returned to the district that are not electronically signed shall be maintained by the district in non-electronic form. However, nothing shall prevent the school district from converting a non-electronic document to an electronic document and for such document to be stored in electronic form. All electronic or non-electronic documents returned to the school district shall be maintained by the school district in accordance with the New Jersey Department of the Treasury - Records Management Services - Records Retention Schedules and in accordance with N.J.S.A. 12A:12-12.

N.J.S.A. 12A:12-1 et seq.



# POLICY GUIDE

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Adopted:



9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES (M)**M****[See POLICY ALERT No. 162]**

The Board of Education acknowledges the law compelling school attendance vests in the Board a custodial responsibility for the children in its charge and a duty to protect those children from persons not associated with the school district.

The Board further recognizes that its interest in helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement. The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1 et seq. to ensure cooperation between school staff and law enforcement officials in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances, as defined in N.J.S.A. 24:21-2, including anabolic steroids, drug paraphernalia, alcoholic beverages and/or firearms as defined in subsection f. of N.J.S.A. 2C:39-1.(f); and other deadly weapons as defined in N.J.S.A. 2C:39-1.(r) and in the planning and conduct of law enforcement activities and operations occurring on school property, including arrest procedures and undercover school operations. The Board directs the Superintendent to institute a program of such communication and cooperation.

Policy and Regulation 9320, as adopted by the Board, will be submitted for approval to the County Superintendent of Schools in accordance with N.J.A.C. 6A:16-6.2(a)2.

Policy and Regulation 9320 have been developed and approved by the Board to protect the interests of students and serve the legitimate needs of law enforcement in accordance with N.J.A.C. 6A:16-6.1 et seq.

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

Adopted:

**9323 NOTIFICATION OF JUVENILE OFFENDER CASE DISPOSITION**

**[See POLICY ALERT No. 134]**

School Principals have a need to receive and have access to juvenile justice proceedings involving juveniles who are registered students in the school building. The school Principal shall have access to information relating to juvenile justice proceedings in accordance with N.J.S.A. 2A:4A-60.

The school Principal may request from law enforcement agencies at the time of charge, adjudication or disposition, information as to the identity of a juvenile student charged, the adjudication and the disposition. The school Principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

A law enforcement or prosecuting agency shall at the time of charge, adjudication or disposition, advise the school Principal of the school where the juvenile is enrolled, of the identity of the juvenile charged, the offense charged, the adjudication and the disposition if:

1. The offense occurred on school property or a school bus, occurred at a school-sponsored function or was committed against an employee or official of the school; or
2. The juvenile was taken into custody as a result of information or evidence provided by school officials; or
3. An offense, if committed by an adult, would constitute a crime and the offense:
  - a. Resulted in death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury; or
  - b. Involved the unlawful use or possession of a firearm or other weapon; or
  - c. Involved the unlawful manufacture, distribution or possession with intent to distribute a controlled dangerous substance or controlled substance analog; or
  - d. Was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; or
  - e. Would be a crime of the first or second degree.

## **POLICY GUIDE**

## **STRAUSS ESMAY ASSOCIATES**

COMMUNITY

### **9323 NOTIFICATION OF JUVENILE OFFENDER CASE DISPOSITION**

Information provided in accordance with the section above shall be treated as confidential. The school Principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or to planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

Law enforcement or the prosecuting agency may provide the school Principal with information identifying one or more juveniles who are under investigation or who have been taken into custody for the commission of any act that would constitute an offense if committed by an adult when the law enforcement or prosecuting agency determines that the information may be useful to the Principal in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Information provided in accordance with the section above shall be treated as confidential, but the school Principal may inform school staff members of this information if the Principal deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. No information provided in accordance with this paragraph shall be maintained.

The Principal who requests and/or receives information as specified in this policy shall notify the Superintendent or designee within twenty-four hours.

The school district shall comply with the Department of Education rules and regulations concerning the creation, maintenance and disclosure of student records regarding school Principal notification of juvenile offender case disposition and this policy.

P.L.1982, c.79

R.S.53:1-15

P.L.1985, c.69

Adopted:



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High School Transcripts

Dec 17

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[See POLICY ALERT Nos. 153 and 214]

## 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 **Student Learning Core Curriculum Content Standards (NJSLs)** 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~~ **The Board of Education, in accordance with N.J.A.C. 6A:8-4.2, shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:**

1. **Results of all Applicable State assessments, including assessments that satisfy graduation requirements set forth in N.J.A.C. 6A:8-5.1(a);**
2. **Results of any Applicable English Language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);**
3. ~~Other evidence of student achievement~~ **Evidence of instructional experience and performance in the NJSLs;**
4. ~~Evidence of instructional experience and performance in the New Jersey Core Curriculum Content Standards~~ **technological literacy;**
5. ~~Evidence of employability skills and work habits, including punctuality, attendance and teamwork~~ **career educational instructional experiences and career development activities;**
6. ~~Any structured learning experiences~~ **Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in Department-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and**



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High School Transcripts

7. ~~Any employer/industry certification tests limited to industry based standards;~~

78. ~~Any~~ Other information **deemed appropriate** ~~approved~~ by the Board of Education.

**The Board of Education shall transmit within ten business days any official records, including transcripts, of students who transfer. ~~Student transcripts shall be transmitted within ten calendar days of the time any student transfers to~~ other ~~another~~ school districts or institutions in accordance with N.J.A.C. 6A:8-4.2(b). Disciplinary records will only be sent to other public districts or private schools in accordance with Board Policy and Regulation 8330 and N.J.A.C. 6A:16-7.8 and shall not be sent to any other institution without the written consent of the parent or adult student.**

Issued:

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# REGULATION GUIDE

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## Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

Mar 18

M

[See POLICY ALERT Nos. 192 and 215]

### R 5561 USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES

#### A. Definitions

“Physical restraint” means the use of a personal restriction that immobilizes or reduces the ability of a student to move all or a portion of his or her body.

“Seclusion technique” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, but does not include a timeout.

“Timeout” means a behavior management technique that involves the monitored separation of a student in a non-locked setting, and is implemented for the purpose of calming.

#### B. Physical Restraint

A school district, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. A student is not restrained in the prone position, unless the student’s primary care physician authorizes, in writing, the use of this restraint technique;
3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board of Education to be qualified to provide such training, and that the training is updated at least annually;



# REGULATION GUIDE

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## Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

4. The parent of a student is immediately notified when physical restraint is used on that student. This notification may be by telephone or electronic communication. A full written report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;
5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

### 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 who are involved in the restraint of a student shall receive training in safe techniques for physical restraint from an entity determined by the Board to be qualified to provide such training.
  - a. The Principal or designee shall determine the school staff members that shall receive training in safe techniques for physical restraint of a student.



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## Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

- b. Training may include techniques of prevention and de-escalation, as well as alternatives to physical restraint.
- c. Training may include current professionally accepted practices and standards regarding behavior management.
- d. The training program in safe techniques for physical restraint shall be updated at least annually.

### D. Interventions

- 1. Classroom interventions may include, but not be limited to, the following strategies:
  - 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 and the use of gentle humor may help, when appropriate;
  - c. The staff member shall be clear, polite, and respectful when redirecting the student's behavior. The staff member should 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 for non-compliance 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 quietly give the student adequate wait time. If the staff member moves on, the student may comply after the initial confrontation if attention goes back to the lesson;
  - 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



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## Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

- 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 not limited to, the staff member:
    - a. Standing quietly in the doorway and asking the student to accompany the staff member; and
    - 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.
- E. Use of Physical Restraint
  - 1. 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.).
  - 2. The school 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.
  - 3. The Principal's or designee's or any school staff member's report regarding the incident shall be documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting. The documentation of physical restraint shall be placed in the student's school file.
  - 4. The use of physical restraint is subject to the following additional requirements:
    - a. Physical restraint techniques shall consider the student's medical conditions and shall be modified as necessary;



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## Use of Physical Restraint and Seclusion Techniques for Students with Disabilities

- b. Students shall not be subjected to physical restraint for using profanity, 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 means of or intent to carry out the threat;
- c. 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;
- d. 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, others, or imminent property destruction; and
- e. The student shall be examined by the school nurse after any restraint.

### F. Seclusion Techniques

A school district, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

- 1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
- 2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure that it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and



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## Use of Physical Restraint **and Seclusion** Techniques for Students with Disabilities

3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

Issued:

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R 5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES (M)

[See **POLICY ALERT Nos. 135, 144, 147, 158 and 203**]

**M****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;
  - 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
    - (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.

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.

## **REGULATION GUIDE**

## **STRAUSS ESMAY ASSOCIATES**

STUDENTS

R 5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES (M)

Adopted:

R 5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES (M)**M****[See POLICY ALERT No. 203]****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.

**R 5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES (M)**

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:

R 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES (M)**M**

[See **POLICY ALERT No. 203**]

**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



**R 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES (M)**

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.

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.

**R 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES (M)**

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:
  - 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.

## R 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES (M)

- 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:

**R 5860 RULES FOR SAFETY PATROL MEMBERS (M)****M**

**[See POLICY ALERT No. 117]**

Members of the school safety patrol render an important service to the school district and to the students they assist. As role models and representatives of the district, school safety patrol members shall be bound by the following rules. Violations of these rules may result in the member's removal from the safety patrol.

1. A member in training shall attend all training sessions and pay close attention to training instruction.
2. Members shall at all times maintain proper decorum and demonstrate respect for authority.
3. A member shall obey the directives of the police officer, crossing guard, or school staff member supervising him/her.
4. A member shall not step off the curb or into a roadway in performance of his/her duties, except as directed to do so by a supervising police officer, crossing guard, or school staff member.
5. A member shall never attempt to direct vehicular traffic.
6. A member shall report to his/her appointed station on time and, if assigned outdoors, appropriately dressed for the weather. Patrol duty periods will be established by the building principal.
7. A member shall report to his/her classroom promptly at the end of any patrol period that precedes classes.
8. A member who will be absent from school or cannot report to his/her appointed station must notify the Safety Patrol Coordinator to report his/her absence so that a substitute may be assigned.

## **REGULATION GUIDE**

## **STRAUSS ESMAY ASSOCIATES**

STUDENTS

R 5860 RULES FOR SAFETY PATROL MEMBERS (M)

9. A member shall take proper care of the belt, badge, brassard, or other insignia of office distributed to him/her, wear it at all times when on duty and only when on duty, and return it to the school at the end of his/her service.
10. A member shall report to the Safety Patrol Coordinator any serious misconduct or dangerous practices of other students.
11. A member shall maintain passing grades in all subjects.
12. A member shall serve as an example to others in the prevention of accidents.

Adopted:

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Dec 17

[See **POLICY ALERT Nos. 159, 213 and 214**]

## R 7101 EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

Capital projects that affect any of the following criteria for educational adequacy shall be reviewed and approved by the Division of Administration and Finance (Division). The criteria are the number, configuration, size, location, or use of educational spaces within a school facility. The review for educational adequacy shall take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

- A. Projects Requiring Approval for Educational Adequacy – N.J.A.C. 6A:26-5.1
  - 1. Capital projects that involve the following types of building construction work shall be approved for educational adequacy:
    - a. New school facilities including pre-fabricated facilities;
    - b. Additions to existing school facilities;
    - c. Alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; and
    - d. Installation of temporary facilities.
- B. New Jersey Schools Development Authority (Development Authority), Regular Operating District (ROD), and Other Capital Projects – N.J.A.C. 6A:26-5.1(b)
  - 1. Both Development Authority and ROD school facilities projects, along with other capital projects, shall be subject to educational adequacy reviews. The review process and types of documents subject to review will differ depending on whether the project is a school facilities project or other capital project, and if a school facilities project, on whether it is a Development Authority project or a ROD project.



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Educational Adequacy of Capital Projects

- a. For a Development Authority school facilities project, the Development Authority on behalf of the school district shall apply for the review and approval for educational adequacy in conjunction with the application for approval of a school facilities project pursuant to N.J.A.C. 6A:26-3.

