



**Upper Saddle River Board of Education**

395 West Saddle River Road  
Upper Saddle River, NJ 07458

**Mrs. Susan Gandara**, President  
**Mrs. MaryAnn Gray**, Vice President

Mrs. Erin Ginsberg  
Mr. Mark Mehegan  
Mr. Stephen Quagliani  
Dr. David Verducci  
Mrs. Joy Wenberg

**February 10, 2025  
Regular Meeting  
Cavallini Media Center  
392 West Saddle River Road**

**AGENDA**

This is a regular meeting of the Upper Saddle River Board of Education and appropriate notice has been provided to the designated newspapers, the Borough Clerk and all interested parties requesting such notice.

Two opportunities are provided at this meeting for citizens to make comments. The Board values and welcomes comments and opinions from the residents of Upper Saddle River as long as remarks are not personal or discourteous. Public comment allows the Board to listen to community members and to hear their opinions on school policy and operations.

Upon being recognized, persons wishing to speak should stand and identify themselves by name and address; the speaker should direct his/her remarks to the presiding officer. Comments shall be limited to school-related issues and each speaker will limit his/her remarks to three minutes. If personal or discourteous statements are made, the presiding officer shall require the speaker to stop. If, in the judgment of the presiding officer, the total time devoted to public comment becomes excessive, the presiding officer may indicate the Board has time for one more speaker and will so notify the public.

- I. Call to order and roll call Mrs. Gandara
- II. Flag salute and Pledge of Allegiance Mrs. Gandara
- III. Opening statement by presiding officer Mrs. Gandara
- IV. **REPORTS**
  - A. Superintendent’s Report Dr. Schoen
  - B. Board Secretary’s Report Mrs. Imbasciani
  - C. Board President’s Report Mrs. Gandara
  - D. Student Representative’s Report Miss Zoya Batla
  - E. Committee Reports
    - Education Mrs. Ginsberg
    - Finance Mr. Quagliani
    - Infrastructure Dr. Verducci
    - Negotiations Mrs. Wenberg
    - Personnel Mrs. Gandara

- F. USREF Report Mrs. Tedd  
G. USRPTO Report Mrs. McGovern

V. **PUBLIC COMMENT (for Agenda Items only)**

VI. **ADMINISTRATION** Dr. Schoen

**This motion will be one motion that encompasses items A and B and will be voted on at this meeting. This motion has been recommended for approval by the Superintendent.**

- A. Approve the submission of the NJ Department of Education School Self-Assessment for Determining Grades Under the Anti-Bullying Act (ABR) for Report Period 1, covering all HIB incidents occurring from 9/1/2024 through 12/31/2024 and HIB trainings & programs from 7/1/2024 through 12/31/2024 for the 2024/25 school year.

B. First Reading of the following Policies and Regulations:

Policy 5111	Eligibility of Resident/Nonresident Students (M) (Revised)
Policy 5512	Harassment, Intimidation, or Bullying (M) (Revised)
Policy 5516	Use of Electronic Communication Devices (Revised)
Policy 5533	Student Smoking (M) (Revised)
Policy 5701	Academic Integrity (Revised)
Policy 7441	Electronic Surveillance in School Buildings and on School Grounds (M) (Revised)
Policy 9320	Cooperation with Law Enforcement Agencies (M) (Revised)
Regulation 9320	Cooperation with Law Enforcement Agencies (M) (Revised)

VII. **PERSONNEL** Dr. Schoen

**This motion will be one motion that encompasses items A through C and will be voted on at this meeting. This motion has been recommended for approval by the Superintendent.**

A. Leaves

1. Revise the paid medical leave of absence for Employee #0077, to effective November 1, 2024 through approximately August 1, 2025.

B. Appointments

1. Appoint Kara Capo to the position of ACE Team Member for the 2024/2025 school year. \$20.00/hour  
2. Appoint Samantha Dabal to the position of ACE Team Member for the 2024/2025 school year. \$22.00/hour  
3. Appoint Ilin Kiryako to the position of ACE Team Member for the 2024/2025 school year. \$20.00/hour  
4. Appoint Chloe Klein to the position of ACE Team Member for the 2024/2025 school year. \$16.00/hour  
5. Appoint Nicholas Napolitano to the position of ACE Team Member for the 2024/2025 school year. \$20.00/hour  
6. Appoint Sara Senger as a Chorus Aide to assist at Bogert's After School Chorus, one day per week.

7. The following staff members are recommended for the position listed below for the 2024/25 school year:

<b>ADVISOR</b>		
Cavallini Head Musical Director	Maximus Tripodi	\$3,000.00
Cavallini Assistant Musical Director	Jennifer Kruter	\$1,500.00
<b>LUNCH DUTY</b>		
Bogert	Lisa Heins	\$22/day

C. Substitutes/Consultants/Volunteers

1. Approve Eamon Block as a substitute teacher/paraprofessional for the 2024/25 school year, subject to the satisfactory completion of the criminal history records check required by law. Mr. Block’s NJ Substitute Teaching certificate is pending. \*
2. Approve Claude Davila as a substitute teacher/paraprofessional for the 2024/25 school year, subject to the satisfactory completion of the criminal history records check required by law. Ms. Davila holds a NJ Teacher of Mathematics certificate.
3. Approve Maria Deraco as a substitute teacher/paraprofessional for the 2024/25 school year. Ms. Deraco’s holds a NJ Substitute Teaching certificate.
4. Approve Adam Fahmy as a substitute teacher/paraprofessional for the 2024/25 school year. Mr. Fahmy holds a NJ Substitute Teaching certificate.
5. Approve Michaela Sorvino as a substitute teacher/paraprofessional for the 2024/25 school year, subject to the satisfactory completion of the criminal history records check required by law. Ms. Sorvino’s NJ Substitute Teaching certificate is pending.
6. Approve Isabella Taglieri as a substitute teacher/paraprofessional for the 2024/25 school year, subject to the satisfactory completion of the criminal history records check required by law. Ms. Taglieri holds a NJ Substitute Teaching certificate.

\* Related to staff member

VIII. **FINANCE**

Mrs. Imbasciani

**This motion will be one motion which encompasses Items A through P will be voted on at this meeting. This motion has been recommended for approval by the Superintendent.**

- A. Approve the Minutes of Board Meetings:

January 6, 2025 Reorganization Meeting and January 6, 2025 Regular Meeting

- B. Approve the Bills List for January 2025 as follows:

10	General Current Expense	\$87,033.73
11	General Current Expense	\$2,446,923.79
20	Special Revenue Funds	\$27,908.34
60	Enterprise Fund	\$38,557.65
	Total	\$2,600,423.51

- C. Approve the Transfers for January 2025.
- D. Approve the Board Secretary and Treasurer’s Reports dated January 2025 and to certify that after review of these reports and upon consultation with appropriate district officials, as to the best of our knowledge, no major account or fund has been over expended in violation of NJAC 6A:23-2.11 and that sufficient funds are available to meet the district’s financial obligation for the remainder of the year.
- E. Approve Application for Payment #5, for KDP Developers Inc., for the Septic Field Replacement at Bogert School, in the amount of \$40,173.69. (This is the final payment)
- F. Approve the cancellation of the following Payroll Account Check:

<u>Date</u>	<u>Check Number</u>	<u>Amount</u>
8/15/23	117942	\$813.28

- G. Approve the following Resolution:

**NORTHEAST BERGEN COUNTY SCHOOL BOARD INSURANCE GROUP  
FUND MEMBERSHIP, INDEMNITY AND TRUST AGREEMENT**

**THIS AGREEMENT** made this first day of July 2025 in the County of Bergen, State of New Jersey By and Between: Northeast Bergen County School Board Insurance Group (hereinafter referred to as “Group”) and the Board of Education of Upper Saddle River a duly constituted unit of government (hereinafter referred to as the “Board”):

**WHEREAS**, several local school districts have collectively formed or are in the process of forming a School Board Group as such an entity is authorized and described in NJSA 18A: 18B and the administrative regulations promulgated pursuant thereto and:

**WHEREAS**, the Board has agreed to renew membership in the GROUP and to share in the obligations and benefits flowing from such membership with other members of the GROUP in accordance with and to the extent provided for in the Bylaws of the GROUP and in consideration of such obligations and benefits to be shared by the membership of the GROUP:

**NOW THEREFORE**, it is agreed as follows:

1. The BOARD accepts the GROUP'S Bylaws as approved and adopted and agrees to be bound by and to comply with each and every provision of the said Bylaws and the pertinent Statutes and Administrative Regulations pertaining to the same.
2. The BOARD agrees to participate in the GROUP with respect to the types of insurance offered by the GROUP: Self-Insured Workers’ Compensation, Property, Liability, Auto, Crime, Excess Liability, Environmental, School Board Legal and any other insurance offered by the GROUP, allowed by law.
3. The BOARD agrees to renew membership in the GROUP for the period of three **(3) years, the commencement of which shall be July 1, 2025.**
4. The BOARD certifies that it has never defaulted any claims if self-insured and has not been canceled for non-payment of insurance premiums for a period of at least two years prior to the date hereof.
5. In consideration of membership in the GROUP the BOARD agrees that it shall jointly and severally assume and discharge the liability of each and every member of the GROUP, all of whom as a condition of membership in the GROUP shall execute a verbatim counter-part of this Agreement and by execution hereof the full faith and credit of the BOARD is pledged to the punctual payment of any sums which shall become due to the GROUP in accordance with the Bylaws thereof, this Agreement or any applicable Statute.

6. If the GROUP in the enforcement of any part of this Agreement shall incur necessary expense or become obligated to pay an attorney's fees and/or Court costs the BOARD agrees to reimburse the GROUP for all such reasonable expenses, fees and costs on demand.

7. The BOARD and the GROUP agree that the GROUP shall hold all monies paid by the BOARD to the GROUP as fiduciaries for the benefit of GROUP claimants all in accordance with NJSA 18a;18b.

8. The GROUP shall establish separate Trust Accounts for each of the following categories of risk and liability:

- a) Claims or Loss Retention Fund
- b) Administrative
- c) Workers' Compensation Premium

The GROUP shall maintain Trust Accounts aforementioned in accordance with NJSA 18A:18B, the GROUP'S Bylaws and such other Statutes as may be applicable. Specifically the "Claims or Loss Retention Fund" Trust Account shall be utilized solely for the payment of claims, allocated claim expense and excess insurance or re-insurance premiums for each such risk or liability or as "surplus",

9. Each BOARD who shall become a member of the GROUP shall be obligated to execute this Agreement.

H Approve the following Resolution:

**BE IT RESOLVED** that the Upper Saddle River Board of Education does hereby approve an agreement with the Region 1/Mahwah Board of Education, a Coordinated Transportation Services Agency, for the purpose of transporting students in accordance with Chapter 53, P.L. 1997 for the **2025/2026** school year. The services to be provided include, but are not limited to, the coordinated transportation of public, nonpublic and special education students.

**BE IT FURTHER RESOLVED**, that the Upper Saddle River Board of Education agrees to abide by the Transportation Services Agreement as published by the Region 1/Mahwah Board of Education and attached to this resolution.

I. Accept one (1) Special Education tuition student, whose name is on file in the Board Office, from the Ho-Ho-Kus Board of Education for the 2024/25 school year, beginning on or about February 19, 2025.

J. Accept one (1) Special Education tuition student, whose name is on file in the Board Office, from the Ho-Ho-Kus Board of Education for the 2024/25 school year, beginning on or about February 20, 2025.

K. Approve the following staff for the FY25 Title 1 Grant SPARK Program:

<b>Winter Session: \$1,540</b>		
Shea Darienzo	Anamarie Massaro	Jacqueline Valdes
Meghan Ennis	Jaclyn Passanante	Brian Walis
Jennifer Gareffa	Jill Powers	Heather Walker
Kristin Martin	Catherine Teehan	

L. Approve the removal of the following Apple MacBook Air equipment from inventory:

Item	Model	Serial Number	Bar Code	Condition
Apple Macbook Air 13 inch 1.6Ghz Intel Core i5 Laptop	A1466	C1MQ61XKG944	7931	Unusable
Apple Macbook Air 13-inch 2017 2.2 Ghz Intel Core i7	A1466	FVFWX1GYJ1WV	8542	Unusable
Apple Macbook Air 13 inch	A1466	C1MQ98GUG944		Unusable
Apple Macbook Air 13 inch	A1466	C1MQ98GMG944		Unusable
Apple Macbook Air 13 inch	A1466	FVFTG4RWJ1WT		Unusable
Apple Macbook Air 13 inch	A1466	FVFWX1MWJ1WV		Unusable
Apple Macbook Air 13 inch 1.8Ghz Laptop	A1466	FVFGY4SDJ1WT	8675	Unusable
Apple Macbook Air 13 inch 1.8Ghz Laptop	A1466	FVFGY4SQJ1WT	8696	Unusable
Apple Macbook Air 13-inch 2017 2.2 Ghz Intel Core i7	A1466	FVFWX1N5J1WV	8554	Unusable
Apple MacBook with Retina Display 2.2GHz Laptop	A1466	FVFWX1MQJ1WV	8561	Unusable
Apple Macbook Air 13 inch 1.8Ghz Laptop	A1466	FVFGY3PHJ1WT	8703	Unusable
Apple Macbook Air 13 inch	A1466	c1mq61xfg944		Unusable
Apple Macbook Air 13 inch 1.6Ghz Intel Core i5 Laptop	A1466	C1MQC23XG944	8019	Unusable
Apple Macbook Air 13 inch 1.6Ghz Intel Core i5 Laptop	A1466	C1MQ61YMG944	7929	Unusable
Apple Macbook Air 13 inch 1.6Ghz Intel Core i5 Laptop	A1466	c1mq61x1g944	7953	Unusable
Apple Macbook Air 13 inch 1.6Ghz Intel Core i5 Laptop	A1466	C1MQ63ZCG944	7928	Unusable
Apple Macbook Air 13-inch 2017 2.2 Ghz Intel Core i7	A1466	FVFWX1GXJ1WV	8546	Unusable
Apple Macbook Air 13 inch 1.8Ghz Laptop	A1466	FVFGY3PTJ1WT	8689	Unusable
Apple Macbook Air 13 inch 1.8Ghz Laptop	A1466	FVFGY4FJJ1WT	8693	Unusable

M. Approve the donation of one \$2,000 “Guest Speaker” grant to Bogert School from the Upper Saddle River Educational Foundation(USREF).

N. Approve the donation from Bogert School of \$1,085.00 to Cami Cares. This money was raised by students from a fundraiser which was organized by Bobcat Buddies Club.

O. Approve submission of the SEMI Waiver for the 2025/26 school year to the Executive County Superintendent of Schools.

P. Approve the following Travel Expenses:

Program Name	Date	Employee	Registration Fee	Travel Cost
IMSE (Institute for Multi-Sensory Education)-Fuel the Future of Literacy Online	March 5, 2025	Eda-Marie Carmilani	\$20.00	\$0.00
		Peggy Dobrinski	\$20.00	\$0.00
		Valerie Kersting	\$20.00	\$0.00
Purposeful Play to Increase Students’ Academic Learning & Social Emotional Growth (Preschool - K) Online	March 19, 2025	Amanda Feijo	\$295.00	\$0.00
2025 NJSBGA Conference/Expo Atlantic City, NJ	March 23-25, 2025	Nijazi Leka	\$350.00	\$521.98
Strengthening Your Pre-K to 2nd Grade Students Executive Function Skills Online	April 10, 2025	Stacy Schiff	\$295.00	\$0.00

IX. PUBLIC COMMENT

X. ADJOURNMENT

Mrs. Gandara

## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

### 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

#### M

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

- Eligibility to Attend School – N.J.A.C. 6A:22-3.1, 3.2, and 3.3

- The Board shall admit students eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1 and Regulation 5111 – Section B.