The application shall be made prior to the review and approval of capital projects for compliance with the Uniform Construction Code (UCC), N.J.A.C. 5:23, by the Division of Codes and Standards in the Department of Community Affairs, and prior to local share authorization. The educational adequacy review shall cover the following types of project documents: educational specifications; schematic plans and related documents; detailed plans and specifications; and final plans and specifications. The educational specifications, schematic plans, and related documents shall be submitted by the Development Authority on behalf of the school district at the time of project application. Detailed and final plans and specifications shall be forwarded to the Division by the Development Authority after project approval, but prior to the Division determination of final eligible costs and Department of Community Affairs review for UCC compliance.

- b. For a ROD school facilities project, school districts shall apply for the review and approval for education adequacy in conjunction with the application for approval of a school facilities project. The educational adequacy review shall cover the following types of documents: educational specifications, schematic plans and related documents, and final plans and specifications. The educational specifications, schematic plans, and related documents shall be submitted by the school district at the time of project application. Final plans and specifications shall be submitted by the school district after project approval, but prior to the UCC-compliance review.



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- c. For any other capital project, school districts shall apply for the review and approval for educational adequacy in conjunction with the application for the Division review for consistency with the school district's approved LRFP. The educational adequacy review shall cover educational specifications, schematic plans and related documents, and final plans and specifications. The educational specifications, schematic plans, and related documents shall be submitted by the school district at the time the project is reviewed for consistency with the school district's approved LRFP. Final plans and specifications shall be submitted by the school district after the consistency review, but prior to the UCC-compliance review.
- C. Change of Use of Instructional Space, Non-Capital Project – N.J.A.C. 6A:26-5.1(c)
  - 1. The Executive County Superintendent shall approve any change of use of instructional space that is not a capital project.
- D. Educational Specifications – N.J.A.C. 6A:26-5.2
  - 1. Submissions of educational specifications for educational adequacy reviews shall include the following:
    - a. Details of the educational program activities and requirements for each space proposed in the capital project, and shall refer to the New Jersey Student Learning Standards wherever appropriate;
    - b. An itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space, together with their net areas in square feet, as well as the net of the total room area required for each space;
    - c. Specific technical and environmental criteria, adjacencies, and other requirements for the educational program; and





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- d. A building-space program that indicates the number and net area in square feet of each instructional, specialized instructional, administrative, and support space in each existing or proposed building included in the capital project and/or the temporary facility.
- E. Schematic Plans and Other Related Project Documents – N.J.A.C. 6A:26-5.3
  - 1. Submissions of schematic plans for educational adequacy reviews shall include the following:
    - a. Four sets of schematic plans showing the entire existing and proposed building drawn to a scale of not less than 1/16 inch per foot. The approved use of each space, the proposed number of occupants, and the net square feet area shall be clearly labeled on all existing and proposed spaces;
    - b. Layouts of the built-in and moveable furniture and equipment for examples of all occupied spaces drawn to a scale of not less than 1/8 inch per foot;
    - c. Information required to demonstrate compliance with the Facility Planning Standards of N.J.A.C. 6A:26-6 including dimensions, clearances, ceiling heights, and required equipment;
    - d. Paths of travel for disabled persons;
    - e. A completed plot plan when work site is required, including the intended location of the school and a layout of the locations of all other structures, multi-purpose physical education fields, playgrounds, walkways, roadways, access roads, buffer and set back zones, parking areas, deed restrictions, easements, protective covenants, right of ways, and environmentally sensitive areas. If the land for the site is being acquired, an application also shall be submitted for approval under N.J.A.C. 6A:26-7.1; and



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- f. The signature and seal of a New Jersey licensed architect or professional engineer, if there is an architect or engineer engaged for the project, and signatures of the President of the Board of Education and the Superintendent. In the case of Development Authority school facilities projects, schematic plans shall also be signed by the Development Authority, pursuant to N.J.S.A. 59:4-6.
  - 2. Other project documents to be submitted with the schematic plans shall include:
    - a. A project cost estimate on a form provided by the Commissioner;
    - b. A project schedule;
    - c. A copy of the dated transmittal letter to the Executive County Superintendent indicating project document submission to the Division; and
    - d. A copy of the transmittal letter indicating the date of plan submission to the local planning board, where required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16, including, but not limited to, whenever the project consists of a new building, the conversion of an existing building to school use, or the building footprint, volume, pedestrian, or vehicular access are altered by the project.
- F. Detailed Plans and Specifications and Final Plans and Specifications – N.J.A.C. 6A:26-5.4
  - 1. In the case of a Development Authority school facilities project, the Development Authority on behalf of the school district shall apply upon completion of detailed plans and specifications for final approval of the project's educational adequacy. Detailed plans and specifications shall be considered adequate for calculations of final eligible costs if the plans and specifications are at least sixty percent complete. Final approval of the educational adequacy of the project shall occur prior to the calculation of the final eligible costs of the school facilities project



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pursuant to N.J.A.C. 6A:26-3.5. The application for final approval shall include:

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- a. Four individually packaged sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey licensed architect or professional engineer and signed by the President of the Board of Education, Superintendent, and the Development Authority, and specifications to sufficiently demonstrate the school facilities project conforms to schematic plans approved by the Division. To demonstrate such conformance, the submission shall include architectural floor plans, an architectural site plan, as applicable, and architectural drawings that will allow verification of ceiling heights and other applicable standards in N.J.A.C. 6A:26-6.3. If the Division determines the documents are not sufficient to demonstrate conformity with the schematic plans, it may request additional drawings and/or technical specifications;
  - b. The fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5; and
  - c. In the event there is a change affecting the number, configuration, size, location, or use of educational spaces as set forth in the detailed plans and specifications submitted to the New Jersey Department of Education, the Development Authority shall submit to the Division the application with two sets of final plans and specifications, as set forth in subparagraph 2.a. below. No additional fee will be imposed.
2. In the case of a ROD school facilities project or another capital project, the school district shall apply upon the completion of final plans and specifications for final approval of the educational adequacy of the project. The application shall include:
    - a. Four individually packaged sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey licensed architect or professional engineer and signed by the President of the Board of Education and Superintendent, and specifications to sufficiently



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demonstrate the capital project conforms to schematic plans approved by the Division as described in F.1.a. above;

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- b. A properly executed copy of a "Request for Local Release of School Construction Plans" for a district that chooses to have a municipal code enforcing agency review its plans for UCC conformance. The review shall include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate. The Superintendent and municipal code enforcing agency chief shall sign the form, which may be obtained from the Division; and
  - c. A check, payable to the "Treasurer, State of New Jersey," for the fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5.
3. In the case of a temporary facility, the school district or the Development Authority on behalf of the school district for Development Authority school facilities projects, shall apply to the Division upon the completion of detailed plans and educational specifications for approval of the temporary facility's adequacy. Detailed plans and educational specifications shall be considered adequate for calculations of eligible costs if the plans and educational specifications are at least sixty percent complete unless otherwise provided in N.J.A.C. 6A:26-5.4. The application shall include items in accordance with N.J.A.C. 6A:26-5.4(c) as outlined below:
- a. Four sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey registered architect or licensed engineer and signed by the President of the Board of Education and Superintendent, as well as the Development Authority in the case of a temporary facility that is part of a Development Authority school facilities project, and educational specifications to sufficiently demonstrate the educational adequacy of the temporary facility and compliance with the temporary facility standards at N.J.A.C. 6A:26-8;



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- b. A completed plot plan whenever site work is required for the temporary facility. On it shall be shown the intended location of the temporary facility and a layout of all other structures, play and recreation areas, athletic fields, walkways, roadways, access roads, buffer and set-back zones, and parking areas. It also clearly shall indicate the impact that placement of the temporary facility will have on the site of the permanent school facility;
- c. A copy of the dated transmittal letter to the Executive County Superintendent indicating plan submission to the Division;
- d. A copy of the transmittal letter indicating the date of plan submission to the local planning board, whenever required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16;
- e. A temporary facility schedule addressing the relationship to the school facilities project schedule, in the event that the temporary facility is part of a school facilities project;
- f. The fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5. If the temporary facility is not part of a Development Authority school facilities project, payment shall be in the form of a check, payable to the "Treasurer, State of New Jersey";
  - (1) If the fee for the temporary facility is submitted to the Division prior to the submission of the fee for the final educational adequacy review for the school facilities project, the amount paid for the temporary facility will be credited toward the fee for the school facilities project;
- g. If the temporary facility is not part of a Development Authority school facilities project, a properly executed copy of a Request for Local Release of School Construction Plans for a school district that chooses to have a municipal code enforcing agency review its plans for



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conformance with the UCC. Such review shall require the documentation required by the UCC, N.J.A.C. 5:23-2.15,

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for the requirements for application for a construction permit or for plan review, as appropriate. The Superintendent and municipal code enforcing agency chief shall sign the form, which may be obtained from the Division; and

- h. If the temporary facility was previously used for school purposes and a certificate of occupancy for ~~District Factor~~ Group E, **as designated by the Commissioner of the Department of Community Affairs**, is in effect and no change of use is required, a floor plan with proposed occupancy in lieu of signed and sealed plans shall be submitted to the Division to meet the requirements of N.J.A.C. 6A:26-5.4.

## G. Fee Schedule – N.J.A.C. 6A:26-5.5

The Division will collect fees for reviews of detailed/final plans and specifications for educational adequacy in the case of Development Authority school facilities projects and for its reviews of final plans and specifications for educational adequacy in ROD school facilities projects and other capital projects in accordance with the fee schedule outlined in N.J.A.C. 6A:26-5.5.

## H. Capital Projects Not Subject to Educational Adequacy Review – N.J.A.C. 6A:26-5.6

1. For a Development Authority school facilities project not subject to educational adequacy review, the Division shall issue a preliminary project report and shall forward to the Department of Community Affairs for review the report along with drawings or narrative sufficient to delineate the scope of work, so the Department of Community Affairs may review construction documents for UCC conformance. The review shall require the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate.



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2. For a ROD school facilities project or other capital project not subject to educational adequacy review, the Division shall make a determination of the project's final eligible costs and shall forward to the Department of Community Affairs for review the determination along with drawings or narrative sufficient to delineate the scope of work, so the Department of Community Affairs may review construction documents for UCC conformance. The review shall include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for a construction-permit or plan-review application, as appropriate. If the school district has submitted to the Division a properly executed copy of a "Request for Local Release of School Construction Plans," pursuant to N.J.A.C. 6A:26-5.4(b)2, the Division shall forward the release form to the Department of Community Affairs for its action.



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Issued:





R 7440 SCHOOL DISTRICT SECURITY (M)

[See **POLICY ALERT Nos. 96 and 214**]

**M****A. Definitions**

“Access” means authorized access to a school building or school grounds through the use of a Board-approved key control system.

“Key control system” means the use of a key, card, code, or any other means to disengage a locking mechanism to provide entry to a school building or school grounds.

“School buildings” and “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 district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; night field lights; 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 such as 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 in accordance with N.J.A.C. 6A:16-1.3 and 6A:26-1.2.

**B. Access to School Buildings and School Grounds**

1. Access to school buildings and grounds during the school day will be permitted to all students enrolled in the school, all authorized school staff members, and visitors pursuant to Policy and Regulation 9150.
2. Access to school buildings and grounds before and after the school day will be permitted to:
  - a. Members of the Board of Education;

- b. Administrative and supervisory staff members, teaching staff members, and support staff members assigned to a school building or grounds in the performance of their duties;
  - c. Other school staff members in the performance of their professional responsibilities;
  - d. Students involved in interscholastic athletics, co-curricular or extra-curricular activities, and authorized spectators;
  - e. Members of organizations granted the use of school premises pursuant to Policy and Regulation 7510;
  - f. Police officers, fire fighters, health inspectors, and other agents of Federal, State, and local government in the performance of their official duties;
  - g. Members of the public present to attend a public Board of Education or public school-related function; and
  - h. Others authorized by the Superintendent or designee and/or by Board Policy.
- 3. All visitors to a school building during a school day will be required to register their presence in the school and comply with the provisions of Policy and Regulation 9150. The school's registration and sign-in procedures may include the use of a school visitor management system requiring the visitor to present acceptable identification to access the school building.
  - 4. Signs will be conspicuously posted to inform visitors of the requirement to register their presence into the building.
- C. Key Control System for Access to School Buildings and Facilities
- 1. School staff members will be provided access to a school building using the school's key control system as follows:
    - a. Teaching staff members and support staff members will be provided access using the school's key control system to the school building and to other facilities on school grounds to which they require access for the performance of their professional duties.

- (1) The Building Principal will determine the school staff members who shall be provided access to facilities within the school building and on school grounds.
  - (2) The Superintendent or designee will determine the district administrators, supervisors, and other staff members who shall be provided access to facilities within the school building and on school grounds.
2. School staff members provided access to a school building or other facilities on school grounds shall be responsible for ensuring their key control system authorization is not shared with another individual without prior approval of the Principal or designee for school staff members, or the Superintendent or designee for district staff members. Staff members are prohibited from permitting their key control system authorization to be used by another person unless prior approval is obtained from the Principal or designee at the building level and Superintendent or designee at the district level or in the event of an emergency.
3. A staff member's loss of a key, card, or any other device authorizing the staff member access to a school building or a facility on school grounds must be immediately reported to the Principal or Superintendent or designee. The staff member who loses a key, card, or any such access device may be responsible for the replacement cost.

**D. Staff Member Responsibilities**

1. Staff members should not bring to school valuable personal items that cannot be in the staff member's personal possession at all times. The Board of Education is not responsible for a staff member's personal possession in the event the item is lost, stolen, misplaced, damaged, or destroyed.
2. In the event a staff member observes a student has a valuable item in school, the staff member will report it to the Principal or designee. A valuable item may include, but is not limited to, an unusually large amount of money, expensive jewelry or electronic equipment, or any item that is determined by the Principal or designee to be valuable to a student based on the student's age.
  - a. The Principal or designee may contact the student's parent and request the parent come to school to retrieve the valuable item;
  - b. The Principal or designee may secure the valuable item and return it to the student at the end of the school day and inform the student and the parent not to bring the valuable item to school in the future; or

- c. The Principal or designee will permit the student to maintain the valuable item and inform the student and the parent not to bring the valuable item to school in the future.
    - d. The Board of Education is not responsible for a student's personal possession in the event the item is lost, stolen, misplaced, damaged, or destroyed when in the possession of the student.
  - 3. Teaching staff members shall close classroom windows and shut and lock classroom doors when leaving at the end of the school day; shut and lock classroom doors during the school day when the room is not going to be in use after their assignment, and report immediately to the Principal or designee any evidence of tampering or theft.
  - 4. Custodians shall, at the end of the work day, conduct a security check of the building to make certain that all windows are closed and all office, classroom, and building doors are shut and locked, except as such doors may be required to be open for persons with access.
  - 5. Office personnel shall take all reasonable precautions to ensure the security of all school and district records and documents against unauthorized access, deterioration, and destruction.
- E. School Safety Specialist
  - 1. The Superintendent of Schools shall designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3.
  - 2. The School Safety Specialist shall:
    - a. Be responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district;
    - b. Ensure that these policies and procedures are in compliance with State law and regulations; and
    - c. Provide the necessary training and resources to school district staff in matters relating to school safety and security.
  - 3. The School Safety Specialist shall also serve as the school district's liaison with law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

4. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist Certification in accordance with the provisions of N.J.S.A. 18A:17-43.2.

F. Summoning Law Enforcement Authorities

1. Law enforcement authorities will be summoned promptly whenever evidence is discovered that indicates: a crime has been committed on school premises or in the course of staff or student transportation to or from school; a break and entry may have occurred on school grounds; a deadly weapon is on school premises; a breach of the peace has occurred on school premises; for any reason required in the Memorandum of Understanding between the Board of Education and Law Enforcement and in accordance with Policy and Regulation 9320; or for any other reason there is concern about the health, safety, and welfare of persons on school grounds or school property.
2. A call to law enforcement agents will be reported to the Superintendent as soon as possible, along with the reason(s) for which the call was made and the outcome of the incident.

Issued:

**R 8420 EMERGENCY AND NON-FIRE EVACUATION PLAN (M)****M**

**[See POLICY ALERT No. 191]**

The need for orderly and safe evacuation during certain situations is critical to the safety of the occupants of a school building. If such a threat is deemed immediate, credible, and reasonable, the Principal or designee may order a non-fire building evacuation. In the event the Principal or designee believes a threat does not exist or immediate evacuation is not required, the Principal or designee shall review the situation with the Superintendent of Schools, who may consult with local law enforcement officials to review the threat risk.

**A. Procedures in the Event it is Determined a Non-Fire Evacuation is Warranted**

1. The Principal or designee will immediately order a non-fire evacuation of the school building. The notification process may be the school's fire alarm system, a notice over the school's public address system, or any other method deemed appropriate by the Principal or designee to inform building occupants to evacuate the school building. The evacuation may be an entire or partial building evacuation depending on the circumstances.
2. The Principal or designee will:
  - a. Immediately call local law enforcement officials;
  - b. Immediately call the Superintendent of Schools;
  - c. Ensure any school buses enroute to the school or other vehicles entering the school grounds are redirected to a designated alternative location pending further instructions from law enforcement officials;
  - d. Notify and maintain contact with the Superintendent of Schools regarding the communication to be released to parents, community and media; and
  - e. Allow local enforcement officials to control the scene upon their arrival.
3. School staff members, upon receiving notice the school needs to be evacuated, will:
  - a. Direct students to gather personal belongings in the classroom or within their immediate area;

- b. Instruct students not to use any electronic communication device until instructed otherwise;
- c. Close the windows and doors of their vacated rooms and turn off any light or electrical switch;
- d. Take the student roster and the day's attendance;
- e. Lead their class or the students under their supervision upon receiving the evacuation notice to the evacuation area;
- f. Take attendance when arriving at the evacuation area and report any additional students or missing students to the Principal or designee;
- g. Not allow any student to re-enter the building, leave the evacuation area, or be dismissed from school unless authorized by the Principal or designee or law enforcement officials; and
- h. Not speak to the media or permit media to interview any student.

**B. Procedures After it is Determined the School Building Can be Reoccupied**

- 1. The Principal or designee, upon a determination by school and law enforcement officials that the threat or risk is concluded, will direct the reoccupation of the building.
- 2. If it is determined the building is not safe to re-enter, the Principal or designee will notify school officials of the situation at the evacuation assembly locations. If it is determined students will be released for the day, the Principal or designee, in consultation with the Superintendent of Schools, will coordinate student dismissal procedures from the evacuation assembly areas and family notification and reunification protocols.
- 3. The school district will provide school district staff and other school district crisis response team members to provide counseling and support as needed.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education - 2010

Adopted:

# **REGULATION GUIDE**

# **STRAUSS ESMAY ASSOCIATES**

OPERATIONS

R 8420 EMERGENCY AND NON-FIRE EVACUATION PLAN (M)



**R 8420.1 FIRE AND FIRE DRILLS (M)****M**

**[See POLICY ALERT Nos. 140 and 189]**

**A. Fire Drills**

1. The Principal of each school building will conduct at least one fire drill each month within school hours, including any summer months during which the school is open for instructional programs. Attempts should be made to conduct drills in various weather conditions and at various times of the school day. Fire drills should always be unannounced to school staff and students. The Principal shall inform local fire fighting officials whenever a fire alarm is for drill purposes.
2. Fire alarm shall be by a building designated signal. Alarm signals should be tested regularly, before or after the school session.
3. When the fire alarm rings, each teacher will:
  - a. Direct students to form into a single file line and proceed along the evacuation route to the nearest exit designated for evacuation;
  - b. Close the windows of the room and turn off all lights and audio-visual equipment;
  - c. Take the class register or roll book;
  - d. Ascertain that all students have left the room and that any student who may have left the classroom prior to the fire drill is located and escorted from the building;
  - e. Close all doors to the room when the room is empty and keep all doors and exits of their respective rooms and buildings unlocked during the school hours, except during an emergency lockdown or an emergency lockdown drill;
  - f. Ensure the students assigned to him/her have left the school along the route prescribed in the school evacuation plan. In the event a school building has been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill;
  - g. Direct his/her students to a location not less than a distance twice the height of the building walls and keep the students in a single file line facing the building;

- h. Take attendance to determine all students who reported to his/her class have been evacuated from the building and report immediately to the Principal any student who is unaccounted for; and
  - i. When the recall signal is given, conduct his/her students back to the classroom.
- 4. Evacuation of the school in a fire drill must be conducted quickly and quietly and in an orderly fashion. Students must be silent, refrain from talking and running, and remain in closed, single file lines. Any student or staff member whose behavior disrupts the conduct of the fire drill shall be reported to the Principal and will be subject to discipline.
- 5. All persons in the school must leave the building during a fire drill, including all aides, visitors, volunteer workers, and all office, cafeteria, custodial, and maintenance employees, except those employees who have been assigned specific duties to be performed in the school building during a fire drill.
- 6. Physical education classes in progress outside the building should stop the game activity and line up in place or in their regularly assigned drill position.
- 7. Students will be instructed not to gather belongings to take outside on the fire drill. In inclement or cold weather, students may pick up their coats and put them on as they exit the building, provided no time is lost in that activity.
- 8. The office employee responsible for keeping the central attendance register, or a designated substitute, must carry the register out of the building during the drill.
- 9. Each Principal shall report monthly to the Superintendent on the conduct of fire drills. His/Her report will include the date, weather conditions, and time to evacuate for each drill conducted, as well as any comments that could assist in improving the conduct of future drills.
- 10. Every fire drill will be conducted with seriousness and with the assumption that prompt evacuation is actually required for the safety and survival of persons in the school.
- 11. Principals are encouraged to change the circumstances of fire drills so that staff members and students are subjected to various conditions and learn to respond to them quickly, constructively, and safely. Any such variations should take into account the ages and abilities of children.
  - a. One or more exits may be designated as “blocked” so that students are required to use alternative evacuation routes.

- b. A fire drill may be designated as a “smoke drill” so that students learn to avoid the hazards of smoke by walking in a low or crouching position (not a crawling position).

**B. Fire**

1. A school staff member or any building occupant who detects a fire in a school building or on school grounds shall immediately report the fire by calling 911 and/or by activating a fire alarm pull station in accordance with law.
2. The school staff member or building occupant shall also report the fire to the school Principal, if possible.
3. In the event of a fire in a school building, the school Principal shall immediately sound the fire alarm, in the event the fire alarm had not been previously activated, for the evacuation of all students, staff members, visitors, and volunteers.
4. Evacuation shall be conducted in accordance with the fire drill procedures established in paragraph A, except that no employee may remain in the building to perform specific duties.
5. As a precaution, the Principal or designee will maintain a record of disabled students who may require special attention in the event of fire or other evacuation.

Fire fighters will be promptly informed of the location and special circumstances of each such student.

6. As soon as practicable after the incident, the Principal shall submit a report to the Superintendent on the appropriate form.

Adopted:

**R 8420.2 BOMB THREATS (M)****M**

**[See POLICY ALERT No. 191]**

A bomb threat consists of a message regardless of the source or form or truth of the message, that someone has placed or intends to place in the school an explosive device or any material that will cause significant harm to persons in the school or damage to school property. The bomb threat message may be a telephone call, written, e-mailed, rumored, graffiti or any other communication method.

**A. Procedures When a Bomb Threat is Received**

1. A bomb threat received by any school employee will be immediately relayed to the Principal or designee.
2. A written bomb threat should be placed in a folder or a folded paper and should be handled as little as possible.
3. If possible, a telephoned bomb threat should be transferred to the Principal or designee.
  - a. The Principal or other person who talks to the caller will attempt to keep the caller on the line as long as possible to enhance the chance to identify the telephone caller.
  - b. The person talking to the caller should attempt to obtain, by direct questioning and by listening to background clues, and record in writing as much information as possible about:
    - (1) The alleged bomb (e.g., its nature, size, specific location, what will cause detonation, detonation time);
    - (2) The caller (e.g., name, address, location, gender, age, background, motive);
    - (3) The identity of the person who placed the bomb, if the caller denies responsibility;
    - (4) The means by which the bomb was delivered to the site;
    - (5) The caller's voice (e.g., calm, angry, excited, slow, rapid, loud, slurred, distinct, familiarity); and

- (6) Background sounds (e.g. street noises, music, office or factory machinery, animal noises, voices).