- The Board shall also admit any student that is kept in the home of a person other than the student's parent ~~or guardian~~, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were their own child in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111 – Section C.

- Pursuant to N.J.S.A. 18A:38-1.c., any person who fraudulently allows a child of another person to use their residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of their child to a person in another district commits a disorderly persons offense.

- A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d. if the student's parent ~~or guardian~~ temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere pursuant to N.J.A.C. 6A:22-3.1(a)4. and Regulation 5111 – Section B.

- A student is eligible to attend this school district free of charge in accordance with N.J.A.C. 6A:22-3.2 and Regulation 5111 – Section C.

- Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h) and Regulation 5111 – Section C.

- Except as set forth in N.J.A.C. 6A:22-3.3(b) ~~1-;~~, immigration/visa status shall not affect eligibility to attend school. - Any student who is domiciled in the school district or



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

otherwise eligible to attend school in the school district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111 – Section D.

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Proof of Eligibility – N.J.A.C. 6A:22-3.4

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The Board ~~of Education~~ shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4 and Regulation 5111 – Section E.

-  
In the case of a dispute between the school district and the parent of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (NJMVC) ~~the parent or guardian's~~ parent's name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3.

-  
Registration Forms and Procedures for Initial Assessment – N.J.A.C. 6A:22-4.1

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Registration and procedures for initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1 and Regulation 5111 – Section F.

-  
Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2 and Regulation 5111 – Section F.

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When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education in accordance with N.J.A.C. 6A:22-4.1(c)2. and Regulation 5111 – Section F.

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When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws in accordance with N.J.A.C. 6A:22-4.1(d) and Regulation 5111 – Section F.





## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

Enrollment or attendance at the school shall not be conditioned or denied pursuant to N.J.A.C. 6A:22-4.1(e) through (i) and Regulation 5111 – Section F.

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Notices of Ineligibility – N.J.A.C. 6A:22-4.2

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When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4.2 and Regulation 5111 – Section G.

-  
Removal of Currently Enrolled Students – N.J.A.C. 6A:22-4.3

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Nothing in N.J.A.C. 6A:22-4, this Policy, and Regulation 5111 shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information pursuant to N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.

-  
When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board for the student's removal in accordance with the provisions of N.J.A.C. 6A:22-4.3 and Regulation 5111 – Section H.

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Appeal to the Commissioner – N.J.A.C. 6A:22-5.1

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An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools in accordance with N.J.A.C. 6A:22-5.1 and Regulation 5111 – Section I.

-  
Assessment and Calculation of Tuition – N.J.A.C. 6A:22-6

-  
If no appeal to the Commissioner is filed by the parent, guardian, adult student, or district resident keeping an affidavit student following notice of an ineligibility determination, the Board of Education may assess tuition for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner in accordance with N.J.A.C. 6A:22-6.1 and Regulation 5111 – Section J. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 and Regulation 5111 – Section J.



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

If an appeal to the Commissioner is filed by the parent, ~~guardian~~, adult student, or district resident keeping an affidavit student and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a) and Regulation 5111 – Section J. Upon the Commissioner's finding that an appeal has been abandoned, the Board may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2(a)1. and Regulation 5111 – Section J.

-  
Nonresident Students – N.J.S.A. 18A:38-3.a.  
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Any person not resident in the school district, if eligible except for residence, may be admitted to the schools of the district with the consent of the Board of Education upon such terms, and with payment of tuition, as the Board prescribes. The Board of Education, with the approval of the Executive County Superintendent, shall establish a uniform tuition amount for any nonresident student admitted to the schools of the district pursuant to The continued enrollment of any nonresident student shall be contingent upon the student's maintenance of good standards of citizenship, discipline, attendance, and payment of tuition.

Upon recommendation of the Superintendent, nonresident students, otherwise eligible for attendance, may be admitted to this school district with payment of tuition and Board approval. Approval is not guaranteed. If the student (s) is/are deemed to need special services, the family will be billed separately for these additional costs.

Children of Nonresident Staff Members

Any staff member who does not reside in this school district will not be permitted to enroll their children in the educational program of the school district.

Who Anticipate Moving into the District

A nonresident student otherwise eligible for attendance whose parent or guardian anticipate school district residency and has entered into a contract to buy, build, or rent a residence in this school district may be enrolled provided they sign the Upper Saddle River Board of Education Non-Resident Tuition Agreement form and submit it to the District with a check for 25% of the total cost of tuition. If any such student becomes a resident within four



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

weeks of enrollment, 100% of the tuition paid will be refunded. If any such student does not become a resident of the school district within four weeks after admission to school, tuition will continue to be charged for attendance as per the terms of Section 3 of the Non-Resident Tuition Agreement until such time as the student becomes a resident or withdraws from school.

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N.J.S.A. 18A:38-1; 18A:38-1.1; 18A:38-1.3; 18A:38-3;  
18A:38-3.1; 18A:7B-12

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.  
8 CFR 214.3

### Adopted:

Adopted: 16 June 2008

Revised: 18 October 2010

Revised: 17 October 2011

Revised: 20 June 2016

Revised: 19 June 2017

Revised: 11 December 2017

Revised: 29 April 2019

Revised: 7 December 2020

Revised: 15 March 2021

Revised: 15 November 2021

Revised: 18 December 2023

Revised: 21 October 2024



# DRAFT

Students  
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HARASSMENT, INTIMIDATION, OR BULLYING (M)

5512 HARASSMENT, INTIMIDATION, OR BULLYING (M)

M

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## HARASSMENT, INTIMIDATION, OR BULLYING (M)

O.— Reports to Law Enforcement

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P.— Collective Bargaining Agreements and  
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Q.— Students with Disabilities

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A. Prohibiting Harassment, Intimidation, or Bullying

-

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

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

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B. Definition of Harassment, Intimidation, or Bullying

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

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1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3;

-



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that

a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to their person or damage to their property; or

b. Has the effect of insulting or demeaning any student or group of students; or

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

The Board of Education recognizes that bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Recognizing "a real or perceived power imbalance" may assist school officials in identifying harassment, intimidation, or bullying within the context and relative positions of the alleged aggressor and target.

"Electronic communication" means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or remotely activating paging device (in accordance with N.J.A.C. 6A:16-1.3).

In accordance with the Board of Education's Code of Student Conduct and this Policy, all acts of harassment, intimidation, or bullying that occur off school grounds, such as "cyber-bullying" (e.g., the use of electronic means to harass, intimidate, or bully) are addressed in this Policy.

### C. Student Behavior

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



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

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

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

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

- Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, school employees, volunteers, students, and community representatives, in the development of this Policy. -

- Pursuant to N.J.A.C. 6A:16-7.1, the Board developed guidelines for student conduct, taking into consideration the nature of the behavior; the nature of the student's disability, if any and to the extent relevant; the developmental ages of students; severity of the offenses and students' histories of inappropriate behaviors;



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

and the mission and physical facilities of the individual school(s) in the district. - This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules. -

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

- The district prohibits active or passive support for acts of harassment, intimidation, or bullying. - The school district will support students who:

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

### D. Consequences and Remedial Actions

- The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct, and the consequences and remedial responses for staff members who commit one or more acts of harassment, intimidation, or bullying. -

In every incident found to be harassment, intimidation, or bullying, the school Principal, in consultation with appropriate school staff, may apply disciplinary consequences and/or remedial actions, such as the provision of counseling, behavioral interventions, or other measures. —

- Appropriate consequences and remedial actions are those that are graded according to the severity of the offenses; consider the developmental ages of the student offenders; the nature of the student's disability, if any and to the extent relevant;





## HARASSMENT, INTIMIDATION, OR BULLYING (M)

and students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.