**B. Procedures to be Used After a Bomb Threat is Received**

1. The Principal or designee will immediately call:
  - a. The Police Department/local law enforcement;
  - b. The Fire Department; and
  - c. The Superintendent's office.
2. If the Principal or designee determines there is reasonable cause to believe an explosive device is present and an immediate evacuation is warranted, the Principal or designee will order the immediate evacuation of the school building. The evacuation will be conducted as follows:
  - a. The fire drill alarm may include a building designated code to indicate that a bomb threat has been received;
  - b. If the Principal or designee determines that time permits, students will empty their lockers and leave them unlocked; and
  - c. School staff members and students will be evacuated to a waiting place at least 1000 feet from the school building and behind cover or to a predetermined area outside the school building.
3. If the Principal or designee determines an immediate evacuation is not warranted the building will not be immediately evacuated until law enforcement officials arrive on the scene and are provided control of the bomb threat situation.
4. The Principal or designee will also:
  - a. Prohibit the use of any electronic communication devices to include, but not be limited to cellular telephones and walkie-talkies;
  - b. Ensure any school buses enroute to the school or other vehicles entering the school grounds are redirected to a designated alternative location pending further instructions from law enforcement officials;

- c. Notify and maintain contact with the Superintendent of Schools regarding the communication to be released to parents, community and media; and
  - d. Allow law enforcement officials to control the scene upon their arrival.
- 5. School staff members, upon receiving notice the school is being evacuated for a bomb threat, will:
  - a. Direct students to gather personal belongings in the classroom or within their immediate area;
  - b. Instruct students to not use any electronic communication device until instructed otherwise;
  - c. Conduct a quick visual survey of their classrooms for any suspicious or unfamiliar objects and report such to the Principal or designee;
  - d. Leave the windows and doors of their vacated rooms open and do not turn on or turn off any light or electrical switch;
  - e. Take the student roster and the day's attendance;
  - f. Lead their class or the students under their supervision upon receiving the evacuation notice to the evacuation area;
  - g. Take attendance when arriving at the evacuation area and report any additional students or missing students to the Principal or designee;
  - h. Not allow any student to re-enter the building, leave the evacuation area, or be dismissed from school unless authorized by the Principal or designee or law enforcement officials; and
  - i. Not speak to the media or permit media to interview any student.
- 6. If law enforcement officials determine the building can be re-entered, the Principal or designee will order the building to be re-entered. The regular instructional program will be resumed as quickly as possible. If the bomb threat disruption has occurred late in the school day, the Principal may recommend to the Superintendent that the school be closed and students dismissed.
- 7. In the event an explosive device is found in the school building or on school grounds threatening the safety of staff and students, the Principal or designee will:

- a. Work with law enforcement officials to ensure the continued safety of students and staff;
  - b. Notify school officials at the evacuation assembly locations of the situation that students will be released for the day; and
  - c. In consultation with the Superintendent of Schools and law enforcement officials, will coordinate student dismissal procedures from the evacuation assembly areas and family notification and reunification protocols.
8. The school district will provide school district staff and other school district crisis response team members to provide counseling and support as needed.
  9. All bomb threat procedures will be conducted with seriousness and dispatch. It is the intention of these regulations that the school community be protected against harm without conferring notoriety on the person who threatens harm.
  10. In the event an explosion occurs while the building is evacuated, the Principal or designee, in consultation with the Superintendent of Schools and law enforcement officials, will coordinate student dismissal procedures from the evacuation assembly areas and family notification and reunification protocols.
  11. The Principal will submit to the Superintendent a written report of each bomb threat received, the steps taken in response, and the outcome of the threat.

These procedures are recommended for implementation in the event a bomb threat is received. However, based on the circumstance or situation, the Principal or designee or law enforcement officials may modify these procedures if it is determined modification is needed to best protect the building's occupants.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education - 2010

Adopted:

R 8420.3 NATURAL DISASTERS AND MAN-MADE CATASTROPHES (M)**M****A. Definitions**

1. “Natural disasters” include floods, hurricanes, earthquakes, lightning strikes.
2. “Man-made catastrophes” include explosions, toxic hazards, airplane accidents, nuclear accidents, attacks.

**B. Procedures**

1. The Principal of each school building is responsible for responding quickly and reasonably to all natural disasters and man-made catastrophes. The Principal’s primary goal in any emergency is the protection of the students and staff members assigned to his/her building.
2. The Principal shall cooperate with local law enforcement officers, civil defense agencies, and other appropriate authorities.
3. All reasonable efforts will be made to predict or anticipate the occurrence of a natural disaster or manmade catastrophe and to take such steps in advance as may be necessary to protect students and staff and, if possible, school property.
4. Any school employee who detects or suspects a natural disaster or man-made catastrophe shall immediately notify the Principal, who shall immediately evaluate and/or verify the report. The Principal shall report an impending disaster or catastrophe to the Superintendent and the appropriate police or civil authority.
5. If necessary and prudent, the school will be evacuated in accordance with the fire drills procedures set forth in Regulation No. 8420.1. The alarm for a disaster or catastrophe will be a building designated signal.
6. Until their students are sent home or they are otherwise excused from their duties, classroom teachers will attend to the needs of the students assigned to them. Other teaching staff members and support staff members will report to the Principal or their immediate supervisor for direction. The following personnel should be prepared to take the actions indicated at the direction of the Principal.



- a. The school nurse will set up a station for the treatment of injuries and caring for injured and shocked persons until transportation to hospital facilities is available.
  - b. The head custodian will survey the damage, if any, done to essential school building services, such as electrical, gas, water, and fuel. He/She will report any such damage to the Principal along with any recommendations for repair or substitution.
  - c. The cafeteria manager will assess food and water inventories and establish procedures for supplying such food and water as may be required by persons in the school or the school shelter.
7. If the school cannot or should not be re-entered, parents will be notified and students will be sent home as follows:
  - a. Students who ordinarily walk to school will be excused,
  - b. Students who ride school buses will be excused as soon as bus transportation is available,
  - c. The Principal may arrange for private vehicle transportation.
8. Students who cannot be sent home safely shall be sheltered in a safe place in the school or in the place designated for out-of-school shelter in the school evacuation plan. A teaching staff member will be assigned to supervise any such students until they can be transferred to the parent or responsible adult designated by the parent.
9. Parent(s) or legal guardian(s) will be informed of the school's response to the disaster or catastrophe by implementation of the parent call chain established pursuant to Regulation No. 8420. Reasonable efforts will be made to inform parent(s) or legal guardian(s) promptly of the nature of the emergency and to assure them of their children's safety.
10. The Principal, other administrators, and all school staff members will strive to discharge their responsibilities calmly, intelligently, and prudently.

11. The Principal will make a written report to the Superintendent on the nature of the emergency, the actions taken in response to the emergency, and the outcome of those actions. The report will detail, as necessary, the actions of specific staff members and make such recommendations for commendation or discipline as may be appropriate.

Adopted:

R 8420.4 KIDNAPPING (M)**M****[See POLICY ALERT No. 173]****A. Definition**

1. A person is a victim of kidnapping:
  - a. When a person is unlawfully removed from the school or school grounds; or
  - b. When a person is unlawfully confined with the purpose of holding the victim for ransom, reward, as a shield, or hostage; or
  - c. When a person is unlawfully removed from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or
  - d. When a person is unlawfully confined for a substantial period of time with any of the following purposes:
    - (1) To facilitate commission of a crime or flight thereafter, or
    - (2) To inflict bodily injury on or terrorize the victim.

**B. Procedures**

1. The following procedures shall be implemented in the event there is reason to believe a student has been kidnapped. The Building Principal or designee will:
  - a. Immediately notify the Superintendent of Schools;
  - b. Check school records to determine whether there is a legal custody issue;
  - c. Contact the student's parent(s) or legal guardian(s); and
  - d. Notify the local law enforcement agency.

The Building Principal or designee will be prepared to provide law enforcement authorities information about the student (to the extent possible) including: a physical description of the student; any photograph of the student; information

regarding known friends of the student; the names of any potential witnesses to an abduction; a description of an abductor; and other information that may be helpful to law enforcement in locating the student.

2. The Building Principal or designee will alert school staff to the possible kidnapping and solicit staff assistance in obtaining information that may be helpful to law enforcement in locating the student.
3. The administrative staff will encourage all staff members remain calm to prevent panic.

Adopted:

R 8420.5 ASBESTOS RELEASE (M)**M****[See POLICY ALERT No. 173]**

The Board of Education recognizes certain buildings in the school district may contain asbestos. The Board and school staff members have implemented the necessary safety measures to eliminate the possibility of asbestos fiber release episodes to ensure the safety of all building occupants. The district maintains an Asbestos Management Plan as required by the Asbestos Hazard Emergency Response Act (AHERA). The following procedures shall be implemented in the event of an inadvertent disturbance that causes an asbestos fiber release episode in a school district building.

## Procedures

1. The area where the fiber release may have occurred shall be immediately evacuated;
2. The building's heating, ventilating, and air conditioning system shall be shut down;
3. The area where the fiber release may have occurred shall be sealed off and doors shall be closed;
4. The Superintendent and building maintenance supervisor shall be immediately contacted;
5. The names of all persons who were in the area where the fiber release may have occurred shall be recorded and maintained in separate file;
6. The Building Principal or designee shall communicate to the parents/legal guardians of students, staff, and other occupants of the building as necessary; and
7. The school district shall take such action as necessary depending on whether asbestos fibers were released.

Adopted:

**R 8420.6 ACCIDENTS TO AND FROM SCHOOL (M)****M****[See POLICY ALERT No. 173]**

The Board of Education recognizes that school staff and/or school students may be involved in an accident on their way to or on their way home from school. The school district or school building, depending on the circumstances, will follow these procedures, when practical, in the event there is an accident involving a school staff member or student who is on their way to or on their way home from school.

**Procedures**

1. The person receiving notice of an accident shall immediately contact police, fire, or rescue department as appropriate. In the event the person receiving notice of such accident is a student, the student shall immediately notify the Building Principal or designee. In the event the person receiving notice is a school staff member, the staff member shall notify the Building Principal or designee, or their immediate supervisor after contacting police, fire, or rescue department as appropriate.
2. The Building Principal or designee, or the immediate supervisor, shall immediately contact the Superintendent of Schools.
3. The Building Principal or designee, or the immediate supervisor, shall notify the parent(s) or legal guardian(s), spouse, or individual identified on the emergency card as appropriate.
4. In the event the police, fire, or rescue department is aware of the accident when the district is notified of the accident, the Building Principal or designee, or the immediate supervisor shall continue to attempt to notify the parent(s) or legal guardian(s), spouse or individual identified on the emergency card as appropriate.
  - a. If the parent(s) or legal guardian(s), spouse or individual identified on the emergency card, is unavailable, the Building Principal or designee, or the immediate supervisor shall discuss the situation, as appropriate, with an associate at the place of employment of the parent(s) or legal guardian(s), spouse, or emergency contact.
  - b. If contacts are unsuccessful, the Building Principal or designee, or the immediate supervisor will attempt to contact relatives, neighbors, or faith-based institutions, as appropriate.

5. The school district may send a staff member to the scene of the accident, if appropriate.

Adopted:

**R 8420.7 LOCKDOWN PROCEDURES (M)**

[See **POLICY ALERT Nos. 183 and 191**]

**M**

In the event it is determined by the Principal or designee a circumstance or situation requires the school building's occupants to remain secure within the school building, the Principal or designee may implement lockdown procedures. The following procedures shall be enacted during a lockdown which shall begin with notification to the building's occupants that all occupants should commence lockdown procedures. The notification may be a public address announcement or may be a discreet notification depending on the circumstance or situation.

**A. Procedures in the Event it is Determined a Lockdown is Warranted**

1. The Principal and/or designee will immediately:
  - a. Inform the Superintendent of Schools;
  - b. Contact local law enforcement;
  - c. Deactivate fire alarm pull stations without disengaging the fire sensors, if feasible, until law enforcement officials arrive on scene; and
  - d. Deactivate school bell systems, if feasible, until law enforcement officials arrive on scene.
2. The Principal and/or designee will also:
  - a. Communicate to any staff outside the building to stop pedestrians and vehicles, including school buses, from entering the school grounds;
  - b. Assign a staff member in the main office to maintain communication with classrooms and monitor status and, if needed, designate a staff member to meet and brief local law enforcement upon their arrival;
  - c. Determine, in consultation and with the approval of the Superintendent of Schools, the most appropriate means to communicate information to be released to parents, community, and media; and
  - d. Will allow local law enforcement officials to control the scene upon their arrival.



3. School staff members, upon receiving notice the school needs to be in a lockdown situation, will:
  - a. Turn off all lights, close blinds/shades and turn off electronic equipment;
  - b. Instruct pupils to be absolutely quiet and discourage the individual use of cellular telephones;
  - c. Instruct classroom occupants to get on the floor in a sitting or crouching position and direct pupils away from doors and windows wherever possible;
  - d. Close and lock doors and windows from inside the room, if possible;
  - e. Secure all staff, pupils and visitors, including those from hallways, behind locked doors, restrooms, gymnasiums, and other non-classroom areas without risking their own safety or the safety of others already secure;
  - f. Not permit anyone to leave a secured room or area until notified by the Principal or designee or law enforcement officials; and
  - g. Ignore bells or alarms unless otherwise notified by the Principal or designee or law enforcement officials.
4. Any school staff member not supervising pupils at the time of the lockdown notification should go to the nearest classroom or secure area to assist other staff members with pupils. These staff members should ensure any pupils in hallways and other unsecured and open areas are taken to the nearest classroom and/or secured area.
5. Teachers shall take pupil attendance for the pupils within their secured area and report any additional pupils in the room and any missing pupils.
6. Office personnel should remain in the general office areas or any other area that can be secured from the inside. All office doors shall be locked and secured to prevent entrance by an outside intruder.
7. The building's occupants should remain in lockdown condition until an announcement indicating the lockdown is over.
8. Lockdown Procedures for Those in Exposed Areas - Physical education classes using outside facilities shall, under the direction of the teacher, report to the nearest school entrance and upon entering the building locate to a secure classroom or location within the building. If there is reason to believe these pupils may be at risk re-entering the

building, the pupils may be directed to another secure location off school grounds and/or away from the building.

**B. Procedures After Lockdown Situation is Brought Under Control**

1. After the lockdown situation has been brought under control, the Principal or designee or law enforcement officials will communicate to building occupants the lockdown situation has ended.
2. Evacuation of the building after the lockdown situation has been declared under control shall be under the direction of the Principal or designee and law enforcement officials.
3. The Principal or designee, in consultation and with the approval of the Superintendent of Schools, will coordinate family reuniting procedures.
4. The school district will provide school district staff and other school district crisis response team members to provide counseling and support as needed.
5. The Principal or designee will debrief with local law enforcement and all other agencies involved in the school lockdown situation.

These lockdown procedures are recommended for implementation in the event it is determined a lockdown is needed. However, based on the circumstance or situation, the Principal or designee or law enforcement officials may modify these procedures if he/she determines modification is needed to best protect the building's occupants.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education - 2010

Adopted:

R 8420.10 ACTIVE SHOOTER (M)**M**

[See **POLICY ALERT No. 191**]

An active shooter or armed assault in a school building or on school grounds involves one or more individuals' intent on causing physical harm to students and school staff. Intruders may possess weapons or other harmful devices. In an active shooter situation, one or more subjects who are believed to be armed has used or threatened to use a weapon to inflict serious bodily injury to another person and/or continues to do so while having unrestricted access to additional victims, their actions have demonstrated their intent to continuously harm others, and their overriding objective appears to be that of mass injury.

A. Procedures in the Event of an Active Shooter in the School or on School Grounds

1. If the Principal or designee determines there is an active shooter in the school or on school grounds he/she will immediately:
  - a. Order a lockdown of the school building. The notification may be a public address announcement or may be a discreet notification depending on the circumstance or situation;
  - b. Contact local law enforcement;
  - c. Inform the Superintendent of Schools;
  - d. Deactivate fire alarm pull stations without disengaging the fire sensors, if feasible, until law enforcement officials arrive on scene;
  - e. Deactivate school bell systems, if feasible, until law enforcement officials arrive on scene; and
  - f. Direct staff and students outside the building, if the active shooter is believed to be in the building, to move immediately to a predetermined evacuation assembly location and be prepared to evacuate the school site, if necessary.
2. The Principal and/or designee will also:
  - a. Communicate to any staff outside the building to stop pedestrians and vehicles, including school buses, from entering the school grounds;

- b. Assign a staff member in the main office to maintain communication with classrooms and monitor status and, if needed, designate a staff member to meet and brief local law enforcement upon their arrival;
  - c. Determine, in consultation and with the approval of the Superintendent of Schools, the most appropriate means to communicate information to be released to parents, community, and media; and
  - d. Will allow local law enforcement officials to control the scene upon their arrival.
- 3. School staff members, upon receiving notice there may be an intruder or active shooter in the school building or on school grounds, will:
  - a. If not already confirmed, upon first indication of an intruder or armed intruder will immediately notify the Principal or designee;
  - b. Turn off all lights, close blinds/shades, and turn off electronic equipment;
  - c. Instruct students to be absolutely quiet and not to use any individual electronic communication device;
  - d. Instruct classroom occupants to get on the floor in a sitting or crouching position and direct students away from doors and windows wherever possible;
  - e. Close and lock doors and windows from inside the room, if possible;
  - f. Secure all staff, students, and visitors, including those in the hallways, behind locked doors, restrooms, gymnasiums, and other non-classroom building areas without risking their own safety or the safety of others already secure;
  - g. Not permit anyone to leave a secured room or area until notified by the Principal or designee or law enforcement officials; and
  - h. Ignore bells or alarms unless otherwise notified by the Principal or designee or law enforcement officials.
- 4. Any school staff member not supervising students at the time of the lockdown notification should go to the nearest classroom or secure area to assist other staff members with students. These staff members should ensure any person in hallways and other unsecured and open areas are taken to the nearest classroom and/or secured area.

5. Teachers shall take student attendance for the students within their secured area and report any additional students in the room and any missing students.
6. Office personnel should remain in the general office areas or any other area that can be secured. All office doors shall be locked and secured to prevent entrance by an outside intruder.
7. The building's occupants should remain in lockdown condition until an announcement indicating the lockdown is over.
8. Physical education classes using outside facilities, under the direction and supervision of the teacher, shall report to the nearest school entrance and upon entering the building locate to a secure classroom or location within the building. If there is reason to believe students outside the school building may be at risk re-entering the building, the students may be directed to another secure location off school grounds and/or away from the building.
9. The school may establish a predetermined code word or procedure for a staff member to communicate with the school office or administrative staff in the event an intruder enters a classroom or other secured area.
10. The Principal or designee may establish with local law enforcement officials a notification procedure in the event an active shooter or intruder is believed to be in the school building. The notification procedure would alert law enforcement officials if a classroom or other secured area is safe and secure or if emergency assistance is needed. The procedure may be a color card system placing colored cards inside or outside doors or windows or any other procedure agreed to by the Principal and local law enforcement.

**B. Procedures After Active Shooter Situation is Brought Under Control**

1. After the active shooter situation has been brought under control, the Principal or designee or law enforcement officials will communicate to building occupants the active shooter situation has ended.
2. Evacuation of the building after the active shooter situation has been declared under control shall be under the direction of the Principal or designee and law enforcement officials.
3. The Principal or designee, in consultation and with the approval of the Superintendent of Schools, will coordinate family reunification procedures.

4. The school district will provide school district staff and other crisis response team members to provide counseling and support as needed.
5. The Principal or designee will debrief with local law enforcement and all other agencies involved in the active shooter situation.
6. The Superintendent of Schools, in consultation with the Principal and law enforcement officials, will determine when school can resume normal activities and will communicate this information to staff, parents, and the community.

These active shooter procedures are recommended for implementation in the event it is determined an active shooter may be in a school building or on school grounds. However, based on the circumstance or situation, the Principal or designee or law enforcement officials may modify these procedures if he/she determines modification is needed to best protect the building's occupants.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education - 2010

Adopted:

R 8467 WEAPONS (M)**M**

[See **POLICY ALERT Nos. 113 and 135**]

**A. Definitions**

“Weapon” includes:

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

7. Billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood.
8. Stun guns, which means any weapon or other device that emits an electrical charge or current intended to temporarily or permanently disable a person.
9. Any device that projects, releases, or emits tear gas or any other substance intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.
10. Imitation firearms, which means an object or device reasonably capable of being mistaken for a firearm.

**B. Confiscation**

1. A school employee who confiscates any weapon shall immediately notify the school Principal.
2. The Principal shall immediately notify the Chief of Police of the Nutley Police Department by telephone that a weapon has been confiscated and shall request removal of the weapon by a police officer. The telephone call shall be confirmed in a written letter.
3. The Principal shall safeguard the weapon until a law enforcement officer takes custody of it.
  - a. The Principal shall place the weapon in a box or container.
  - b. The Principal shall record or cause to be recorded on the container or on a document attached to the container,
    - (1) A description of the weapon;
    - (2) The name and signature of the person who confiscated the weapon;
    - (3) The date, time, and place the weapon was confiscated;
    - (4) The circumstances under which the weapon was confiscated; and



- (5) The name of the student or staff member believed to be in possession of the weapon when it was confiscated.
  - c. The container will be placed in a secure location under lock and key and under the Principal's direct control.
  - d. In the event any person other than the Principal is permitted access to the weapon prior to its retrieval by a law enforcement officer, that person shall enter his/her name and signature on the record along with the time and date of inspection and the reason for the access. Access to the weapon will be permitted only in the presence of the Principal.
  - e. The law enforcement officer who takes custody of the weapon shall be required to sign and date the record to indicate his/her receipt of the substance or item.
4. The Principal shall provide to the law enforcement officer who takes custody of the weapon:
- a. All information concerning the manner in which it was confiscated;
  - b. The identity of all persons who had custody of the weapon following its confiscation; and
  - c. The identity of any student or staff member believed to have been in possession of the weapon.

**C. Evacuation**

- 1. The Principal shall, in accordance with Regulation No. 8420, direct the immediate evacuation of the school building or the appropriate portion thereof in the event that:
  - a. The presence of an incendiary device or explosive is known or is reasonably reliably suspected;

- b. A person possessing a firearm or incendiary device or explosive refuses to surrender the weapon and the use of force necessary to confiscate the weapon would place another person at serious risk; or
    - c. The Principal in his/her judgment believes that the school community is at risk and the building should be evacuated.
  - 2. Regular evacuation routes may be modified as required to protect students and staff members from danger.
  - 3. Law enforcement officers shall be summoned immediately to any school building evacuated under this regulation.
- D. Removal of Students from Educational Program
- 1. A student convicted or found to be delinquent for possessing a firearm on any school property, on a school bus, or at a school-sponsored function or a student committing a crime with a firearm shall be immediately removed from the school's regular education program for a period of not less than one calendar year in accordance with Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act and Policy No. 5611.
  - 2. A student who assaults a member of the school community with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program in accordance with Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act and Policy No. 5611.
  - 3. Removal of a student for reasons enumerated in this Regulation shall be in accordance with Policy and Regulation No. 5611.
  - 4. The Building Principal will immediately notify the student's parent(s) or legal guardian(s) if the student is found to be in possession of a firearm on school property or if a student commits an assault upon members of the school community with a weapon other than a firearm on school property.