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

### Factors for Determining Consequences

- Age, disability (if any and to the extent relevant), developmental and maturity levels of the parties involved and their relationship to the school district;
- Degrees of harm;
- Surrounding circumstances;
- Nature and severity of the behaviors;
- Incidences of past or continuing patterns of behavior;
- Relationships between the parties involved; and
- Context in which the alleged ~~incidences~~incidents occurred.

### Factors for Determining Remedial Measures

#### Personal:

- Life skill deficiencies;
- Social relationships;
- Strengths;
- Talents;
- Traits;
- Interests;
- Hobbies;
- Extra-curricular activities;
- Classroom participation;
- Academic performance;
- Relationship to peers; and
- Relationship between student/family and the school district.



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

### Environmental:

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- School culture;
- School climate;
- Student-staff relationships and staff behavior toward the student;
- General staff management of classrooms or other educational environments;
- Staff ability to prevent and manage difficult or inflammatory situations;
- Availability of programs to address student behavior;
- Social-emotional and behavioral supports;
- Social relationships;
- Community activities;
- Neighborhood situation; and
- Family situation.
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### Examples of Consequences and Remedial Measures

The consequences and remedial measures may include, but are not limited to, the examples listed below:

### Examples of Consequences:

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- Admonishment;
- Temporary removal from the classroom (any removal of .5 days or more must be reported in the Student Safety Data System);
- Deprivation of privileges;
- Classroom or administrative detention;
- Referral to disciplinarian;
- In-school suspension during the school week or the weekend;
- Out-of-school suspension (short-term or long-term);
- Reports to law enforcement or other legal action;
- Expulsion; and
- Bans from receiving certain services,



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participating in school-district-sponsored programs or being in school buildings or on school grounds.

### Examples of Remedial Measures

#### Personal:

- Restitution and restoration;
- Peer support group;
- Recommendations of a student behavior or ethics council;
- Corrective instruction or other relevant learning or service experience;
- Supportive student interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- Behavioral assessment or evaluation, including, but not limited to, a referral to the Child Study Team, as appropriate;
- Behavioral management plan, with benchmarks that are closely monitored;
- Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- Involvement of school "disciplinarian";
- Student counseling;
- Parent conferences;
- Alternative placements (e.g., alternative education programs);
- Student treatment; and
- Student therapy.

#### Environmental (Classroom, School Building, or School District):

- School and community surveys or other strategies for determining the conditions contributing to HIB;
- School culture change and school



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

- climate improvement;
- Adoption of research-based, systemic bullying prevention programs;
- School policy and procedures revisions;
- Modifications of schedules;
- Adjustments in hallway traffic;
- Modifications in student routes or patterns traveling to and from school;
- Supervision of student before and after school, including school transportation;
- Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- Teacher aides;
- Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- General professional development programs for certificated and non-certificated staff;
- Professional development plans for involved staff;
- Disciplinary action for school staff who contributed to the problem;
- Supportive institutional interventions, including participation of the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- Parent conferences;
- Family counseling;
- Involvement of parent-teacher organizations;
- Involvement of community-based organizations;
- Development of a general bullying response plan;
- Recommendations of a student behavior or ethics council;
- Peer support groups;
- Alternative placements (e.g., alternative education programs);
- School transfers; and
- Law enforcement (e.g., safe schools resource officer, juvenile officer) involvement or other legal action.



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Consequences and appropriate remedial actions for a student or staff member who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board's Board's approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.--

The Principal, in consultation with appropriate school staff, shall develop an individual student intervention plan when a student is found to be an offender in three harassment, intimidation, or bullying incidents and each subsequent incident occurring within one school year.- The student intervention plan may include disciplinary consequences and/or remedial actions and may require the student, accompanied by a parent, to satisfactorily complete a class or training program to reduce harassment, intimidation, or bullying behavior. - Each student intervention plan must be approved by the Superintendent.

While the majority of incidents may be addressed solely by school officials, the Superintendent or designee and the Principal shall report a harassment, intimidation, or bullying incident to law enforcement officials if the conduct rises to the level of a mandatory report as outlined in the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials.

### Consequences and Appropriate Remedial Actions – Adults

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

#### E. Reporting Harassment, Intimidation, or Bullying

The Board of Education requires the Principal at each school to be responsible for receiving all complaints alleging harassment, intimidation, or bullying committed by an adult or youth against a student.- All Board members, school employees, and volunteers and contracted service providers who have contact with students, are required to verbally report alleged acts of harassment, intimidation, or bullying to the Principal or designee on the same day when the individual witnessed or received



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

reliable information regarding any such incident. - All Board members, school employees, and contracted service providers who have contact with students, also shall submit a New Jersey Department of Education-approved HIB 338 Form to the Principal within two school days of the verbal report. - Failure to make the required report(s) may result in disciplinary action. - The HIB 338 Form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or Federal Law. -

- The district may not fail to initiate an investigation of harassment, intimidation, or bullying solely because written documentation was not provided. - Failing to conduct a harassment, intimidation, or bullying investigation solely because a parent or student did not submit written documentation violates the Anti-Bullying Bill of Rights Act and this Policy. - If a parent makes a verbal allegation of harassment, intimidation, or bullying to a district staff member, but does not complete and submit the HIB 338 Form, the staff member or a designee must complete and submit the HIB 338 Form. -

- The Principal or designee is required to inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. - Pursuant to N.J.A.C. 6A:16-7.7(a)2.viii.(2), when providing notification to the parents of all students involved, the Principal or designee shall take into account the circumstances of the incident when conveying the nature of the incident, including the actual or perceived category motivating the alleged offense. - The Principal or designee shall keep a written record of the date, time, and manner of notification to the parents. -

- The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation. -

- Students, parents, and visitors are encouraged to report alleged acts of harassment, intimidation, or bullying to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident. - The school district shall provide a person an online means to complete the HIB 338 Form to anonymously report an act of harassment, intimidation, or bullying. - Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report. -

- A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

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The Principal shall promptly submit a copy of each completed HIB 338 Form to the Superintendent.-

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The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. - For anonymous reporting, in addition to making the HIB 338 Form available online, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

-  
A school administrator who receives a report of harassment, intimidation, or bullying or who determines a reported incident or complaint, assuming all facts presented are true, is a report within the scope of N.J.S.A. 18A:37-14 and fails to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation, or bullying and fails to take sufficient action to minimize or eliminate the harassment, intimidation, or bullying, may be subject to disciplinary action. - The district also should consider procedures and disciplinary action when it is found that someone had information regarding a harassment, intimidation, or bullying incident, but did not make the required report(s).

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F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate Team(s)

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1. The Superintendent shall appoint a district Anti-Bullying Coordinator. - The Superintendent shall make every effort to appoint an employee of the school district to this position.

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The district Anti-Bullying Coordinator shall:

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a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;

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b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
  - d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
  - e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, or bullying in the district.
2. The Principal in each school shall appoint a school Anti-Bullying Specialist. - The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
  - b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
  - c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.
3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. - Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. - The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: -a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the





## HARASSMENT, INTIMIDATION, OR BULLYING (M)

Principal. - The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team. -

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The School Safety/School Climate Team shall:

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- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
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- b. Receive copies of all reports prepared after an investigation of an incident of harassment, intimidation, or bullying;
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- c. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
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- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
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- e. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
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- f.- Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request. - The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and
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- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

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



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### G. Investigating Allegations of Harassment, Intimidation, or Bullying

#### **Principal's Preliminary Determination**

Prior to initiating an investigation regarding a reported incident or complaint, the Principal or designee, in consultation with the ~~anti-bullying specialist~~Anti-Bullying Specialist, shall make a preliminary determination as to whether a reported incident or complaint, assuming all facts are presented as true, is a report within the scope of N.J.S.A. 18A:37-14.