Issued:

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R 8468 CRISIS RESPONSE

R 8468 CRISIS RESPONSE

[See POLICY ALERT No. 145]

In responding to a crisis situation, the school administration and staff shall implement the following procedures:

Commented [1]: Seems straightforawrd and most is current practice, could send/use with admin team

### A. LEVEL I - Threat Situation

In the event of an overt threat to an individual:

1. Anyone becoming aware of such a threat shall, without delay, report the nature of this threat, and any details known about the threat to the Building Principal or their immediate supervisor.
2. The administrator/supervisor, upon receipt of such a report, shall isolate and contain the individual(s) reported to have made said threat. Such action is to be taken only if it is possible to do so without further jeopardizing the safety of the individual threatened, or any other individual on the school premises.
3. If the physical safety of any individual is, or might be jeopardized by an attempt to isolate or contain the individual in question, the local law enforcement authorities shall be contacted for their assistance.
4. Whenever possible, the building supervisor or administrator shall cause any and all other individuals present to be removed from the immediate and surrounding location, to a place of safety.
5. In those instances in which weapons, and/or potentially dangerous materials are discovered to be involved, the local law enforcement authorities shall immediately be notified in accordance with Policy and Regulation Nos. 5611 and 8467.
6. The building administrator or supervisor shall, at earliest opportunity, report to the Superintendent the existence of any crisis situation, the status of that situation and any action contemplated or taken by the building administrator.
7. In the absence of an imminent threat to any individual(s) (such as those outlined in #3 or #5 above), the Superintendent may choose to consult with others in

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determining an appropriate response to the threat situation; e.g., Board Attorney, administrator in whose school the threat has occurred. The Superintendent may also:

- a. Convene a meeting of the Crisis Team and/or any members of that Team for consultation regarding an appropriate course of action.
  - b. Direct the administrator to:
    - (1) Contact the parents of the individual(s) involved, and require their immediate presence at school to discuss the nature of the threat.
    - (2) Immediately suspend the student(s) from school, pending further action.
    - (3) When applicable, place suspended student(s) on Homebound Instruction, pending evaluation by the Child Study Team.
    - (4) If deemed necessary, report the incident to the local police authorities.
  - c. In instances in which weapons have been involved, initiate suspension or expulsion proceedings in accordance with Policy and Regulation No. 5611.
8. Upon resolution of a Level I situation, counseling services may be provided to individual(s) who have been adversely affected. Such services may be made available through the Guidance Department, Child Study Team or through a referral to an outside agency.
  9. The Superintendent or his/her designee, shall report to the Board concerning the relevant details of the Level I crisis situation; specifically, those actions contemplated or taken, and the resultant outcome.

### B. Level II - Crisis in Progress

During the commission of an act of terrorism, hostage situation or other violence, the jurisdiction of the local/State Police authority is recognized.

**Commented [2]:** We do not have a formal "crisis team," something we may want to look into - out of guidance for response to incidents - talk about it a lot in my L2L meeting.

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1. Aware that such an act is in progress, the administrator shall, without delay, notify the local, state or county law enforcement authorities.
2. The school shall place at the disposal of the law enforcement authorities, all personnel and information that might be supportive and useful in resolving the crisis.
3. The Crisis Team may be immediately convened.
4. The Crisis Team may be briefed on the status of the situation, and will act in an informational and advisory capacity to the Superintendent or his/her designee, and local enforcement agency during the crisis.
5. The Crisis Team members will provide assistance and services as needed to help maintain order. Efforts should also be directed toward generating a sense of control in students, staff and members of the community.
6. The Superintendent or his/her designee, shall act as the primary disseminator of information to the press, public and staff concerning the ongoing crisis. He/she may elect to consult with the local, state or county law enforcement authorities and/or Crisis Team in determining the nature and extent of information to be released. Consideration shall be given to the possible effects the release of information might have on:
  - a. The safety of individuals immediately involved in the situation;
  - b. The reactions or interpretation of the staff, students or community;
  - c. The effect upon law enforcement efforts to resolve the crisis.

### C. Level III - Aftermath

Upon resolution of a Level II situation, the Crisis Team shall convene to determine the status of the student body, staff and community; and to determine the steps needed to reestablish a normalized psychological/social environment.

1. The Crisis Team shall consider and make recommendations concerning:
  - a. Individuals who are in need of referral to in-school counseling services;

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- b. Individuals who need to be referred to agencies or private counselors;
  - c. Steps to be taken by staff in dealing with student questions, concerns and fears related to the crisis. To accomplish this, a faculty meeting of the entire staff shall be held as soon as time and circumstances allow;
  - d. Information to be provided to the classroom teacher which may be shared with students with the objective of reducing fear, rumor, and promoting a calming and healing atmosphere;
  - e. Debriefing opportunities for staff members who have questions, concerns and fears related to the crisis;
  - f. Directions to the staff regarding appropriate/inappropriate media contact.
2. The Crisis Team shall:
- a. Review the crisis policy and procedures currently in effect;
  - b. Make suggestions to the Superintendent or his/her designee, for modifications in policy and procedures which have potential for dealing with future incidents.
3. The Superintendent or his/her designee, shall communicate to the Board of Education, information concerning the resolution of the crisis situation, details of actions contemplated or taken and recommendations for changes in policy or procedure.
4. Individuals who are members of the student population, and are found to be culpable in the commission of any threat or act as indicated above, shall be subject to:
- a. Criminal law pertaining to such acts and individuals.
  - b. The civil law pertaining to such acts and individuals.
  - c. New Jersey Education Law and Codes (Regular or Special Education) as they pertain to such acts and individuals.

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Dec 17  
**M**

[See POLICY ALERT Nos. 164, 205, 209 and 214]

## R 8630 EMERGENCY SCHOOL BUS PROCEDURES

### A. Staff Training

1. The Board of Education will administer a safety education program for all permanent and substitute school bus drivers and bus aides. At a minimum, the training shall include:
  - a. Student management and discipline;
  - b. School bus accident and emergency procedures;
  - c. Conducting school bus emergency exit drills;
  - d. Loading and unloading procedures;
  - e. School bus stop loading zone safety;
  - f. Inspecting the school vehicle for students left on board the bus at the end of a route; and
  - g. The use of student's educational records, including the district's responsibility to ensure the privacy of the student and his or her records, if applicable.
2. The Board of Education will administer a safety education program to school bus drivers that includes defensive driving techniques and railroad crossing procedures.
3. The ~~Board of Education~~ **employer shall be responsible to** will administer a Commissioner of Education-developed training program on proper procedures for interacting with students with special needs in accordance with the provisions of N.J.S.A. 18A:39-19.2 **and 18A:39-19.3** for all school bus drivers and school bus aides:





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## OPERATIONS

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### Emergency School Bus Procedures

- a. In the case of a school bus driver or aide who is employed prior to the development and availability of the training program, the ~~Board~~ **employer** shall administer the training program to the individual no later than one hundred and eighty days after the training program is made available by the Commissioner;
- b. In the case of a school bus driver or aide who is employed after the development and availability of the training program, the ~~Board~~ **employer** shall administer the training program to the individual prior to that individual operating a school bus or serving as an aide on a school bus;
- c. In accordance with the provisions of N.J.S.A. 18A:39-19.3b., the **employer** ~~Board of Education~~ shall require a school bus driver or school bus aide ~~employed by the Board~~ to file a certification with the **employer** ~~Board~~ that the individual has completed the training program required as per N.J.S.A. 18A:39-19.2 within five business days of its completion. The **employer** ~~Board~~ shall retain a copy of the certification for the duration of the individual's employment, and shall forward a copy of the certification to the Department of Education; and/or
- d. Contractors that provide student transportation services under a contract with the Board of Education shall comply with the requirements of N.J.S.A. 18A:39-19.2 and 19.3 **and N.J.A.C. 6A:27-11.1 et seq.**

#### B. Emergency Bus Evacuation Drills

1. The Principal **or designee** of each school shall organize and conduct emergency bus exit drills at least twice each school year for students who are transported to and from school and all other students shall receive school bus evacuation instruction at least once within the school year.
2. School bus drivers and bus aides shall participate in the emergency exit drills.



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### Emergency School Bus Procedures

3. Bus exit drills will be conducted on school property and shall be supervised by the Principal or by a person assigned to act in a supervisory capacity. The drills will be conducted when weather is conducive to safety and preferably when the bus arrives at school with a full complement of students.
4. The portion of the drill involving the use of the rear emergency door, which requires students to jump from the bus to the ground does need not to be performed by every student and may be demonstrated by others.
5. The school bus driver or supervisor of the drill shall:
  - a. Describe and demonstrate the use of kick-out windows and split-sash windows;
  - b. Describe the location and use of flares, flags, fire ax, and other emergency equipment;
  - c. Give instruction in the opening and closing of front and rear doors, turning off the ignition switch, and setting and releasing the emergency brake;
  - d. Explain that the bus will be evacuated by the front door when the bus is damaged in the rear and by the rear door when the front door is blocked;
  - e. Demonstrate the use of the emergency exit door;
  - f. Instruct students that lunches and books should be left on the bus in the evacuation procedure;
  - g. Encourage older, bigger students to assist younger, smaller students in their exit from the bus;
  - h. Have students leave the bus one row at a time, left and right sides alternating, in a prompt and orderly fashion;



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### Emergency School Bus Procedures

- i. Instruct students to group a safe distance away from the bus and to wait in that place until directed by the driver, a police officer, or other adult in authority;
  - j. Tolerate no student misbehavior in the conduct of the drill; the failure of any student to follow directions must be reported to the Principal; and
  - k. Provide any other training that will protect the safety of the students in the event the bus needs to be exited due to an emergency.
6. In accordance with the provisions of N.J.A.C. 6A:27-11.2(d), emergency bus evacuation drills shall be documented in the minutes of the Board at the first meeting following completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:
- a. The date of the drill;
  - b. The time the drill was conducted;
  - c. The school name;
  - d. The location of the drill;
  - e. The route number(s) included in the drill; and
  - f. The name of the Principal or assigned person(s) who supervised the drill.

#### C. Additional Precautions

- 1. School bus drivers may, depending on the age of the students on a bus route, discuss with the students additional safety precautions that may be taken in the event of a bus emergency. The safety precautions to be discussed shall be approved by the **Transportation Supervisor**.

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Emergency School Bus Procedures

2. In accordance with the provisions of N.J.S.A. 18A:39-19.4, the Commissioner of Education shall develop a student information card that includes information that should be readily available to a school bus driver and school bus aide for the purpose of promoting proper interaction with a student with special needs. The parent of a student with an Individualized Education Plan (IEP) shall complete the student information card when the IEP is developed or amended for a student who receives transportation services.
  - a. Upon receiving consent from a student's parent, the school district shall provide a copy of the completed student information card to a school bus driver and school bus aide for each student on the bus route to which the school bus driver or school bus aide is assigned.
3. School bus drivers shall attend training workshops offered by the New Jersey Department of Education and this school district and shall be trained in first aid.
4. Each school bus shall be equipped with:
  - a. A list of the students assigned to that bus;
  - b. A **basic** first aid kit ~~approved by the school nurse and inspected regularly by the school bus driver;~~
  - c. Several emergency notice cards on which are printed the telephone numbers of the appropriate police department, the receiving school, and an emergency medical service and on which is provided a space for writing the location of a disabled school bus and the name of the bus driver;
  - d. Flags or flares or other warning devices; and
  - e. Any other equipment or supplies determined to be included on the school bus by the administration.

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5. Each school bus driver shall:
- a. Inspect his/her bus for possible hazards or safety concerns before driving the bus each day;
  - b. Keep aisles and passageways clear at all times;
  - c. Maintain student discipline on the bus;
  - d. Prohibit the presence of any non-service animal, firearm, ammunition, weapon, explosive, or any other dangerous or illegal material or object on the school bus;
  - e. Report promptly to the **Transportation Supervisor** any potential driving hazard on his/her route, such as construction, road work, etc.;
  - f. Report promptly to the **Transportation Supervisor** any deviation in the bus route or schedule;
  - g. Drive within speed limits at all times and exercise extraordinary care in inclement weather;
  - h. Know and obey all motor vehicle laws and regulations and State Board of Education regulations;
  - i. Not smoke, eat, or drink while in or operating the bus at any time or perform any act or behave in any manner that may impair the safe operation of the school bus;
  - j. Visually inspect the school bus at the end of each transportation route to determine that no student has been left on the bus; and
  - k. Not allow a student on board a school bus unless the bus driver or other employee of the Board or school bus contractor is also on board the bus. This shall not apply when a school bus driver leaves the bus to assist in the boarding or exiting of a disabled student or in the case of an emergency.

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## D. General Emergency Rules

1. School bus drivers are responsible for the safety of the students on their bus. In the event of an emergency, school bus drivers must exercise responsible leadership. The safety and well-being of students must be the drivers' paramount consideration. School bus drivers shall stay with their students until another school staff member, law enforcement officer, or a first responder can assume responsibility for the safety of the students.
2. School bus drivers may not leave the school bus when children are aboard except in an emergency and, then, only after they have turned off the engine, removed the ignition key, and safely secured the school bus.
3. A school bus must be evacuated when:
  - a. There is a fire in the engine or any other portion of the bus;
  - b. There is a danger of fire because the bus is near an existing fire or a quantity of gasoline or other highly combustible material and is unable to move away;
  - c. The bus is disabled for any reason and:
    - (1) Its stopping point is in the path of a train or is adjacent to a railroad track;
    - (2) A potential exists for the position of the bus to shift thus endangering students; or
    - (3) The stopping point (e.g., on a hill, curve, or near an obstruction) fails to provide oncoming traffic with at least 300 feet visibility of the bus, thus creating the danger of a collision.
  - d. The risk of remaining in the bus poses a greater safety risk than evacuating the bus.

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Emergency School Bus Procedures

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4. When a school bus is evacuated, students shall leave the bus by the exit(s) and in the manner that affords maximum safety in the circumstances.
5. Students who have been evacuated from a school bus shall be moved to a safe place and distance from the bus and remain there until the driver or, if the driver is incapacitated, another person in authority has determined that no danger remains or until other alternative safety provisions can be made.
6. No student shall be allowed to request a ride with a passerby or proceed to walk home or leave the scene without the specific approval of the bus driver, a police officer, or other person in authority.
7. In the event a school bus is disabled in the course of providing student transportation, the driver, or a responsible person designated by the driver, will notify the **Transportation Supervisor** of the number and location of the bus and the circumstances of the disability. The **Transportation Supervisor** will make arrangements for the safety of the students.

## E. Specific Emergency Situations

1. In the event of an accident or vehicle failure the following procedures will be implemented:
  - a. The school bus driver shall, in person or through a responsible designee, summon the police and emergency medical services, if necessary, and notify the Principal of the receiving school and the School Business Administrator/**Board Secretary** or designee, of the district providing the transportation.

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- b. The school bus driver will attempt to make all students as safe and comfortable as possible. If possible and



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necessary, the driver will administer emergency first aid to injured students.

- c. In the event of an accident with no apparent or actual injuries and when law enforcement officials permit the bus to continue on its route after investigating the accident the school nurse will:

- (1) If the accident occurred on the way to school or during school hours, examine any student who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school; or
- (2) If the accident occurred on the way home from school, examine any student who is feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.

- d. In the event of an accident where students are injured, a student(s) may be transported to a hospital if it is determined by law enforcement, medical, and/or first aid staff at the accident scene additional medical treatment is required.

- (1) If the accident occurred on the way to school or during school hours, the school nurse will examine any student not transported to the hospital who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school.
- (2) If the accident occurred on the way home from school, the nurse will examine any student feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.

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- e. If another vehicle(s) is involved, the bus driver will obtain the following information from the driver(s) of that





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vehicle(s) or from law enforcement officers at the accident scene: driver's name, driver's license number, vehicle owner's name and address, vehicle registration number, owner's insurance company and policy number, and a description of the vehicle (color, make, year, body type).

f. The following notifications must be provided:

- (1) The school bus driver must report immediately to the Principal of the receiving school and the School Business Administrator/**Board Secretary** or designee of the district providing the transportation, any accident that involves an injury, death, or property damage. In addition, the bus driver must complete and file the Preliminary School Bus Accident Report prescribed by the Commissioner of Education.
- (2) The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.
- (3) In addition, a school bus driver involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500 shall complete and file within ten days after such accident a Motor Vehicle Accident Report in accordance with N.J.S.A. 39:4-130.
- (4) The parent of students involved in a school bus accident shall be notified as quickly as possible commensurate with the severity of the accident and injuries, if any, and hospital placement of their child if transported to a hospital by ambulance or by other emergency personnel.

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Emergency School Bus Procedures

2. In the event the school bus driver is incapacitated, the following procedures will be implemented:
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- a. A school bus driver is incapacitated when he/she is unable to operate the school bus safely or when his/her driving ability is significantly impaired by the driver's physical or mental condition.
  - b. If there is a bus aide on the bus, the bus aide will take steps necessary to have the bus pulled off the road to a safe location and shall contact school officials or emergency services for assistance. If a bus aide is not on the bus, the bus driver shall pull the bus off the road to a safe location and contact school officials or emergency services for assistance.
  - c. The bus shall be stopped, with due consideration for the safety of its passengers, the motor turned off, the ignition key removed, and safely secure the bus.
  - d. The **Transportation Supervisor** shall immediately arrange for the transportation of the students by substitute driver, substitute bus, or other means.
3. In the event of an injury to a student on the bus, at a bus stop, or along a transportation route, not incurred as the result of a school bus accident, the following procedures will be implemented.
- a. In the absence of another responsible adult in authority, the school bus driver will take charge of a student who has been injured or disabled on a school bus, at a school bus stop, or along the transportation route traveled by the school bus.
  - b. If necessary, first aid will be administered.

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- c. If the student's injury is serious, emergency medical services will be summoned; the school bus driver or a responsible adult appointed by the bus driver will remain with the student until emergency medical help arrives.



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- d. If the student's injury is not serious, and:
  - (1) Occurs on the way to the school, the school bus driver will deliver the injured student to the school nurse for examination and such treatment or referral as may be required. The school nurse will notify the student's parent;
  - (2) Occurs on the way to the student's home, the school bus driver or another school district staff member will deliver the injured student to his/her parent or to a responsible adult at the student's home or if no one is home the injured student will be transported back to a school district location until a parent or another responsible adult can be contacted. If it is determined the student may need medical treatment and a parent or responsible adult cannot be contacted, the child may be transported to the school physician's office or to the nearest hospital emergency room; or
  - (3) Occurs on the way to or from an extracurricular event, the school bus driver will notify a professional staff member assigned to the activity, who will take charge of the student and notify the student's parent.
- e. The school bus driver will immediately report the incident and any injuries to the Principal or designee of the school in which the student is enrolled.

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## STRAUSS ESMAY ASSOCIATES

COMMUNITY

R 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES (M)

R 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES (M)

### M

[See **POLICY ALERT No. 162**]

#### A. Relations with Local Police Department

1. The Principal of each school will endeavor to establish a continuing cooperative relationship with the law enforcement officers that serve the area in which the school is located.
2. Local police officers will be encouraged to visit the school on regular tours of duty so that their presence in the school is helpful and non-threatening.
3. Police should be encouraged to take active roles as resource persons in school programs in order to bring them into direct contact with students and to impress students with the positive aspects of police protection and security. Police officers may be invited to participate in such programs as driver education, substance abuse, and health/family life education.
4. At the same time that he/she works toward a liaison with the police and assists the police in the necessary performance of their responsibility to enforce the law, the Principal will impress upon the police his/her role as protector of the rights and interests of the students enrolled in the school.
5. For the purposes of this Regulation:
  - a. "Police Department" means the law enforcement agency designated by the County Prosecutor to receive such information.
  - b. "Principal" means the Principal and/or designee.
  - c. "Superintendent" means the Superintendent and/or designee.
  - d. "School staff member" means any school employee.

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#### B. Summoning the Police onto School Property for the Purpose of Conducting Law Enforcement Investigations, Searches, Seizures, Arrests and in Emergencies

1. Police may be summoned to the school by the Principal or, in the absence of the Principal, the staff member in charge of the school building. If the Principal or staff

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member in charge is not immediately available in an emergency situation, the police may be summoned by any staff member with direct knowledge of the emergency, who shall report his/her call to the Principal at the earliest possible time.

2. The telephone number by which police can be summoned shall be prominently displayed at telephones in the school that have an outside line.
3. Police officers should be summoned to the school:
  - a. When an incident involving the suspected or actual use, possession, or distribution of alcohol or a controlled dangerous substance, including anabolic steroids, drug paraphernalia or a firearm or other deadly weapon occurs, in accordance with Regulation No. 5530;
  - b. When evidence indicates that a crime has been committed, that a break and entry has occurred, that a deadly weapon is on school premises, or that a breach of the peace has occurred, in accordance with Regulation No. 7440;
  - c. When an act of vandalism has occurred, in accordance with Regulation No. 7610;
  - d. When fire is detected and immediately after the fire department has been summoned, in accordance with Regulation No. 8420.1;
  - e. When a bomb threat has been received, in accordance with Regulation No. 8420.2;
  - f. When the school is threatened by toxic hazard, in accordance with Regulation No. 8431;
  - g. In a serious medical emergency, in accordance with Regulation No. 8441;
  - h. When a visitor to the school is seriously disruptive and/or refuses to obey the Principal's order to leave the premises, in accordance with Regulation No. 9150; and
  - i. In any other instance in which the Principal or staff member in charge has cause to believe the health, safety and welfare of the building occupants and/or property are in jeopardy.
4. An emergency call to the police should include the:
  - a. The name and title of the caller;

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- b. The name and location of the school building in which law enforcement is needed; and
  - c. A brief description of the nature of the situation, including an accurate assessment of the seriousness of the situation.
- 5. If possible, a staff member or responsible student should be dispatched to meet and guide responding officers.
  - 6. If offenders are to be arrested, a staff member should be prepared to assist the police in obtaining the necessary warrants.

### C. Planned Security Protection at School Events and Extra-Curricular Activities

- 1. Each September or before, the Principal will provide the local police department with a calendar of events scheduled at the school for the school year just beginning. The calendar will be updated as necessary during the year.
- 2. The Principal will review with the police the events for which the need for police assistance and/or security is anticipated. Their review will include:
  - a. The number of officers required,
  - b. The responsibilities to be assumed by the officers, and
  - c. The remuneration, if any, each is to receive.

### D. Police Investigations in the School

- 1. The Principal shall demand proper identification of any individual who represents him/herself as a police officer before the Principal permits any investigation to go forward. The Principal may verify this identification with the Police Department or the law enforcement agency that the individual claims to represent.
- 2. A police officer's request for access to school records will be responded to as follows:
  - a. A request for access to the public records of this district will be granted only in accordance with Regulation No. 8310.
  - b. A request for access to district or Board of Education records that are classified as confidential by Policy No. 8310 shall be reported to the Superintendent or

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Board Secretary, who will determine, in consultation with the Board Attorney, whether or not to release the record.

- c. A request for access to personnel records that are classified as confidential by Policy No. 8320 shall be reported to the Superintendent and shall be released only if:
  - (1) The employee concerned has consented to inspection of his/her file, or
  - (2) The law enforcement officer presents a warrant authorizing a search or certain confidential records from the file.
  - (3) The Superintendent may consult with the Board Attorney prior to releasing any personnel records that are classified as confidential.
- d. A request for access to student records that are classified as confidential by law and by Policy No. 8330 shall be reported to the Superintendent and shall be released only if:
  - (1) The adult student concerned or parent(s) or legal guardian(s) of the minor student concerned has consented in writing to the inspection; or
  - (2) The police officer presents to the Superintendent a court order authorizing access to the record; or
  - (3) The adult student concerned or parent(s) or legal guardian(s) of the minor student concerned has been given at least three days written notice of the name of the requesting agency and the records requested and has not obtained a judicial order barring access.
  - (4) The Superintendent may consult with the Board Attorney prior to releasing any student records that are classified as confidential.
- 3. A request by law enforcement officials to interrogate students, on school premises or while under the protection of the school, shall be handled as follows:
  - a. The police officer shall be required to ask the Principal for access to the student, regardless of the student's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.