Should the Principal or designee, in consultation with the ~~anti-bullying specialist~~Anti-Bullying Specialist, determine that a reported incident or complaint, assuming all facts presented are true, is not a report within the scope of N.J.S.A. 18A:37-14, the incident will be addressed through the Board's Code of Student Conduct policy. The HIB 338 Form shall be completed, even if a preliminary determination is made not to conduct an investigation of harassment, intimidation, or bullying because the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying, and must be submitted to the Superintendent. The Principal will provide the parents of the alleged offender(s) and victim(s) with formal notice of the decision not to initiate a harassment, intimidation, or bullying investigation.

The HIB 338 Form shall be kept on file at the school and will only be added to a student record if the alleged incident is founded, disciplinary action is imposed or is otherwise required to be contained in a student's record under State or Federal law.

The Superintendent may require the Principal to conduct a harassment, intimidation, or bullying investigation of the incident if the Superintendent determines that the incident is within the scope of harassment, intimidation, or bullying and shall notify the Principal of this determination in writing. Should the Superintendent require the Principal to conduct a harassment, intimidation, or bullying investigation, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school ~~anti-bullying specialist~~Anti-Bullying Specialist.

Additionally, any preliminary determination that finds the incident or complaint is a report outside the scope of N.J.S.A. 18A:37-14 may be appealed to the Board, pursuant to the Board policies and procedures governing student grievances, and thereafter to the Commissioner ~~(in accordance with~~N.J.A.C. 6A:16-7.7(a)ix(1) and (a)ix(1)(A)). Should the preliminary determination not to conduct an



investigation of harassment, intimidation, or bullying be overturned, the Principal will immediately initiate an investigation of harassment, intimidation, or bullying by referring the matter to the school ~~anti-bullying specialist~~Anti-Bullying Specialist.

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The Board requires a thorough and complete investigation to be conducted for each reported incident or complaint, assuming all facts presented are true, that is determined to be a report within the scope of N.J.S.A. -18A:37-14.- The investigation shall be initiated by the Principal or designee within one school day of the verbal report of the incident. - The investigation shall be conducted by the school ~~anti-bullying specialist~~Anti-Bullying Specialist appointed by the Principal. - The Principal may appoint additional personnel who are not school ~~anti-bullying specialists~~Anti-Bullying Specialists to assist the school ~~anti-bullying specialist~~Anti-Bullying Specialist in the investigation. - Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. - The ~~anti-bullying specialist~~Anti-Bullying Specialist may not participate in an investigation regarding their supervisor or staff at a higher administrative level.

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

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



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

-  
Parents of the students who are parties to the investigation shall be provided with information about the investigation, in accordance with Federal and State law and regulation. - The information to be provided to parents includes the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. - This information shall be provided in writing within five school days after the results of the investigation are reported to the Board.

-  
A parent may request a hearing before the Board after receiving the information. - Any request by the parents for a hearing before the Board concerning the written information about a harassment, intimidation, or bullying investigation, pursuant to N.J.S.A. 18A:37-15 ~~(b)(6)(d)~~, must be filed with the Board Secretary no later than sixty calendar days after the written information is received by the parents. - The hearing shall be held within ten business days of the request. - Prior to the hearing, the Superintendent shall confidentially share a redacted copy of the HIB 338 Form that removes all student identification information with the Board. - The Board shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. - At the hearing, the Board may hear testimony from and consider information provided by the school ~~anti-bullying specialist~~ Anti-Bullying Specialist and others, as appropriate, regarding the alleged incident; the findings from the investigation of the alleged incident; recommendations for consequences or services; and any programs instituted to reduce such incidents, prior to rendering a determination. Where a quorum of the Board is unable to be convened within the 10-day period, the Board may utilize an HIB committee to hold an HIB hearing unless the parent consents to adjourn the hearing until a quorum can be convened. Following the HIB hearing, the HIB committee will forward its recommendation to the full Board of Education for review at the Board's upcoming meeting.



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

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

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The Board also requires the thorough investigation of complaints or reports of harassment, intimidation, or bullying, occurring on district school buses, at district school-sponsored functions, and off school grounds involving a student who attends an approved private school for students with disabilities.- The investigation will be conducted by the Board's ~~anti-bullying specialist~~Anti-Bullying Specialist in consultation with the approved private school for students with disabilities.

### H. Responding to Harassment, Intimidation, or Bullying

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The Board of Education authorizes the Principal of each school to define the range of ways in which school staff will respond once an incident of harassment, intimidation, or bullying is confirmed, and the Superintendent shall respond to confirmed harassment, intimidation, or bullying, according to the parameters described below and in this Policy. - The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring that the school officials respond appropriately to the individual(s) committing the acts. - Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district levels or by law enforcement officials.- Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions, N.J.A.C. 6A:16-7.3, Long-term suspensions, and N.J.A.C. 6A:16-7.4, Expulsions. -

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In considering whether a response beyond the individual is appropriate, school officials shall consider the nature and circumstances of the act; the degree of harm; the nature and severity of the behavior; past incidences or past or continuing



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

patterns of behavior; and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based harassment, intimidation, or bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions, and to the involvement of law enforcement officers, including safe schools resource officers.

This Policy and the Code of Student Conduct shall apply to instances when a school employee is made aware of alleged harassment, intimidation, or bullying occurring off school grounds.

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

1. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion, law enforcement report or other legal action).
2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, parent programs, and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices or strategies for fostering expected student behavior.
4. District-wide responses can include community involvement in policy review and development; professional development programs; adoption of curricular curricula and school-wide programs; coordination with



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

community-based organizations (e.g., mental health, health services, health facilities, law enforcement officials, faith-based organizations); and disseminating information on the core ethical values adopted by the Board's Code of Student Conduct, per N.J.A.C. 6A:16-7.1(a)2.

In providing support for victims of harassment, intimidation, or bullying, the district should identify a range of strategies and resources, which may include, but is not limited to, the following actions for individual victims:

- Counseling;
- Teacher Aides;
- Hallway and playground monitors;
- Schedule changes;
- Before and after school supervision;
- School transportation supervision;
- School transfers; and
- Therapy.

### I.- Reprisal or Retaliation

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

### J.- False Accusations of Harassment, Intimidation, or Bullying

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

1. Students - Consequences and appropriate remedial action for a student could range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1, Discipline of Pupils and as set forth in N.J.A.C. 6A:16-7.2, Short-term suspensions,



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

N.J.A.C. 6A:16-7.3, Long-term suspensions, and N.J.A.C. 6A:16-7.4, Expulsions;

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students could entail discipline in accordance with district policies, procedures, and agreements; and
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services.

### K. Additional Policy Requirements

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

The Superintendent shall post a link to this Policy that is prominently displayed on the home page of the school district's website. - The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent shall post the name, school phone number, school address and school email address of the district ~~anti-bullying coordinator~~Anti-Bullying Coordinator on the home page of the school district's website. - Additionally, the Superintendent shall post the contact information for the School Climate State Coordinator on the school district home page alongside this Policy.

Each Principal or designee shall post the name, school phone number, school address, and school email address of both the school ~~anti-bullying specialist~~Anti-Bullying Specialist and the district ~~anti-bullying coordinator~~Anti-Bullying Coordinator on the home page of each school's website.





-  
The Superintendent shall post the New Jersey Department of Education's Guidance for Parents on the Anti-Bullying Bill of Rights Act on the district homepage and on the homepage for each school in the district with a website.

-  
The Superintendent and the Principals shall provide training on the school district's harassment, intimidation, or bullying policies to school employees contracted service providers and volunteers who have significant contact with students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying. The school district's employee training program shall include information regarding the school district policy against harassment, intimidation, or bullying, which shall be provided to full-time and part-time staff, contracted service providers and school volunteers who have significant contact with students.

-  
The Superintendent shall develop and implement a process for annually discussing the school district policy on harassment, intimidation, or bullying with students. The Superintendent and the Principal(s) shall annually conduct a re-evaluation, reassessment, and review of this Policy and any report(s) and/or finding(s) of the ~~school safety/school climate team~~ School Safety/School Climate Team, with input from the school ~~anti-bullying specialists~~ Anti-Bullying Specialist, and recommend revisions and additions to this Policy as well as to harassment, intimidation, or bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.

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

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



## HARASSMENT, INTIMIDATION, OR BULLYING (M)

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

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

-  
The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. - In order to recognize the importance of character education, the school district **willshall** observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, or bullying as defined in N.J.S.A. 18A:37-14. - Throughout the school year the district **willshall** provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the New Jersey Student Learning Standards, pursuant to N.J.S.A. 18A:37-29. -

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

-  
M. Reports to Board of Education and New Jersey Department of Education

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

-  
N. School and District Grading Requirements

-  
Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. ~~18~~18A:37-13 et seq. - The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. - A link to the report that



was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. - This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.-

-  
O. Reports to Law Enforcement  
-

The Superintendent or designee and the Principal shall consult law enforcement, as appropriate, pursuant to the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, (MOA), if the student's behavior may constitute a possible violation of the New Jersey Code of Criminal Justice.

Law enforcement officials may request a suspension or stay of the district's harassment, intimidation, or bullying investigation if the conduct is being investigated by law enforcement. If law enforcement officials request a suspension or stay of a harassment, intimidation, or bullying investigation, school officials will follow the provisions of the MOA regardless of where the district is in the harassment, intimidation, or bullying investigation timeline.

School officials will immediately memorialize the request, in writing, from law enforcement and advise the parent(s) of the alleged perpetrator(s) and alleged victim(s) of law enforcement's request. The notice to parents must include notice that the district is obligated under New Jersey's Law Against Discrimination to address student-on-student bias-based harassment and the statute of limitations for filing a complaint in the Division of Civil Rights will not be extended due to law enforcement's request.

If law enforcement has not affirmatively requested a stay or suspension of a harassment, intimidation, or bullying investigation, but the school district believes the action(s) involved may constitute a criminal offense(s), school officials will contact law enforcement to inquire as to whether law enforcement may want to investigate the matter.

Some acts of harassment, intimidation, or bullying may be bias-related acts and school officials must report to law enforcement officials any bias-related acts, in accordance with N.J.A.C. 6A:16-6.3(e), and pursuant to the provisions of the Memorandum of Agreement Between Education and Law Enforcement OfficialsMOA.

-  
P. Collective Bargaining Agreements and Individual Contracts



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

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

-  
Q. Students with Disabilities

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

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

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

N.J.A.C. 6A:16-7.1 through 6A:16-7.9

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – August 2022 – New Jersey Department of Education

[-A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials – 2023 Revisions](#)

Adopted: 20 June 2011

Revised: 19 September 2011

Revised: 18 November 2013

Revised: 17 September 2018

Revised: 13 June 2022

Revised: 17 October 2022

Revised: 9 January 2023

Revised: 17 July 2024



# POLICY

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UPPER SADDLE RIVER  
**BOARD OF EDUCATION**

Students  
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HARASSMENT, INTIMIDATION, OR BULLYING (M)



# POLICY

# DRAFT

Students  
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USE OF ELECTRONIC COMMUNICATION ~~AND RECORDING~~ DEVICES (~~ECRD~~)

5516 USE OF ELECTRONIC COMMUNICATION ~~AND RECORDING~~ DEVICES  
(~~ECRD~~)

~~The Board~~ To support school environments in which students can fully engage with their classmates and their teachers, and to focus attention upon instruction, the Board of Education has determined the use of cell phones and other electronic communication devices by students for personal use during the school day and school activities should be limited.

As used in this Policy, “electronic communication device” includes any device with the capability to audio or video record and/or is capable of receiving or transmitting any type of communication with others. An electronic communication device includes, but is not limited to, any type of cameras; cellular and wireless telephones; pagers/beepers; laptop computers; watches; electronic readers; two-way radios; any audio or video broadcasting devices; ear buds; tablets; headphones; and any other device that allows a person to audio and/or video record and/or transmit, in either a real time or a delayed basis, video or still images, text, audio recordings; or other information.

The Board adopts this Policy to address student use of an electronic communication device for personal use on school grounds during the school day, to also include, but not be limited to: during before and after school programs; during any co-curricular activity; and on a school bus.

Nothing in this Policy shall prohibit a student from using an electronic communication device for a purpose documented in a classified student’s Individualized Education Plan (IEP) or a plan developed under Section 504 of the “Rehabilitation Act of 1973,” 29 USC 794. A student may use an electronic communication device to monitor or address a health condition with prior permission from the Principal, in consultation with the school nurse to be documented in the student’s Individual Health Plan.

In addition, the Board believes students and/or school staff members should not be subject to having ~~a video or audio~~ any type of recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student, ~~or the school staff member.~~ In addition to protecting the privacy rights of students and school staff members, the Board recognizes such recordings can be disruptive to the educational program. ~~In addition, inappropriate~~ Inappropriate recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the district’s educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students. ~~Therefore, the Board of~~



## USE OF ELECTRONIC COMMUNICATION ~~AND RECORDING~~ DEVICES (ECRD)

~~Education adopts this Policy regarding student use of electronic communication and recording devices.~~

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

~~A student is not permitted to have turned on or use an ECRD on school grounds during the school day or when the student is participating in a curricular or school-sponsored co-curricular activity. A student's personal ECRD may only be used on school grounds in an emergency situation or before and after the school day or with the permission of a school staff member supervising the student in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a student using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other students or staff members are present shall require the permission for such recording from any other student and their parent and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, and athletic events, and drama production filming. A student authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from student access by the school district's acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a student from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.~~

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



## USE OF ELECTRONIC COMMUNICATION ~~AND RECORDING~~ DEVICES (ECRD)

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

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

~~The Board, Superintendent or Principal, upon reviewing the request from the student, will make a determination. The determination will be in writing and if approved, written permission for the student to bring and/or possess a remotely activating paging device will be provided to the student. Permission will only be provided for the school year.~~

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

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

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





USE OF ELECTRONIC COMMUNICATION ~~AND RECORDING~~ DEVICES (~~ECRD~~)

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

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Adopted: 22 September 2008

Revised: 18 October 2010

Revised: 11 January 2016



# DRAFT

Students  
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STUDENT SMOKING (M)

## 5533 STUDENT SMOKING (M)

### M

The Board of Education recognizes the use of tobacco presents a health hazard that can have serious implications both for the smoker and the nonsmoker and that smoking habits developed by young people may have lifelong harmful consequences.-

- For the purpose of this Policy, “smoking” means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device pursuant to N.J.S.A. 26:3D-57.- For the purpose of this Policy, “smoking” also includes the use of smokeless tobacco and snuff.

- For the purpose of this Policy, “electronic smoking device” means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product pursuant to N.J.S.A. 2A:170-51.4.

- For the purpose of this Policy, “school buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and any other central facilities including, but not limited to, kitchens and maintenance shops.- “School buildings” and “school grounds” also include athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands and 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 include other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land. -

- N.J.S.A. 2A:170-51.4 prohibits the sale or distribution to any person under twenty-one years old of any cigarettes made of tobacco or any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco; and any electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related



product.- Consequences for a student possessing such an item will be in accordance with the Student Code of Conduct.

-  
The Board prohibits smoking by students at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus.

-  
The Board also prohibits the possession of any item listed in N.J.S.A. 2A:170-51.4 at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus.- Such items will be confiscated and may be returned to the parent, upon request.

If it appears to an educational staff member or other professional, upon confiscating such item(s), that the student may currently be under the influence of alcohol or other drugs, the staff member shall inform the Principal or designee. The Principal or designee shall immediately notify the parent and the Superintendent or designee. The Principal or designee shall arrange for an immediate medical examination of the student and shall comply with all of the provisions of N.J.A.C. 6A:16-4.3, Regulation 5530, and this Policy.

In the event the Principal or designee, after inspection of the confiscated item(s), has reason to believe the item(s) may have contained or may contain a controlled dangerous substance, a controlled substance analog, or other drugs pursuant to N.J.S.A. 2C:35-2, the Principal or designee shall immediately notify the parent and the Superintendent or designee. The Principal or designee in consultation with the school nurse shall arrange for an immediate medical examination of the student and shall comply with all of the provisions of N.J.A.C. 6A:16-4.3, Regulation 5530, and this Policy. Principals and designees shall be trained to identify controlled dangerous substances in electronic smoking devices.

When the Principal or designee has reasonable suspicion to believe a confiscated electronic smoking device is being used as a nexus for marijuana or other controlled dangerous substances or cannabis, the Principal or designee shall immediately notify the Superintendent or designee and law enforcement in accordance with the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials.

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with ~~law-~~N.J.S.A. 26:3D-61. The sign shall also indicate violators are subject to a fine.-

-  
A student who violates the provisions of this Policy shall be subject to appropriate disciplinary measures in accordance with the district's Student Discipline/Code of Conduct



and may be subject to fines in accordance with law.- In the event a student is found to have violated this Policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).

-  
A student found to have violated this Policy and the law may be required to participate in additional educational programs to help the student understand the harmful effects of smoking and to discourage the use of tobacco products.- These programs may include, but are not limited to, counseling, smoking information programs, and/or smoking cessation programs sponsored by this school district or available through approved outside agencies.-]

-  
The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco.- All school staff members shall make every reasonable effort to discourage students from developing the habit of smoking.

-  
The Board ~~of Education~~ will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

-  
N.J.S.A. 2A:170-51.4

N.J.S.A. 2C:35-2

N.J.S.A. 18A:40A-1

N.J.S.A. 26:3D-55 through 26:3D-63

N.J.A.C. 6A:16-4.3

N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

[-A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials – 2023 Revisions](#)

Adopted: 22 September 2009

Revised: 15 March 2010

Revised: 18 November 2013

Revised: 19 November 2018



## DRAFT

Students  
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### PLAGIARISM ACADEMIC INTEGRITY

#### 5701-PLAGIARISM ACADEMIC INTEGRITY

##### A. Pupil Students

The Board of Education is committed to require a high level of ethical standards for students in the school district that include honesty and integrity in all aspects of their academic program. The Board expects all students to embrace the highest standards of academic integrity in all assignments. Acts of academic dishonesty by students will not be accepted. Students are responsible for complying with the provisions of this Policy and may be subject to disciplinary action for any violation.

Students are expected to be honest in all of their studies and academic work. This means that they will not engage in any of the following prohibited acts that include but not be limited to:

1. Cheating on examinations by any means including but not limited to, the non-authorized use of books or notes, the use of crib-~~cheat~~ sheets, copying from other pupils'-students' papers, exchanging information with other pupils-students orally, in writing, or by signals, obtaining copies of the examination illegally and other similar activities.

##### 2. Plagiarism is not permitted in

2. Plagiarizing term papers, themes, essays, reports, images, take-home examinations, and other academic work- required of a student in their education program. Plagiarism is defined as stealing or use presenting work from another source without full acknowledgment of the ideas, words, formulas, textual materials, on line services, computer programs, etc. of another person, or in any way presenting the work of another person as one's that it is not their own work;

3. Falsifications, including forging signatures, altering answers after they have been graded, the insertion of answers after the fact, the erasure of grader's markings, and other acts that allow for falsely taking credit.

B.4. A pupil student found guilty of academic dishonesty may be subjected to a full range of penalties including, but not limited to, reprimand and loss of credit for all of the work that is plagiarized consequences as delineated on our schools' Student Code of Conduct.

C. A teacher who believes that a pupil student has been academically dishonest in his/her class should resolve the matter in the following manner:



- ~~1. Reprimand the pupil/student orally and/or in writing. The teacher is also authorized to withhold credit in the work tainted by the academic dishonesty.~~
- ~~2. If warranted, the teacher shall file a written complaint against the pupil/student with the Principal, requesting a more stringent form of discipline. The complaint must describe in detail the academic dishonesty that is alleged to have taken place, and must request that the matter be reviewed by the Principal.~~
- ~~3. The Principal will determine if further discipline of the pupil/student is appropriate, and will determine the nature of the discipline on a case-by-case basis.~~
5. Any other conduct determined by the Principal that compromises the academic integrity of a student's work.

Any violation of this Policy shall be addressed in accordance with Policy and Regulation 5600.

Adopted: 22 September 2008



# POLICY

## DRAFT

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

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

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 ~~regulations~~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- during an emergency situation. 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



# POLICY

UPPER SADDLE RIVER  
BOARD OF EDUCATION

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

-  
[A Uniform State Memorandum of Agreement Between Education and Law Enforcement  
Officials – 2023 Revisions](#)

Adopted: 16 June 2008  
Revised: 30 April 2018





## DRAFT

Community  
9320/Page 1 of 1

COOPERATION WITH LAW ENFORCEMENT AGENCIES (M)

### 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES (M)

#### M

The Board of Education recognizes that keeping students and staff safe and helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement.

- The Board adopts this Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school staff and law enforcement authorities in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances or other drugs, including anabolic steroids, as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, drug paraphernalia as defined in N.J.S.A. 2C:36-1, alcoholic beverages; firearms, as defined in N.J.S.A. 2C:39-1.f.; and other deadly weapons as defined in N.J.S.A. 2C:39-1.r.

- The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school district staff and law enforcement authorities in all matters relating to the planning and conduct of law enforcement activities and operations occurring on school grounds, including arrest procedures, undercover school operations, and mandatory reporting the offenses listed in the Memorandum of Agreement between Education and Law Enforcement Officials (MOA).-

- The Superintendent or designee shall institute a program of such communication and cooperation with law enforcement in accordance with N.J.A.C. 6A:16-6.1.

- This Policy and Regulation 9320 shall be submitted for review and approval to the Executive County Superintendent in accordance with N.J.A.C. 6A:16-6.2(a)2.

- The Superintendent or designee shall annually review the MOA as adopted by the Board to ensure this Policy and Regulation 9320 are in accordance with the requirements outlined therein.-

- N.J.A.C. 6A:16-6.1.; 6A:16-6.2; 6A:16-6.4.

- Adopted: 16 June 2008

Revised: 12 September 2022



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A. Policy 9320 and this Regulation shall be in accordance with the provisions of N.J.A.C. 6A:16-6.2, the Uniform State Memorandum of Agreement between Education and Law Enforcement Officials (MOA), and shall be:

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1. Developed, implemented, and revised, as necessary, in consultation with the county prosecutor and other law enforcement officials as may be designated by the county prosecutor;
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2. Reviewed and approved by the Executive County Superintendent;
- 
3. Made available annually to all school district staff, students, and parents;
- 
4. Consistent with reporting, notification, and examination procedures of students suspected of being under the influence of alcohol and other drugs pursuant to N.J.A.C. 6A:16-4.3; and
- 
5. Consistent with N.J.A.C. 6A:16-7, as appropriate.

B. The school district's policies and procedures for cooperation with law enforcement agencies shall include the following components:

- 
1. The Superintendent has designated school district staff as liaisons to law enforcement agencies in accordance with the MOA. The MOA includes a description of the liaisons' roles and responsibilities;
- 
2. Specific procedures for and responsibilities of school district staff in summoning appropriate law enforcement authorities onto school grounds, for the purpose of conducting law enforcement investigations, searches, seizures, or arrests shall be in accordance with the MOA;
- 
3. Specific procedures and responsibilities of school district staff for notifying parents in instances of law enforcement interviews involving their children shall be consistent with the MOA and the following:
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- a. School officials shall not notify the ~~student's~~parent(s) in instances of suspected child abuse or neglect;
  - b. School officials shall notify the ~~student's~~parent(s) when the student is the target of the law enforcement investigation; and
  - c. In all other instances, school authorities shall permit law enforcement authorities to determine whether or when a student's parent should be contacted;
4. Specific procedures for and responsibilities of school district staff in cooperating with arrests made by law enforcement authorities on school grounds shall be in accordance with the MOA;
  5. Specific procedures for and responsibilities of school district staff in initiating or conducting searches and seizures of students, their property, and their personal effects shall be in accordance with the MOA and the following:
    - a. All searches and seizures conducted by school district staff shall comply with the standards prescribed by the United States Supreme Court in New Jersey v. T.L.O., 469 U.S. 325 (1985).
    - b. Questions concerning searches conducted by school officials shall be directed to the appropriate county prosecutor.
    - c. School officials may request that law enforcement authorities assume responsibility for conducting a search or seizure.
    - d. No school district staff member shall impede a law enforcement officer engaged in a lawful search, seizure, or arrest whether pursuant to a warrant or otherwise.
    - e. School district staff shall permit law enforcement authorities, upon their arrival, to assume responsibility for conducting a search or seizure.
    - f. All inspections of lockers, desks, or other objects or personal property on school grounds involving the use of law enforcement drug-detection canines may be undertaken with only the express



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permission of the county prosecutor or the Director of the Division of Criminal Justice or the ~~Director's~~Director's designee in the New Jersey Department of Law and Public Safety.

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- g. Questions concerning the legality of a 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 a search, seizure, or arrest undertaken by the Division of Criminal ~~Justice's~~Justice's designee in the New Jersey Department of Law and Public Safety, to the assigned Assistant Attorney General;
- 
- 6. The procedures for and responsibilities of school district staff, with regard to interviews of students suspected of possessing or distributing a controlled dangerous substance; including anabolic steroids, drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;
- 
- 7. Procedures for planning, approving, and conducting undercover school operations shall be in accordance with the MOA and the following:
  - 
  - a. The Superintendent and Principal shall cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The Superintendent shall approve undercover operations without prior notification to the Board of Education.
  - 
  - b. All information concerning requests to undertake an undercover school operation, information supplied by law enforcement authorities to justify the need for and explain a proposed undercover school operation, and all other information concerning an ongoing undercover school operation, including the identity of any undercover officer placed in a school, shall be kept strictly confidential by the Superintendent and Principal.
  - 
  - c. The Superintendent and Principal shall not divulge information concerning an undercover school operation to any person without the prior express approval of the county prosecutor or designee.
  - 
  - d. The Superintendent, Principal, or any other school district staff or Board member who may have been informed regarding the



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existence of the undercover school operation shall immediately communicate to the county prosecutor or designee if they subsequently learn of information that suggests the undercover officer's true identity has been revealed, the undercover officer's identity or status as a bona fide member of the school community has been questioned, or the integrity of the undercover school operation has been in any other way compromised;

- 
8. The procedures for and responsibilities of school district staff concerning the safe and proper handling of a seized controlled dangerous substance, including anabolic steroids, drug paraphernalia, or a firearm or other deadly weapon, and the prompt delivery of the items to appropriate law enforcement authorities shall be in accordance with N.J.A.C. 6A:16-6.2, Policy and Regulation 5530, and the MOA;
- 
9. The procedures for and responsibilities of school district staff in notifying authorities of a suspected violation of laws prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;
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10. Provisions for requesting uniformed police attendance at extracurricular school events shall be in accordance with the MOA;
- 
11. Provisions for notifying parents as soon as possible whenever a student is arrested for violating a law prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530;
- 
12. Provisions for in-service training of school district staff concerning policies and procedures established in ~~this subchapter~~ N.J.A.C. 6A:16-6, and the exchange of information regarding the practices of the school district and law enforcement agencies shall be in accordance with the MOA;
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13. A MOA with appropriate law enforcement authorities in accordance with N.J.A.C. 6A:16-6, Policy 9320, and this Regulation;
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14. An annual process for the Superintendent and appropriate law enforcement officials to discuss the implementation and need for revising the MOA, and



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to review the effectiveness of policies and procedures implemented pursuant to N.J.A.C. 6A:16-6.2 and the MOA;

15. Provisions for contacting the Chief Executive Officer of the involved law enforcement agency, county prosecutor, and/or Division of Criminal Justice, as necessary, to resolve disputes concerning law enforcement activities occurring on school grounds shall be in accordance with the MOA; ~~and~~
16. Provisions for directing inquiries or complaints received by school district staff regarding interviews, investigations, arrests, or other operations conducted by sworn law enforcement officers to the appropriate law enforcement agency shall be in accordance with the MOA; and
17. The Superintendent or designee shall designate a point of contact for each school building who shall be responsible for receiving all "Handle With Care" notices for students enrolled in that school building and for disseminating the notices to the appropriate school staff, in accordance with the New Jersey Attorney General Directive 2020-09 and the MOA.

### C. Mandatory Reporting

1. There are seven offenses that must be reported to law enforcement if they qualify as mandatory reports, as set forth and explained in further detail in the MOA. ~~These mandatory reports include:~~
  - a. Whenever any school district staff has reason to believe a student is in unlawful possession of a controlled dangerous substance ~~or~~, related paraphernalia, cannabis, or is involved or implicated in distribution activities regarding controlled dangerous substances or cannabis, pursuant to N.J.A.C. 6A:16-6.3;
  - b. Whenever any school district staff in the course of their employment develops reason to believe that a firearm or other dangerous weapon has unlawfully been possessed on or off school grounds, a weapon was used in an assault against a student or other school personnel, or that any student or other person has committed an offense with, or while in possession of, a firearm, whether or not such offense was committed on school grounds or during school operating hours, pursuant to N.J.A.C. 6A:16-5.5, 6A:16-5.6(d)4, and 6A:16-6.3(b);



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- c. Whenever any school district staff in the course of their employment develops reason to believe that anyone 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 that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to N.J.A.C. 6A:16-6.3(c) through (e);
- 
- d.- Whenever any school district staff in the course of their employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to N.J.A.C. 6A:16-6.3(d);
- 
- e.- Whenever any school district staff in the course of their employment develops reason to believe that an assault upon a teacher, administrator, other school Board employee, or district Board of Education member has been committed, with or without a weapon, pursuant to N.J.A.C. 6A:16-5.7(d)5;
- 
- f.- Whenever any school district staff in the course of their employment develops reason to believe a "bias-related act" has been committed or is about to be committed on or off school grounds, pursuant to N.J.A.C. 6A:16-6.3(e); and
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- g.- Whenever any school employee in the course of their employment develops reason to believe a student is potentially missing, abused, or neglected, pursuant to N.J.A.C. 6A:16-11.1(a)3i. through iii.
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- D. Nothing in the policies and procedures required under N.J.A.C. 6A:16-6 and Policy 9320 and this Regulation shall be construed to prohibit school district staff from disclosing information, pursuant to N.J.A.C. 6A:32-7.2 and 7.5(f), if necessary, to protect the immediate health or safety of a student or other persons.-
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- E. The Superintendent or designee shall annually review Policy 9320 and this Regulation as adopted by the Board to ensure each are in accordance with the requirements outlined in the MOA.
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