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- b. The Principal shall ask the police officer to delay the interrogation or conduct the interrogation away from school. In general, it should not be necessary to conduct an interrogation in school unless the matter involves:
  - (1) A crime committed in school; or
  - (2) An investigation that would be compromised without the interrogation in school; or
  - (3) An endangerment to the lives or safety of students or other persons; or
  - (4) Other reasons law enforcement officials believe an interrogation must be conducted in school and cannot wait until the student is away from school.
- c. The Principal shall make every reasonable effort to notify the student's parent(s) or legal guardian(s) of the request by law enforcement officials to interrogate the student while in school to receive the parent's or legal guardian's consent to permit the student to be interrogated before the interrogation.
  - (1) The Principal will permit the interrogation if the parent(s) or legal guardian(s) consents to the interrogation.
  - (2) The Principal will delay the interrogation in the event the parent(s) or legal guardian(s) requests to be present during the interrogation.
  - (3) The Principal will deny the law enforcement official an interrogation if the parent(s) or legal guardian(s) cannot be contacted or if the parent(s) or legal guardian(s) does not consent to the interrogation.
  - (4) In the event the interrogation is not denied by the Principal for the reasons in (3) above, the Principal will immediately contact the Superintendent, who will contact the Board Attorney to determine the Principal's and school district's legal responsibilities under the circumstances of law enforcement's request for the student to be interrogated in school.
- d. A student shall not be removed from school for interrogation unless:
  - (1) The student has been lawfully arrested; or



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- (2) The adult student or the parent(s) or legal guardian(s) of a minor student has consented to the removal.
- 4. All searches and seizures of students, their property and personal effects conducted by school staff must comply with the standards prescribed by the United States Supreme Court in *New Jersey v. T.L.O.* 469 U.S. 325 (1985) and in compliance with Policy No. 5770.
  - a. Any questions concerning searches conducted by school officials shall be directed to the County Prosecutor.
  - b. A school official may request that law enforcement authorities assume responsibility for conducting any search or seizure.
  - c. No school staff member will impede any law enforcement officer engaged in a lawful search, seizure or arrest whether pursuant to a warrant or otherwise.
  - d. School staff will permit law enforcement authorities upon their arrival to assume responsibility for conducting any search or seizure.
  - e. All inspections of lockers, desks or other objects or personal property on school grounds involving the use of law enforcement, drug-detection canines may only be undertaken with the express permission of the County Prosecutor or the Director of the Division of Criminal Justice in the New Jersey Department of Law and Public Safety.
  - f. Any questions concerning the legality of any contemplated or ongoing search, seizure or arrest conducted by a law enforcement officer on school grounds shall be directed to the County Prosecutor or, in the case of search, seizure or arrest undertaken by the Division of Criminal Justice, to the assigned Assistant Attorney General.
- 5. The Superintendent and Building Principal will cooperate with law enforcement authorities in the planning and conduct of undercover school operations.
  - a. The Superintendent shall approve such undercover operations without prior notification to the Board of Education in accordance with N.J.A.C. 6A:16-6.2(a)6.i.
  - b. All information relative to any undercover school operation shall be kept strictly confidential by the Superintendent and the Building Principal and may not be divulged to any person without the express approval of the County Prosecutor.

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- c. The Superintendent and/or Building Principal must immediately inform the County Prosecutor in the event it becomes known by such authorized school official(s) that any information regarding the existence of an undercover operation has been revealed.
- 6. A request or attempt to arrest a student, on school premises or while under the protection of the school, shall be handled as follows:
  - a. The police officer shall be required to ask the Principal for access to the student, regardless of the student's location in or about school premises or on a school-sponsored trip or at a school-sponsored event.
  - b. The police officer shall not be permitted to arrest or take custody of a student unless:
    - (1) The Principal lawfully requests the removal of the student; or
    - (2) The officer has probable cause to arrest the student for a felony; or
    - (3) The officer has an arrest warrant or a judicial order requiring the custody of the student.
  - c. The Principal shall request the police officer to defer the arrest to another time and place or, if that is not possible, to take steps to protect the student's privacy, such as taking custody in a private place or assigning the taking of custody to a nonuniformed police officer or a school security officer.
  - d. The Principal shall make every reasonable effort to notify the student's parent(s) or legal guardian(s) of the impending arrest.
  - e. The Principal shall determine the place to which the student will be removed and held in custody or detention and will so inform the parent(s) or legal guardian(s).
  - f. Notwithstanding anything to the contrary in this Regulation, a police officer has the legal right to take direct and unhindered action in the school.
    - (1) In an emergency situation, where the commission of a crime or offense involving felony or a serious breach of the peace in school has been witnessed by the officer, or
    - (2) The police officer is in "hot pursuit" of the student for such a crime.

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- g. In any situation in which a police officer takes direct action, the Principal shall be promptly notified.

### E. Reporting Students or Staff Members to Law Enforcement

1. Subject to the provisions of N.J.A.C. 6A:16-6.5, any staff member having reason to believe that a student or staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids or drug paraphernalia, on or within 1,000 feet of the outermost boundary of the school property pursuant to N.J.S.A. 2C:35-7, 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.
  - a. Either the Principal or the responsible staff member shall notify the Superintendent, who in turn shall notify the Police Department as soon as possible.
  - b. The Superintendent will provide to the Police Department and/or County Prosecutor all known information concerning the matter, including the identity of the student or staff member involved.
  - c. The Superintendent and/or Principal will not disclose the identity of any student or staff member who has voluntarily sought treatment or counseling for a substance abuse problem provided the student or staff member is not currently involved or implicated in drug distribution activities.
  - d. An admission by a student or staff member in response to questioning initiated by the Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids or drug paraphernalia by the Principal or teaching staff member, shall not constitute a voluntary, self-initiated request for counseling and treatment.
2. The Principal, or in the absence of the Principal the staff member responsible at the time of the alleged violation, will report to the police department. Whenever any staff member develops reason to believe that a firearm, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. section 921, or other deadly weapon, whether enumerated in N.J.S.A. 2C:39-1(r) or not, except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. section 921, has unlawfully been brought onto school property, or that any student or other person is in unlawful possession of a firearm or other deadly weapon, whether on or off school property, or that any student or other person has committed an offense with or while in

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possession of a firearm, whether or not such offense was committed on school property or during school operating hours.

- a. Either the Principal or the responsible staff member shall notify the Superintendent, who shall notify the Police Department as soon as possible.
  - b. The Superintendent will provide to the Police Department all known information concerning the matter, including the identity of the student or staff member involved.
3. The Superintendent and/or the Principal will immediately notify the Police Department whenever any school staff member in the course of his or her employment develops reason to believe that a student has threatened, is planning, or otherwise intends to cause death, serious bodily injury or significant bodily injury to another person under circumstances in which a reasonable person would believe the student genuinely intends at some time in the future to commit the violent act or carry out the threat.
4. The Superintendent and/or the Principal will immediately notify the Police Department whenever any school employee in the course of his or her employment develops reason to believe that a crime involving sexual contact or criminal sexual conduct has been committed on school property, or by or against a student during school operating hours or during school-related functions or activities.
5. School employees will immediately notify the Principal and/or Superintendent when in the course of their employment they develop reason to believe that a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property. This notification is required whether or not such offense was or is to be committed during school hours. This notification is also required if a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during school hours.
  - a. The Principal and/or Superintendent will promptly notify the Police Department and the Bias Investigation Officer for the County Prosecutor's office in the instances described above.
  - b. The Principal and/or Superintendent will immediately notify the Police Department and the Bias Investigation Officer for the County Prosecutor's office where there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened.

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### F. Handling of Substances, Firearms and Other Items

1. Any school employee who seizes or discovers any substance or item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall immediately notify and turn the substance or item over to the Principal or designee.
  - a. The Principal or designee shall immediately notify the Superintendent or designee who shall notify the Police Department.
  - b. The school employee, Principal or designee shall safeguard the substance or paraphernalia against further use or destruction and shall secure the substance or paraphernalia until such time as the substance or paraphernalia can be turned over to the appropriate law enforcement officials.
  - c. The Principal will provide to the County Prosecutor or designee all information concerning the manner in which the substance 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 any student or staff member believed to have been in possession of the substance or paraphernalia.
  - d. The Principal will not disclose the identity of any student or staff member who on his or her own initiative turned over the substance or paraphernalia to a school employee, provided that there is reason to believe that the student or staff member was involved with the substance or paraphernalia for the purpose of personal use, not distribution activities, and further provided that the student or staff member agrees to participate in an appropriate treatment or counseling program.

An admission by a student or staff member in response to questioning initiated by the Principal or teaching staff member, or following the discovery of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia by the Principal or teaching staff member will not constitute a voluntary self-initiated request for counseling and treatment.
2. Whenever a school employee seizes or comes upon any firearm or dangerous weapon, school officials will:

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- a. In the case of a firearm, immediately advise the Police Department and secure the firearm pending the response by the Police Department to retrieve and take custody of the firearm; and
  - b. In the case of a dangerous weapon other than a firearm, immediately advise the Police Department and secure the weapon pending the response by the Police Department to retrieve and take custody of the dangerous weapon.
3. School employees having custody of a firearm or dangerous weapon shall take reasonable precautions to prevent the theft, destruction or unlawful use of the firearm or dangerous weapon by any person.

### G. Confidentiality of Student or Staff Involvement in Substance Abuse Intervention and Treatment Programs

1. All information concerning a student's or staff member's involvement in a school intervention or treatment program for substance abuse shall be kept strictly confidential, according to the requirements of 42 CFR Part 2 and N.J.S.A. 18A:40A-7.1 and 7.2.
2. Nothing in this Regulation shall be construed in any way to authorize or require the transmittal of any information or records which are in the possession of a substance abuse counseling or treatment program.
3. The Principal will not disclose to law enforcement officials or to any person other than a member of the local district's comprehensive alcohol, tobacco and other drug abuse program that a student or staff member has received or is receiving services through the local district's comprehensive alcohol and other drug abuse program. The Principal will not disclose any information, including the student's or staff member's identity or information about illegal activity, where such information was learned in the course of or as a result of services provided through the local district's comprehensive alcohol and other drug abuse program.
4. Nothing in this Regulation shall be construed to preclude the disclosure of information about illegal activity that was learned by any school employee outside of the local district's comprehensive alcohol and other drug abuse program.

Any such information about illegal activity shall be reported according to the requirements of this Regulation and N.J.A.C. 6A:16-6.3 and 6.4.

### H. Records

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1. The Principal shall report to the Superintendent each incident involving an interrogation, search, or arrest of a student by a law enforcement agent.
2. The Principal shall record in writing and enter in the student's file:
  - a. The date, time, place, and circumstances of the incident;
  - b. The name of the officer and the law enforcement agency he/she represents;
  - c. The name of the student;
  - d. The notification or attempt to notify the student's parent(s) or legal guardian(s); and
  - e. An anecdotal description of the incident, including such information regarding its conduct as may be necessary to show that the student was fairly or unfairly treated.

### I. In-Service Training

The Superintendent will develop, in conjunction with the Building Principal(s), the County Prosecutor's Office and the Police Department, in-service training for school staff regarding Policy and Regulation 9320.

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### J. Agreement or Memorandum of Understanding With Law Enforcement

1. The Superintendent and Police Department will meet on a regular basis, or at least annually, to discuss the implementation and need for revising the Agreement or Memorandum of Understanding and to review the effectiveness of the policies and procedures implemented in accordance with N.J.A.C. 6A:16-6.1 et seq.
2. Any Agreement or Memorandum of Understanding between the Board of Education and Law Enforcement Officials will be approved by the Board of Education and will be submitted to the Police Department, County Prosecutor and County Superintendent of Schools.

Issued: