

Manasquan High School Enrollment for BOE Agenda: May 2025

Month: April 2025

DISTRICT	Full Time Students	Shared Time Students	Full Time Students PTC 20 LLD	Shared Time Students PTC 20 LLD	Full Time Student CLI	Total Student Count
Avon	19	0	0	0	1	20
Belmar	131	6	10	2	3	152
Brielle	201	3	0	0	1	205
Lake Como	35	1	1	0	2	39
Manasquan	259	6	0	0	3	268
Sea Girt	45	0	0	0	1	46
Spring Lake	30	1	0	0	0	31
Spr Lk Hts	116	5	2	0	0	123
Parent Paid	24	0	0	0		24
Employee Child	6	0	0	0		6
Paid by Neptune		1			1	2
Tuition Free	1		0			1
Totals	867	23	13	2	12	917
					TOTAL MHS	917
					TOTAL MES	476
					TOTAL ENROLLMENT	1,393

MANASQUAN SCHOOL DISTRICT FIRE DRILL REPORT
2024-2025 school year

	<u>ATTENDANCE PERCENTAGE</u>	<u>AVERAGE DAILY ENROLLMENT</u>	<u>AVERAGE DAILY ATTENDANCE</u>
HIGH SCHOOL			
Apr-24	92.89	935.29	869.12
Apr-25	93.78	904.63	848.44
ELEMENTARY SCHOOL			
Apr-24	96.346	497.412	472.059
Apr-25	93.974	474	446.938

HIGH SCHOOL/CENTER FOR LEARNING INDEPENDENCE

<u>DATE OF DRILL</u>	<u>TIME OF DRILL</u>	<u>LENGTH OF DRILL</u>	<u>COMMENTS</u>	<u>SECURITY DRILLS</u>
April 14th	12:30p.m.	5 minutes		Fire Drill
April 29th	8:45a.m.	10 minutes		Shelter in Place Drill
ELEMENTARY SCHOOL				
<u>DATE OF DRILL</u>	<u>TIME OF DRILL</u>	<u>LENGTH OF DRILL</u>	<u>COMMENTS</u>	
April 14th	1:05p.m.	4 minutes		Fire Drill
April 28th	10:25a.m.	5 minutes		Shelter in Place Drill

Manasquan High School 2024 - 2025 Tardy Report											
	Sept.	Oct.	Nov	Dec	Jan	Feb	Mar	Apr	May	June	
Number of Students Tardy 1 time	136	191	198	212	211	182	239	192			
Number of Students Tardy 2 times	40	118	79	78	33	54	75	66			
Number of Students Tardy 3 times	18	51	23	31	13	15	34	17			
Number of Students Tardy 4 times	11	25	9	6	2	5	9	7			
Number of Students Tardy 5 times	1	8	4	3	1	4	5	5			
Number of Students Tardy 6 times	3	2	4	0	1	3	5	6			
Number of Students Tardy 7 times	3	3	1	7	1		2	0			
Number of Students Tardy 8 times		3		0	2		0	1			
Number of Students Tardy 9 times		0		0	2		0	0			
Number of Students Tardy 10 times		3		1	0		0	1			
Number of Students Tardy 11 times		2			0		0	0			
Number of Students Tardy 12 times		0			1		0	1			
Number of Students Tardy 13 times		1					1				
Number of Students Tardy 14 times											
Number of Students Tardy 15 times											
Number of Students Tardy 16 times											
Number of Students Tardy 17 times											
Number of Students Tardy 18 times											
Number of Students Tardy 19 times											
Number of Students Tardy 20 times											
Total number of students tardy	212	407	318	338	267	263	370	296	0	0	2471
Total number of tardy	358	842	512	559	388	393	609	494	0	0	4155

Manasquan High School											
2024 - 2025 Suspensions by Month											
OUT OF SCHOOL SUSPENSIONS:	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	TOTAL
MISCONDUCT	1										1
SMOKING / POSSESSION OF TABACCO	1										1
DISRESPECTFUL TO STAFF	1							1			2
MISS USE OF TECHNOLOGY		2									2
PHYSICAL ALTERCATION		2		2							4
Smoking/posession of tobacco products					1			2			3
Leaving school Grounds								1			1
											0
											0
											0
											0
											0
											0
											0
											0
											0
TOTALS	3	4	0	2	1	0	0	4	0	0	14
IN SCHOOL SUSPENSIONS:	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	TOTAL
DISRESPECTFUL TO STAFF	1	1									2
DISRESPECTFUL TO ANOTHER STUDENT					1						1
Smoking/posession of tobacco products											0
DEFIANCE OF STAFF MEMBER							2				2
Cut Class								1			1
Late to Scool								1			1
											0
											0
											0
											0
											0
											0
TOTALS	1	1	0	0	1	0	2	2	0	0	7
TOTAL STUDENTS SUSPENDED	4	5	0	2	2	0	2	6	0	0	21
TOTAL SATURDAY DETENTIONS	0	0	1	3	3	4	4				15
STUDENTS SUSPENDED 1 TIME	17						TOTAL NUMBER OF SUSPENSIONS TO DATE			21	
STUDENTS SUSPENDED 2 TIMES	2						TOTAL NUMBER OF INDIVIDUAL STUDENTS SUSPENDED TO DATE			19	
STUDENTS SUSPENDED 3 TIMES											
STUDENTS SUSPENDED 4 TIMES											
STUDENTS SUSPENDED 5 TIMES											
STUDENTS SUSPENDED 6 TIMES											
STUDENTS SUSPENDED 7 TIMES											
STUDENTS SUSPENDED 8 TIMES											
STUDENTS SUSPENDED 9 TIMES											

Manasquan High School 2024 - 2025 Suspensions by Grade					
OUT OF SCHOOL SUSPENSIONS:	9	10	11	12	TOTALS
MISCONDUCT	1				1
SMOKING / POSSESSION OF TABACCO			1		1
DISRESPECTFUL TO STAFF		1		1	2
MISS USE OF TECHNOLOGY		1	1		2
PHYSICAL ALTERCATION	2	1	1		4
Smoking/posession of tobacco products			2	1	3
Leaving School Grounds			1		1
					0
					0
					0
					0
					0
					0
					0
					0
					0
TOTALS	3	3	6	2	14
IN SCHOOL SUSPENSIONS:	9	10	11	12	TOTALS
DISRESPECTFUL TO STAFF		1		1	2
DISRESPECTFUL TO ANOTHER STUDENT			1		1
Smoking/posession of tobacco products					0
DEFIANCE OF STAFF MEMBER			2		2
Cut Class	1				1
Late to School		1			1
					0
					0
					0
					0
					0
					0
TOTALS	1	2	3	1	7
TOTAL STUDENTS SUSPENDED	4	5	9	3	21
TOTAL SATURDAY DETENTIONS	3	2	3	7	15

SCHOOL BUS EMERGENCY EVACUATION DRILL REPORT

School Bus emergency evacuation drills must be conducted twice each school year according to the New Jersey Administrative Code (NJAC 6A:27-11.2).

Emergency evacuation drills and safety education

(a). School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school.

1. All other students shall receive school bus evacuation instruction at least once within the school year.

(b). The school bus driver and bus aide shall participate in the emergency exit drills.

(c). Drills shall be conducted on school property and shall be supervised by the principal or person assigned to act in a supervisory capacity.

(d). Drills shall be documented in the minutes of the local board of education at the first board meeting following the completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:

1. Date of the drill;
2. Time of day the drill was conducted;
3. School name;
4. Location of the drill;
5. Route number(s) included in the drill; and
6. Name of school principal, or person(s) assigned, who supervised the drill.

REPORT OF THE COMPLETION OF THE SCHOOL BUS EMERGENCY EVACUATION DRILL TO THE BOARD OF EDUCATION

Date of the school bus emergency evacuation drill:

4/15/25

Time of day the drill was conducted:

9:30

School Name:

Manasquan Elementary School

Location of the Emergency Evacuation Drill:

Side parking lot

Route Number(s):

trips only no routes

Name of the school principal/person(s) overseeing the drill:

Jackie Puleio

Other information relative to the emergency evacuation drill:

MANASQUAN**Student Action**
Field Trips

<u>Date</u>	<u>Chaperone(s)*</u>	<u>Subject</u>	<u>Destination</u>	<u>Purpose</u>	<u>Sub</u>	<u>Other Board Costs</u>	<u>Other Funds</u>
June 4, 2025	Nancy Knitter Fatima Mulroy Oriana Kopec Danielle Romano Jill Jones Amanda Coto Nurse – TBD	ESL Students	Storybook Land	Fairy Tale Reading Representation	Yes - 4	Bus - \$350.00	Student Funds
June 3, 2025	Sarah Gordon Jackie Puleio Megan Manetta Nurse (TBD)	Grade 3	Newark Prudential Center	Participation in American Young Voices Concert	Yes – 2	Bus - \$900.00 Registration - \$125.00 Tickets - \$20.00	None

* Chaperones may be substituted by other district employees based on availability.

POLICY GUIDE

STUDENTS

5111/page 1 of 11

Eligibility of Resident/Nonresident Students

M

5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS PUPILS

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.**

~~A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.~~

The Board shall also admit any student that is kept in the home of a person other than the student's parent ~~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.** ~~A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the student's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, if so required by the Board of Education, a sworn statement that he or she: is domiciled within the school district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the student relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner.~~



POLICY GUIDE

STUDENTS

5111/page 2 of 11

Eligibility of Resident/Nonresident Students

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.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or guardian returns from active military duty.~~

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

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

- ~~1. If the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 – Education of Homeless Children;~~
- ~~2. If the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;~~



POLICY GUIDE

STUDENTS

5111/page 3 of 11

Eligibility of Resident/Nonresident Students

~~3. If the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district, pursuant to N.J.S.A. 18A:38-3.b. The school district shall not be obligated for transportation costs; and~~

~~4. If the student resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.~~

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year 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.** ~~If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.~~

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

Except as set forth in N.J.A.C. 6A:22-3.3(b)4., immigration/visa status shall not affect eligibility to attend school ~~and the school district shall not condition enrollment in the school district on immigration status.~~ **Any student who is domiciled in the school district or 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.**



POLICY GUIDE

STUDENTS

5111/page 4 of 11

Eligibility of Resident/Nonresident Students

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

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.** ~~The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.~~

~~The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.~~

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's or guardian'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. ~~The NJMVC shall disclose to a school district the information requested in accordance with procedures established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.~~

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

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.** ~~The Board of Education shall use Commissioner provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.~~



POLICY GUIDE

STUDENTS

5111/page 5 of 11

Eligibility of Resident/Nonresident Students

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.**

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.** ~~Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty one day period established by N.J.S.A. 18A:38-1.~~

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws **in accordance with N.J.A.C. 6A:22-4.1(d) and Regulation 5111 – Section F.** ~~When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student's name, the name(s) of the parent/guardian/resident, and the student's address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.~~

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



POLICY GUIDE

STUDENTS

5111/page 6 of 11

Eligibility of Resident/Nonresident Students

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

~~Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.~~

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

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

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 ~~et seq.~~ **and Regulation 5111 – Section G.** ~~Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.~~



POLICY GUIDE

STUDENTS

5111/page 7 of 11

Eligibility of Resident/Nonresident Students

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

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

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

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.** ~~Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of "affidavit student" eligibility determinations shall be filed by the resident keeping the student.~~



POLICY GUIDE

STUDENTS

5111/page 8 of 11

Eligibility of Resident/Nonresident Students

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

If no appeal to the Commissioner is filed **by the parent, 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 ~~et seq.~~ **and Regulation 5111 – Section J**. ~~If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.~~

If an appeal to the Commissioner is filed **by the parent, 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 of Education 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.

The Board shall receive the approval of the Executive County Superintendent (ECS) to establish a uniform tuition amount for any Board-approved nonresident student to be admitted to the school district.

The Board shall not charge tuition for nonresident students of teaching staff members, as defined in N.J.S.A. 18A:1-1.



POLICY GUIDE

STUDENTS

5111/page 9 of 11

Eligibility of Resident/Nonresident Students

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

~~Children of District Employees~~

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

Children of Nonresident Teaching Staff Members

For the purpose of this section of the Policy "teaching staff member" shall mean, a member of the professional staff of any district or regional Board of Education, or any Board of Education of a county vocational school, holding office, position or employment of such character that the qualifications, for such office, position or employment, require them to hold a valid and effective standard, provisional or emergency certificate, appropriate to their office, position or employment, issued by the State Board of Examiners and includes a school nurse and school athletic trainer, pursuant to N.J.S.A. 18A:1-1.

A teaching staff member who does not reside in this school district will be permitted to enroll their children in the educational program of the school district without the payment of tuition if the child's educational program can be provided in a school in the district, subject to any provisions for enrollment of the child of the teaching staff member provided by any applicable collective bargaining agreement or the teaching staff member's individual employment contract.

Children of Nonresident Non-Teaching Staff Members

A non-teaching staff member who does not reside in this school district will be permitted to enroll their children in the educational program of the school district with the payment of tuition if the child's educational program can be provided in the district.



POLICY GUIDE

STUDENTS

5111/page 10 of 11

Eligibility of Resident/Nonresident Students

If the Board permits the enrollment of a child of a non-teaching staff member who does not reside in the district, the Board must establish and approve a tuition rate for the child. The tuition amount charged for the student is required to follow the amount established in the district's uniform tuition amount pursuant to N.J.S.A. 18A:38-3, if applicable.

Nonresident Students of Non-Staff Members

A nonresident student who is not the child of a staff member may, with Board approval, be enrolled in the educational program of the school district with the payment of tuition if the child's educational program can be provided in the district.

If the Board permits the enrollment of a nonresident student who is not the child of a staff member, the Board must establish and approve a tuition rate for the child. The tuition amount charged for the student is required to follow the amount established in the district's uniform tuition amount pursuant to N.J.S.A. 18A:38-3, if applicable.

Students Who Anticipate Moving to or from the District During the School Year

A nonresident student whose parent anticipates residency in this school district and has entered into a contract to buy, build, or rent a residence in this school district will, with Board approval, be enrolled with payment of a uniform tuition amount approved by the Executive County Superintendent for the period of time prior to the anticipated date of residency, pursuant to N.J.S.A. 18A:38-3.

A student whose parent has moved away from the school district during the course of the school year will, with Board approval, be permitted to finish the school year in the school district with the payment of a uniform tuition amount as approved by the Executive County Superintendent, pursuant to N.J.S.A. 18A:38-3.



POLICY GUIDE

STUDENTS

5111/page 11 of 11

Eligibility of Resident/Nonresident Students

F-1 Visa Students

The school district is not required to, but may permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3. A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

J-1 Visa Students

The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

N.J.S.A. 18A:38-1 ~~et seq.~~; **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: 14 June 2011
Revised: 29 June 2012
Revised: 22 March 2016
Revised: 30 April 2019
Revised: 13 August 2020
Revised: 12 October 2021
Revised: 07 December 2021
Revised: 6 May 2025



REGULATION GUIDE

STUDENTS
R 5111/page 1 of 26
Eligibility of Resident/Nonresident Students
M

R 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS PUPILS

A. Definitions - **N.J.A.C. 6A:22-1.2**

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

B. ~~Eligibility to Attend School~~ — Students Domiciled in the District — **N.J.A.C. 6A:22-3.1**

1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district if the student is domiciled within the district:



REGULATION GUIDE

STUDENTS

R 5111/page 2 of 26

Eligibility of Resident/Nonresident Students

- a. A student is domiciled in the school district when **the student** ~~he or she~~ is **the child of living with** a parent or guardian whose domicile is located within the school district.
- (1) When a student's parents or guardians are domiciled within different school districts and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the school district of the parent or guardian with whom the student lives for the majority of the school year. **N.J.A.C. 6A:22-3.1(a)1. and B.1.a. above** ~~This provision~~ shall apply regardless of which parent has legal custody.
- (2) When a student's physical custody is shared on an equal-time, alternating week/month, or other similar basis so the student is not living with one parent or guardian for a majority of the school year and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the present domicile of the parent or guardian with whom the student resided on the last school day prior to October 16 preceding the application date.
- (a) When a student resided with both parents or guardians, or with neither parent or guardian, on the last school day prior to the preceding October 16, the student's domicile is the domicile of the parent or guardian with whom the parents or guardians indicate the student will be residing on the last school day prior to the ensuing October 16. When the parents or guardians do not designate or cannot agree upon the student's likely residence as of that date, or if on that date the student is not residing with the parent or guardian previously indicated, the student shall attend school in the school



REGULATION GUIDE

STUDENTS

R 5111/page 3 of 26

Eligibility of Resident/Nonresident Students

district of domicile of the parent or guardian with whom the student actually lives as of the last school day prior to October 16.

- (b) When the domicile of ~~a the~~ student with disabilities as defined in N.J.A.C. 6A:14 cannot be determined pursuant to N.J.A.C. 6A:22-3.1, nothing shall preclude an equitable determination of shared responsibility for the cost of such student's out-of-district placement.
- (3) When a student is living with a person other than a parent or guardian, nothing in N.J.A.C. 6A:22-3.1 is intended to limit the student's right to attend school in the parent or guardian's school district of domicile pursuant to the provisions of N.J.A.C. 6A:22, **Policy 5111, and this Regulation.**
- (4) No school district shall be required to provide transportation for a student residing outside the school district for all or part of the school year unless transportation is based upon the home of the parent or guardian domiciled within the school district or otherwise required by law.
- b. A student is domiciled in the school district when **the student** ~~he or she~~ has reached the age of eighteen or is emancipated from the care and custody of a parent or guardian and has established a domicile within the school district.
- c. A student is domiciled in the school district when the student has come from outside the State and is living with a person domiciled in the school district who will be applying for guardianship of the student upon expiration of the six-month "waiting period" of State residency required pursuant to N.J.S.A. 2A:34-54 ("home state" definition)



REGULATION GUIDE

STUDENTS

R 5111/page 4 of 26

Eligibility of Resident/Nonresident Students

and 2A:34-65.a(1). However, a student may later be subject to removal proceedings if application for guardianship is not made within a reasonable period of time following expiration of the mandatory waiting period or if guardianship is applied for and denied.

- d. A student is domiciled in the school district when **the student's** ~~his or her~~ parent or guardian resides within the school district on an all-year-round basis for one year or more, notwithstanding the existence of a domicile elsewhere.
 - e. A student is domiciled in the school district if the Department of Children and Families is acting as the student's guardian and has placed the student in the school district.
2. When a student's dwelling is located within two or more school districts, or bears a mailing address that does not reflect the dwelling's physical location within a municipality, the school district of domicile for school attendance purposes shall be the municipality to which the majority of the dwelling's **or unit's** property tax is paid, ~~or to which the majority of the dwelling's or unit's property tax is paid.~~
- a. When property tax is paid in equal amounts to two or more municipalities, and there is no established assignment for students residing in the affected dwellings, the school district of domicile for school attendance purposes shall be determined through assessment of individual proofs **of eligibility** as provided pursuant to N.J.A.C. 6A:22-3.4 **and E. below.**
 - b. **N.J.A.C. 6A:22-3.1(b) and B.2. above** ~~This provision~~ shall not preclude the attendance of currently enrolled students who were permitted to attend the school district prior to December 17, 2001.



REGULATION GUIDE

STUDENTS

R 5111/page 5 of 26

Eligibility of Resident/Nonresident Students

- 3e. When a student's parent or guardian elects to exercise such entitlement, nothing in N.J.A.C. 6A:22-3.1 shall exclude a student's right to attend the school district of domicile although the student is qualified to attend a different school district pursuant to N.J.S.A. 18A:38-1.b. or the temporary residency (less than one year) provision of N.J.S.A. 18A:38-1.d.
43. Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other section of law to the contrary, a child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in any of the armed forces of the United States in a time of war or national emergency, shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. The school district shall not be responsible for providing transportation for the child if the child lives outside of the district. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.
- C. ~~Eligibility to Attend School~~— Other Students Eligible to Attend School –
N.J.A.C. 6A:22-3.2
1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b. if that student 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** ~~his or her~~ own child.
- a. A student is not eligible to attend this school district pursuant to **N.J.A.C. 6A:22-3.2(a) and C.1. above this provision** unless:



REGULATION GUIDE

STUDENTS

R 5111/page 6 of 26

Eligibility of Resident/Nonresident Students

- (1) The student's parent or guardian has filed, together with documentation to support its validity, a sworn statement that **the parent or guardian** ~~he or she~~ is not capable of supporting or providing care for the student due to family or economic hardship and that the student is not residing with the other person solely for the purpose of receiving a free public education; and
- (2) The person keeping the student has filed, if so required by the Board of Education:
 - (a) A sworn statement that **the person** ~~he or she~~ is domiciled within the school district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the student pertaining to school requirements; and
 - (b) A copy of **their** ~~his or her~~ lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner.
- b. A student shall not be deemed ineligible under **N.J.A.C. 6A:22-3.2** ~~this provision~~ because required sworn statement(s) cannot be obtained when evidence is presented that the underlying requirements of the law are being met, notwithstanding the inability of the resident or student to obtain the sworn statement(s).
- c. A student shall not be deemed ineligible under **N.J.A.C. 6A:22-3.2** ~~this provision~~ when evidence is presented that the student has no home or possibility of school attendance other than with a school district resident who is not the student's parent or guardian, but is acting as the sole caretaker and supporter of the student.



REGULATION GUIDE

STUDENTS

R 5111/page 7 of 26

Eligibility of Resident/Nonresident Students

- d. A student shall not be deemed ineligible under **N.J.A.C. 6A:22-3.2** ~~this provision~~ solely because a parent or guardian gives occasional gifts or makes limited contributions, financial or otherwise, toward the student's welfare provided the resident keeping the student receives from the parent or guardian no payment or other remuneration for regular maintenance of the student.
 - e. Pursuant to N.J.S.A. 18A:38-1.c., any person who fraudulently allows a child of another person to use **their** ~~his or her~~ residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of **their** ~~his or her~~ child to a person in another school district commits a disorderly persons offense.
2. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b. if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency.
- a. Eligibility under **N.J.A.C. 6A:22-3.2(b) and C.2. above** ~~this provision~~ shall cease at the end of the school year during which the parent or guardian returns from active military duty.
3. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.d. if the student's parent or 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.



REGULATION GUIDE

STUDENTS

R 5111/page 8 of 26

Eligibility of Resident/Nonresident Students

- a. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of the student attending the school district of temporary residence;
 - b. When one of a student's parents or guardians temporarily resides in a school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with N.J.A.C. 6A:22-3.1(a)1.i. However, no student shall be eligible to attend school based upon a parent or guardian's temporary residence in a school district unless the parent or guardian demonstrates, if required by the Board of Education, the temporary residence is not solely for purposes of a student's attending the school district.
4. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.f. if the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2; - Education of Homeless Children.
5. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-2 if the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2. As used in this section, "court order" shall not encompass orders of residential custody under which claims of entitlement to attend a school district are governed by provisions of N.J.S.A. 18A:38-1 and the applicable standards set forth in N.J.A.C. 6A:22.



REGULATION GUIDE

STUDENTS

R 5111/page 9 of 26

Eligibility of Resident/Nonresident Students

6. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-3.b. if the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district. A school district admitting a student pursuant to N.J.S.A. 18A:38-3.b. shall not be obligated for transportation costs.
7. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend the school district pursuant to N.J.S.A. 18A:38-7.7 et seq. if the student resides on Federal property within the State.
8. In accordance with N.J.S.A. 18A:38-1.1, a student who is not considered homeless under N.J.S.A. 18A:7B-12 and who moves to a new school district during the academic year as a result of a family crisis shall be permitted to remain enrolled in the original school district of residence for the remainder of the school year without the payment of tuition. A student attending an academic program during the summer, who is otherwise eligible except for the timing of the move, shall be permitted to remain in the school district for the remainder of the summer program if it is considered an extension of the preceding academic year.
 - a. For purposes of N.J.A.C. 6A:22-3.2(h), ~~and~~ Policy **5111**, and ~~this~~ Regulation ~~5111~~, “family crisis” shall include, but not be limited to:
 - (1) An instance of abuse such as domestic violence or sexual abuse;
 - (2) A disruption to the family unit caused by death of a parent or guardian; or



REGULATION GUIDE

STUDENTS

R 5111/page 10 of 26

Eligibility of Resident/Nonresident Students

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



REGULATION GUIDE

STUDENTS

R 5111/page 11 of 26

Eligibility of Resident/Nonresident Students

transportation provided to the new residence during the period of ineligible attendance. It shall also state whether the parent or guardian is required to withdraw the student by the end of the twenty-one day appeal period in the absence of an appeal.

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



REGULATION GUIDE

STUDENTS

R 5111/page 12 of 26

Eligibility of Resident/Nonresident Students

- (1) When the original school district of residence anticipates the need to apply for reimbursement of transportation costs, it shall send to the Executive County Superintendent a request and documentation of the family crisis for confirmation the situation meets the criteria ~~set forth~~ at C.8.a. above.
 - (2) Within thirty days of receiving the school district's request and documentation, the Executive County Superintendent shall issue a determination of whether the situation meets the criteria for a family crisis. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued, and shall not be reimbursed for additional transportation costs unless the Executive County Superintendent determines the situation is a family crisis or as directed by the Commissioner upon appeal.
- f. In providing transportation to students under N.J.S.A. 18A:38-1.1, the Board shall use the most efficient and cost-effective means available and in conformance with all laws governing student transportation.
- g. At the conclusion of the fiscal year in which the Executive County Superintendent has determined the situation constitutes a family crisis, the original school district of residence may apply to the Executive County Superintendent for a reimbursement of eligible costs for transportation services.
- (1) Eligible costs shall include transportation for students who are required to be transported pursuant to N.J.S.A. 18A:39-1.



REGULATION GUIDE

STUDENTS

R 5111/page 13 of 26

Eligibility of Resident/Nonresident Students

- (2) The school district shall provide documentation of the transportation costs for the eligible student(s) to the Executive County Superintendent who shall review and forward the information to the **New Jersey Department's of Education's** Office of School Facilities and Finance for reimbursement payment(s) to the school district.
- (3) Payment to the school district shall be made in the subsequent fiscal year and shall equal the approved cost less the amount of transportation aid received for the student(s).

~~h. Nothing in N.J.A.C. 6A:22-3.2 shall prevent the Board of Education from allowing a student to enroll without the payment of tuition pursuant to N.J.S.A. 18A:38-3.a.~~

hi. Nothing in N.J.A.C. 6A:22-3.2 shall prevent a parent or school district from appealing the Executive County Superintendent's decision(s) to the Commissioner in accordance with N.J.A.C. 6A:3-1.3. If the Commissioner of Education determines the situation is not a family crisis, **their** ~~his or her~~ decision shall state which of the following shall pay the transportation costs incurred during the appeal process: the State, school district, or parent.

D. Housing and Immigration Status – **N.J.A.C. 6A:22-3.3**

1. A student's eligibility to attend school shall not be affected by the physical condition of an applicant's housing or **their** ~~his or her~~ compliance with local housing ordinances or terms of lease.
2. Except as set forth in **D.2.a.** below, immigration/visa status shall not affect eligibility to attend school. Any student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, who is domiciled in the school district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 **and C. above** shall be enrolled without regard to, or inquiry concerning, immigration status.



REGULATION GUIDE

STUDENTS

R 5111/page 14 of 26

Eligibility of Resident/Nonresident Students

- a. However, the provisions of N.J.S.A. 18A:38-1 and N.J.A.C. 6A:22 shall not apply to students who have obtained, or are seeking to obtain, a Certificate of Eligibility for Nonimmigrant Student Status (INS Form I-20) from the school district in order to apply to the INS for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1" Visa).

3. F-1 Visa Students

The school district is not required to, but may permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3. A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.



REGULATION GUIDE

STUDENTS

R 5111/page 15 of 26

Eligibility of Resident/Nonresident Students

4. J-1 Visa Students

The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

~~E. Nothing in Policy and Regulation 5111 or N.J.A.C. 6A:22-3.2 shall be construed to limit the discretion of the Board to admit nonresident students, or the ability of a nonresident student to attend school with or without payment of tuition, and with the consent of the district Board pursuant to N.J.S.A. 18A:38-3.a.~~

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

1. The Board of Education shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district:
 - a. Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
 - b. Voter registrations; licenses; permits; financial account information; utility bills; delivery receipts; and other evidence of personal attachment to a particular location;
 - c. Court orders; State agency agreements; and other evidence of court or agency placements or directives;



REGULATION GUIDE

STUDENTS

R 5111/page 16 of 26

Eligibility of Resident/Nonresident Students

- d. Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location, or to support the student;
 - e. Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
 - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, guardian, person keeping an “affidavit student,” adult student, person(s) with whom a family is living, or others, as appropriate;
 - g. Documents pertaining to military status and assignment; and
 - h. Any other business record or document issued by a governmental entity.
- 2. The Board of ~~Education~~ may accept forms of documentation not listed in **N.J.A.C. 6A:22-3.4(a) and E.1.** above, and shall not exclude from consideration any documentation or information presented by an applicant.
 - 3. The Board of ~~Education~~ shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.
 - 4. The Board of ~~Education~~ shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school. They include, but are not limited to:



REGULATION GUIDE

STUDENTS

R 5111/page 17 of 26

Eligibility of Resident/Nonresident Students

- a. Income tax returns;
 - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b) **and D.2. above**;
 - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
 - d. Social security numbers.
5. The Board of ~~Education~~ may consider, in a manner consistent with Federal law, documents or information referenced in **N.J.A.C. 6A:22-3.4(d) and E.4.** above, or pertinent parts thereof if voluntarily disclosed by the applicant. However, the Board of ~~Education~~ may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.
6. In the case of a dispute between the school district and the parents of a student in regard to a student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (NJMVC) the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district. The NJMVC shall disclose to a school district the information requested in accordance with procedures established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.

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

1. The Board of Education shall use Commissioner-provided registration forms **pursuant to N.J.A.C. 6A:22-4.1(a)**, or locally developed forms that:



REGULATION GUIDE

STUDENTS

R 5111/page 18 of 26

Eligibility of Resident/Nonresident Students

- a. Are consistent with the forms ~~provided by the Commissioner-~~**provided forms**;
 - b. Do not seek information prohibited by N.J.A.C. 6A:22-4 or any other provision of statute or rule;
 - c. Summarize, for the applicant's reference, the criteria for attendance set forth in N.J.S.A. 18A:38-1, and specify the nature and form of any sworn statement(s) to be filed;
 - d. Clearly state the purpose for which the requested information is being sought in relation to the criteria; and
 - e. Notify applicants that an initial eligibility determination is subject to a more thorough review and evaluation, and that an assessment of tuition is possible if an initially admitted applicant is later found ineligible.
2. The Board of ~~Education~~ shall make available sufficient numbers of registration forms and trained registration staff to ensure prompt eligibility determinations and enrollment. Enrollment applications may be taken by appointment, but appointments shall be promptly scheduled and shall not unduly defer a student's attendance at school.
- a. If the school district uses separate forms for affidavit student applications rather than a single **application** form for all types of enrollment, affidavit student forms shall comply in all respects with **N.J.A.C. 6A:22-4.1(a)** and ~~the provisions of G.1. above~~. When affidavit student forms are used, the school district shall provide them to any person attempting to register a student of whom **they are** ~~he or she~~ is not the parent or guardian, even if not specifically requested.
 - (1) The Board of ~~Education~~ or its agents shall not demand or suggest that guardianship or custody must be obtained before enrollment will be considered for a student living with a person other than the parent or guardian since such student may qualify as an affidavit student.



REGULATION GUIDE

STUDENTS

R 5111/page 19 of 26

Eligibility of Resident/Nonresident Students

- (2) The Board of ~~Education~~ or its agents shall not demand or suggest that an applicant seeking to enroll a student of whom the applicant has guardianship or custody produce affidavit student proofs.
 - b. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.
3. Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.
- a. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2 **and G. below.**
 - b. When a student appears ineligible based on information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and intent to appeal to the Commissioner.
- (1) An applicant whose student is enrolled pursuant to **N.J.A.C. 6A:22-4.1(c)2.i. and F.3.b. above** ~~this provision~~ shall be notified that the student will be removed without a hearing before the Board if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.



REGULATION GUIDE

STUDENTS

R 5111/page 20 of 26

Eligibility of Resident/Nonresident Students

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



REGULATION GUIDE

STUDENTS

R 5111/page 21 of 26

Eligibility of Resident/Nonresident Students

8. Enrollment in the school district shall not be denied based upon **the** absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.
9. When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student's prior educational record. However, the applicant shall be advised the student's initial educational placement may be subject to revision upon the school district's receipt of records or further assessment of the student.

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

1. When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22, **Policy 5111, and this Regulation** or the student's initial application is found to be deficient upon subsequent review or investigation, the school district shall immediately provide notice to the applicant that is consistent with Commissioner-provided sample form(s) and meets the requirements of N.J.A.C. 6A:22-4.2 and **F. above and H. below et seq.**
 - a. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside.
2. Notices of ineligibility shall include:
 - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made:
 - (1) The description shall be sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal; and



REGULATION GUIDE

STUDENTS

R 5111/page 22 of 26

Eligibility of Resident/Nonresident Students

- (2) The description shall identify the specific subsection of N.J.S.A. 18A:38-1 under which the application was decided.
- b. In cases of provisional eligibility, a clear description of the missing documents or information that still must be provided before a final eligibility status can be attained under the applicable provision of N.J.S.A. 18A:38-1;
 - c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the notice date, along with an informational document provided by the Commissioner describing how to file an appeal;
 - d. A clear statement of the student's right to attend school for the twenty-one day period during which an appeal can be made to the Commissioner. It also shall state the student will not be permitted to attend school beyond the twenty-first day following the notice date if missing information is not provided or an appeal is not filed;
 - e. A clear statement of the student's right to continue attending school while an appeal to the Commissioner is pending;
 - f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating the student's right to attend the school district, or the applicant withdraws the appeal, fails to prosecute or abandons the appeal by any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;
 - g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3, **J.2. and J.3. below**, that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal:



REGULATION GUIDE

STUDENTS

R 5111/page 23 of 26

Eligibility of Resident/Nonresident Students

- (1) If removal is based on the student's move from the school district, the notice of ineligibility shall also provide information as to whether district Policy permits continued attendance, with or without tuition, for students who move from the school district during the school year.
- h. The name of a contact person in the school district who can assist in explaining the notice's contents; and
- i. When no appeal is filed, notice that the parent or guardian shall still comply with compulsory education laws. In the absence of a written statement from the parent or guardian that the student will be attending school in another school district or non-public school, or receiving instruction elsewhere than at a school, school district staff shall notify the school district of actual domicile/residence, or the Department of Children and Families, of a potential instance of "neglect" pursuant to N.J.S.A. 9:6-1. For purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25), staff shall provide the student's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission based on residency or domicile, and absence of evidence of intent to attend school or receive instruction elsewhere.

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

1. Nothing in N.J.A.C. 6A:22-4, **Policy 5111**, and this Regulation shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.
2. When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal.



REGULATION GUIDE

STUDENTS

R 5111/page 24 of 26

Eligibility of Resident/Nonresident Students

- a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2 **and G. above**. However, the notice shall also provide for a hearing before the Board of Education prior to a final decision on removal.
3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an “affidavit student,” has been informed of **their** ~~his or her~~ entitlement to a hearing before the Board of Education.
4. Once the hearing is held, or if the parent, guardian, adult student, or resident keeping an “affidavit student,” does not respond within the designated time frame to the Superintendent’s notice or appear for the hearing, the Board of Education shall make a prompt determination of the student’s eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2 **and G. above**.
5. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board of Education or a Board committee, at the discretion of the full Board. If the hearing is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. However, no student shall be removed except by vote of the Board of Education taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

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

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



REGULATION GUIDE

STUDENTS

R 5111/page 25 of 26

Eligibility of Resident/Nonresident Students

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

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



REGULATION GUIDE

STUDENTS

R 5111/page 26 of 26

Eligibility of Resident/Nonresident Students

date on which the student's ineligible attendance began, the Commissioner may order payment of tuition as part of **their** ~~his or her~~ decision. In doing so, the Commissioner shall consider whether the ineligible attendance was due to the school district's error. If the record does not include such a calculation and the Board of ~~Education~~ has filed a counterclaim for tuition, the counterclaim shall proceed to a hearing notwithstanding that the petition has been abandoned.

- b. An order of the Commissioner assessing tuition is enforceable through recording, upon request of the Board of ~~Education~~ pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division, in accordance with N.J.S.A. 2A:58-10.
3. Tuition assessed pursuant to the provisions of N.J.A.C. 6A:22-6 shall be calculated on a per-student basis for the period of a student's ineligible enrollment, up to one year, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23A-17.1. The individual student's record of daily attendance shall not affect the calculation.
4. Nothing in N.J.A.C. 6A:22, **Policy 5111, and this Regulation** shall preclude an equitable determination by the Board of ~~Education~~ or the Commissioner that tuition shall not be assessed for all or part of any period of a student's ineligible attendance in the school district when the particular circumstances of a matter so warrant. In making the determination, the Board of ~~Education~~ or Commissioner shall consider whether the ineligible attendance was due to the school district's error.

Issued: 14 June 2011
Revised: 30 April 2019
Revised: 13 August 2020
Revised: 12 October 2021
Revised: 6 May 2025



POLICY GUIDE

STUDENTS
5460/page 1 of 16
High School Graduation
M

5460 HIGH SCHOOL GRADUATION

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the student has met all State and local requirements for high school graduation in accordance with N.J.A.C. 6A:8-5.1 et seq. The Board will annually certify to the Executive County Superintendent each student who has been awarded a diploma and has met the requirements for graduation.

As defined in N.J.A.C. 6A:8-1.3, “credit” means the award for the equivalent of a class period of instruction, which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2 and A.1.b. below.

A. High School Graduation Requirements – N.J.A.C. 6A:8-5.1

1. For a State-endorsed diploma, the Board **of Education** shall develop, adopt, and implement graduation requirements that prepare students for success in post-secondary degree programs, careers, and civic life in the 21st century, and that include the following:
 - a. A graduating student must have earned a minimum of 150 credits in courses designed to meet all of the New Jersey Student Learning Standards (NJSLS), including, but not limited to, the following credits:
 - (1) 20 credits in English language arts (**ELA**) aligned to grade nine through twelve standards;
 - (2) 15 credits in mathematics, including Algebra I or the content equivalent; geometry or the content equivalent; and a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and 21st century careers;



POLICY GUIDE

STUDENTS

5460/page 2 of 16

High School Graduation

- (3) 15 credits in science, including at least five credits in laboratory biology/life science or the content equivalent; one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics; and one additional laboratory/inquiry-based science course;
- (4) 15 credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2; five credits in world history; and the integration of civics, economics, geography, and global content in all course offerings;
- (5) 2.5 credits in financial, economic, business, and entrepreneurial literacy;
- (6) 5 credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7, and 8;
- (7) 5 credits in visual and performing arts;
- (8) 5 credits in world languages or student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2) and A.1.b.(2)(b) below;
- (9) Technological literacy, consistent with the NJSLs, integrated throughout the curriculum;
- (10) 5 credits in 21st century life and careers, or career-technical education; and
- (11) Electives as determined by the high school program sufficient to total a minimum of 150 credits.



POLICY GUIDE

STUDENTS

5460/page 3 of 16

High School Graduation

- b. The 120-credit requirement set forth in N.J.A.C. 6A:8-5.1(a)1. and in A.1.a. above may be met in whole or in part through program completion of a range of experiences that enable students to pursue a variety of individualized learning opportunities, as follows:
 - (1) The district shall establish a process to approve individualized student learning opportunities that meet or exceed the NJSLs.
 - (a) Individualized student learning opportunities in all NJSLs areas include, but are not limited to, the following:
 - (i) Independent study;
 - (ii) Online learning;
 - (iii) Study abroad programs;
 - (iv) Student exchange programs; and
 - (v) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.
 - (b) Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the NJSLs shall:
 - (i) Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;
 - (ii) Include demonstration of student competency;



POLICY GUIDE

STUDENTS

5460/page 4 of 16

High School Graduation

- (iii) Be certified for completion based on the district process adopted according to N.J.A.C. 6A:8-5.1(a)2.ii. and A.1.b.(2) below; and
 - (iv) Be on file in the school district and subject to review by the Commissioner of Education or designee.
 - (c) Group programs based upon specific instructional objectives aimed at meeting or exceeding the NJSLs shall be permitted and shall be approved in the same manner as other approved courses.
- (2) The district shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting or exceeding the NJSLs at the high school level, including standards achieved by means of the individualized student learning opportunities enumerated at N.J.A.C. 6A:8-5.1(a)2 and A.1.b. above. Such programs or assessments may occur all or in part prior to a student's high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.
- (a) The district shall choose assessments that are aligned with or exceed the NJSLs and may include locally designed assessments.



POLICY GUIDE

STUDENTS

5460/page 5 of 16

High School Graduation

- (b) The district shall choose from among the following assessment options to determine if students have achieved the level of language proficiency designated as Novice-High as defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the NJSLS:
 - (i) The Standards-based Measurement of Proficiency (STAMP) online assessment;
 - (ii) The ACTFL Oral Proficiency Interview (OPI) or the Modified Oral Proficiency Interview (MOPI); or
 - (iii) New Jersey Department of Education-approved locally designed competency-based assessments.
- (3) The district shall establish a process to approve post-secondary learning opportunities that may consist of Advanced Placement (AP) courses, College-Level Examination Program (CLEP), or concurrent/dual enrollment at accredited higher education institutions.
 - (a) The district shall award credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the NJSLS.
- c. Local student attendance requirements;
- d. Any statutorily mandated requirements for earning a high school diploma;



POLICY GUIDE

STUDENTS

5460/page 6 of 16

High School Graduation

- e. The requirement that all students demonstrate proficiency by achieving a passing score on the ~~ELA English Language Arts (ELA)~~ and mathematics components of the State graduation proficiency test or through the alternative means at N.J.A.C. 6A:8-5.1(h) and A.~~67~~. below, if applicable, or for students who take the State graduation proficiency test but do not achieve a passing score through the alternative means set forth at N.J.A.C. 6A:8-5.1(g) and (i) and A.~~56~~. and A.~~78~~. below:
 - ~~(1) Students in the graduating classes of 2019, 2020, 2021, and 2022 shall be required to demonstrate proficiency by achieving a passing score on the high school end of course PARCC assessments in ELA 10 and Algebra I or through alternative means set forth at N.J.A.C. 6A:8-5.1(f), (h), and (i) and A.5., A.7., and A.8. below.~~
- f. For students who have not demonstrated proficiency on the ELA and/or mathematics components of the State graduation proficiency test, the opportunity for the following will be provided:
 - (1) Remediation, pursuant to N.J.S.A. 18A:7C-3.; and
 - (2) One or more additional opportunities to demonstrate proficiency on the State graduation proficiency test, pursuant to N.J.S.A. 18A:7C-6; and
- g. Students graduating from an adult high school shall demonstrate proficiency in the ELA and mathematics components of the State graduation proficiency test, or through alternative means set forth at N.J.A.C. 6A:8-5.1(~~g~~)(f) through (i) and A.5. through A.~~78~~. below.



POLICY GUIDE

STUDENTS

5460/page 7 of 16

High School Graduation

2. In the development of Personalized Student Learning Plans according to N.J.A.C. 6A:8-3.2(a), the district shall actively encourage all students who have otherwise met the requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a)1 through 3 and A.1.a. through A.1.c. above, to include in their programs of study the following additional credits:
 - a. Five credits in mathematics during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;
 - b. Five credits in a laboratory science during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;
 - c. Five credits in social studies during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers; and
 - d. Five credits in world languages during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers.
3. The district shall provide to the Executive County Superintendent the district's graduation requirements each year they are evaluated through Quality Single Accountability Continuum (QSAC) and update the district's filed copy each time the graduation policy is revised.
4. The district shall provide each student entering high school and their parents with a copy of the district's requirements for a State-endorsed diploma and the programs available to assist students in attaining a State-endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.
5. ~~To ensure adequate transition to the new Statewide assessment systems, the district shall provide students in the graduating classes of 2018, 2019, 2020, 2021, and 2022 who have not demonstrated proficiency on the high school end of course PARCC assessments in ELA 10 and Algebra I with the opportunity to demonstrate competence through one of the alternative means set forth below:~~



POLICY GUIDE

STUDENTS

5460/page 8 of 16

High School Graduation

a. ~~For the graduating classes of 2018, 2019, 2020, 2021, and 2022, students who did not take the ELA 10 and the Algebra I end-of-course PARCC assessment or who take but do not achieve a passing score on both assessments, as required by N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, may satisfy the State requirement to demonstrate proficiency in English language arts and/or mathematics in one of the following ways:~~

(1) ~~Achieve a passing score, as determined by the Commissioner of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or~~

(2) ~~Meet the criteria of the portfolio appeals process.~~

56. For students in the graduating classes of 2023, 2024, and 2025, the alternative means referenced at N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above shall be as follows:

a. Achieve a passing score, as determined by the Commissioner of Education and approved by the New Jersey State Board of Education, on a corresponding substitute competency test in **ELA** ~~English language arts~~ and/or mathematics, as applicable; and/or

b. Demonstrate proficiency through the portfolio appeals process, pursuant to N.J.S.A. 18A:7C-3.

67. All **multilingual learners (ML)** ~~English language learners (ELLs)~~ shall satisfy the requirements for high school graduation, except **MLs** ~~ELLs~~ may demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language, when available, and passage of a New Jersey Department of Education-approved, English fluency assessment.



POLICY GUIDE

STUDENTS

5460/page 9 of 16

High School Graduation

78. Students, including students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act who participate in the alternative assessment for students with disabilities, are not required to participate in repeated administrations of high school assessment components required at N.J.A.C. 6A:8-4.1(c).
9. ~~For students in the graduating classes of 2019, 2020, 2021, and 2022, the New Jersey Department of Education (NJDOE) shall consider high school end-of-course State assessments to be equivalent to the corresponding high school end-of-course PARCC assessments.~~

B. High School Diplomas – N.J.A.C. 6A:8-5.2

1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with N.J.A.C. 6A:8-5.1(a), (c), or N.J.A.C. 6A:8-5.2(d) and A.1 above, C.1. below, or B.4. below.
2. The Board shall not issue a high school diploma to any student not meeting the criteria specified in the rule provisions referenced in **N.J.A.C. 6A:8-5.2(a)** and B.1. above.
 - a. The district shall provide students exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty or until the requirements for a State-endorsed diploma have been met, whichever comes first.
 - b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements but has failed to pass the State proficiency test to demonstrate proficiency through alternative means as set forth at N.J.A.C. 6A:8-5.1(a) through N.J.A.C. 6A:8-5.1(i) and in A.1.f. through A.78. above, as applicable, pursuant to the standards applicable to the student's graduating class. ~~Students in graduating classes prior to 2018 shall demonstrate proficiency as set~~



POLICY GUIDE

STUDENTS

5460/page 10 of 16

High School Graduation

~~forth for the classes of 2018 through 2022 at N.J.A.C. 6A:8-5.1(f)1 and A.5.a. above.~~ Upon certification of passing the test applicable to the student's class in accordance with N.J.A.C. 6A:8 and this Policy, a State-endorsed diploma shall be granted by the high school of record.

3. Pursuant to N.J.A.C. 6A:20-1.4, the Commissioner of Education shall award a State-issued high school diploma based on achieving the Statewide standard score on the General Education Development test (GED) or other adult education assessments to individuals age sixteen or older who are no longer enrolled in school and have not achieved a high school credential.
4. The Commissioner of Education shall award a State-issued high school diploma to individuals age sixteen or older and no longer enrolled in high school based on official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education. Included in the thirty general education credits must be a minimum of fifteen credits with at least three credits in each of the five general education categories as follows: English; mathematics; science; social science; and the humanities.
5. The Board shall award a State-endorsed high school diploma to any currently enrolled student, regardless of grade level, who:
 - a. Has demonstrated proficiency in the State graduation proficiency test, pursuant to N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, or as set forth at N.J.A.C. 6A:8-5.1(g) and A.56. above.÷
 - (1) ~~The Board shall award a State-endorsed high school diploma to any currently enrolled student in the graduating classes of 2019, 2020, 2021, and 2022 who has demonstrated proficiency in the high school end-of-course PARCC assessments in ELA 10 and Algebra I, or as set forth in N.J.A.C. 6A:8-5.1(f) and in A.5. above;~~



POLICY GUIDE

STUDENTS

5460/page 11 of 16

High School Graduation

- b. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
 - c. Has formally requested such early award of a State-endorsed high school diploma.
 - 6. Pursuant to N.J.S.A. 18A:7C-7 and 18A:7E-3, the Superintendent shall report annually to the Board at a public meeting not later than September 30, and to the Commissioner of Education:
 - a. The total number of students graduated;
 - b. The number of students graduated under the substitute competency test process;
 - c. The number of students graduated under the portfolio appeals process;
 - d. The number of students receiving State-endorsed high school diplomas as a result of meeting any alternate requirements for graduation as specified in their individualized education programs (IEP);
 - e. The total number of students denied graduation from the twelfth grade class; and
 - f. The number of students denied graduation from the twelfth grade class solely because of failure to pass the **New Jersey Department of Education-approved** high school end-of-course **PARCC** assessments, the State graduation proficiency test, substitute competency tests, or portfolio appeals process based on the provisions of N.J.A.C. 6A:8.
- C. Students with Disabilities – N.J.A.C. 6A:8-5.1(c) and N.J.A.C. 6A:14-4.11
 - 1. Through the IEP process set forth at N.J.A.C. 6A:14-3.7 and pursuant to N.J.A.C. 6A:14-4.11, the Board may specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined at N.J.A.C. 6A:14-1.3.



POLICY GUIDE

STUDENTS

5460/page 12 of 16

High School Graduation

- a. The district shall specifically address any alternate requirements for graduation in a student's IEP, in accordance with N.J.A.C. 6A:14-4.11.
 - b. The district shall develop and implement procedures for assessing whether a student has met the specified alternate requirements for graduation individually determined in an IEP.
2. The IEP of a student with a disability who enters a high school program shall specifically address the graduation requirements. The student shall meet the high school graduation requirements pursuant to N.J.A.C. 6A:8-5.1 and A. above, except as specified in the student's IEP. The IEP shall specify which requirements would qualify the student with a disability for the State-endorsed diploma issued by the Board responsible for the student's education.
3. Graduation with a State-endorsed diploma is a change of placement that requires written notice pursuant to N.J.A.C. 6A:14-2.3(f) and (g).
 - a. As part of the written notice, the parent shall be provided with a copy of the procedural safeguards statement published by the NJDOE.
 - b. As with any proposal to change the educational program or placement of a student with a disability, the parent may resolve a disagreement with the proposal to graduate the student by requesting mediation or a due process hearing prior to graduation.
 - c. In accordance with N.J.A.C. 6A:14-3.8(d), a reevaluation shall not be required.
 - d. When a student graduates or exceeds the age of eligibility, the student shall be provided a written summary of their academic achievement and functional performance prior to the date of the student's graduation or the conclusion of the school year in which the student exceeds the age of eligibility. The summary shall include recommendations to assist the student in meeting their postsecondary goals.



POLICY GUIDE

STUDENTS

5460/page 13 of 16
High School Graduation

4. If a student attends a school other than that of the school district of residence that is empowered to grant a diploma, the student shall have the choice of receiving the diploma of the school attended or the diploma of the school district of residence.
 - a. If the school the student is attending declines to issue a diploma to the student, the Board of the school district of residence shall issue the student a diploma if the student has satisfied all State and local graduation requirements, as specified in the student's IEP.
5. If the Board grants an elementary school diploma, a student with a disability who fulfills the requirements of their IEP shall qualify for and receive a diploma.
6. Students with disabilities who meet the standards for graduation according to N.J.A.C. 6A:14-4.11 and **Section C.** of this Policy shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

D. Financial Aid Application Graduation Requirement

1. **Beginning with the 2023-2024 grade eleven class, and for two school years thereafter, the Board shall require a student, and the student's parent, if applicable, to complete and submit a financial aid application in a form prescribed by the Higher Education Student Assistance Authority (Authority) as a prerequisite to the student receiving a high school diploma unless a waiver is submitted to the district as set forth in P.L.2023 c.295 and D.1.a. below.**
 - a. **A student shall be exempt from the requirement in P.L.2023 c.295 and D.1. above if the student or the student's parent submits to the district a waiver form signed by the parent, or by the student if the student is at least eighteen years of age, requesting the exemption from the requirement.**



POLICY GUIDE

STUDENTS

5460/page 14 of 16
High School Graduation

- b. If the student is under eighteen years of age and a form signed by the parent cannot be reasonably obtained, the student's school counselor may authorize the waiver as permitted by regulations promulgated by the State Board of Education pursuant to P.L.2023 c.295.**
- 2. The district shall annually notify students and the parents of the requirement established pursuant to P.L.2023 c.295 and Section D.**
- 3. No adverse action shall be taken by a Board against any student due to a student's receipt of an exemption from the requirement to complete and submit a financial aid application pursuant to D.1.a. above.**
- 4. Nothing in P.L.2023 c.295 and this Policy shall be construed as requiring school counselors, or any other school employee, to assist students in completing the financial aid application. Nothing in P.L.2023 c.295 and this Policy shall be construed as creating a private right of action against the district or the State upon compliance or noncompliance with the provisions of P.L.2023 c.295 and this Policy.**

ED. State Seal of Biliteracy – N.J.A.C. 6A:8-5.3

- 1. The Board of Education may award a State Seal of Biliteracy to any student who has met all requirements in N.J.A.C. 6A:8-5.2 and B. above and demonstrates proficiency in the following:**
 - a. One or more world languages via an approved assessment pursuant to N.J.A.C. 6A:8-5.3(f) and ED.6. below during the student's next to last or final year of high school; and**
 - (1) Pursuant to N.J.S.A. 18A:7C-15, a foreign language other than English also shall include, but not be limited to, American Sign Language, Latin, and Native American languages.**

STUDENTS



POLICY GUIDE

5460/page 15 of 16
High School Graduation

- b. ~~ELA English language arts~~ as set forth in N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above.
2. A Board that chooses to award the State Seal of Biliteracy shall incorporate the process into the developed, adopted, and implemented Policy 5460 – High School Graduation pursuant to N.J.A.C. 6A:8-5.1(a) and A.1. above, denoting participation in the voluntary program. A Board choosing to participate shall submit, in accordance with N.J.A.C. 6A:8-5.1(d) and A.3. above, a copy of **this Policy 5460—High School Graduation** that reflects the option for students to participate in the State Seal of Biliteracy.
3. The Board of ~~Education~~ shall pay the costs for related assessments and transcript insignias.
4. The Board of ~~Education~~ shall do the following:
 - a. Provide the NJDOE with information regarding students who qualify for the State Seal of Biliteracy pursuant to N.J.A.C. 6A:8-5.3(a) and ~~ED~~.1. above;
 - b. Present each student who qualifies pursuant to **N.J.A.C. 6A:8-5.3(a) and ED.1.** above with a New Jersey Department of Education-issued certificate;
 - c. Include the Commissioner of Education-developed insignia on the student’s transcript; and
 - d. Maintain appropriate records to identify students who have earned the State Seal of Biliteracy.
5. The Board shall not award a State Seal of Biliteracy to any student who does not meet the criteria in N.J.A.C. 6A:8-5.3(a) and ~~ED~~.1. above and shall not include the Commissioner of Education-developed insignia on the student’s transcript.



POLICY GUIDE

STUDENTS
5460/page 16 of 16
High School Graduation

6. A list of New Jersey Department of Education-approved, nationally recognized assessments and the Statewide scores necessary for a student to satisfy requirements for the State Seal of Biliteracy shall be set by a resolution approved by the New Jersey State Board of Education.
 - a. If an approved assessment, pursuant to N.J.A.C. 6A:8-5.3(f) and ~~ED~~ 6. above, does not exist for a particular language, the Board may administer a NJDOE-approved, locally designed proficiency-based assessment.]

N.J.S.A. 18A:7C-3; 18A:7C-5; 18A:7C-6, 18A:7C-7; 18A:7C-15; 18A:7E-3
18A:35-1; 18A:35-2; 18A:35-5; 18A:35-7; 18A:35-8

N.J.A.C. 6A:8-1.3; 6A:8-5.1 et seq.; 6A:14-1.3; 6A:14-2.3; 6A:14-3.7
6A:14-3.8; 6A:14-4.11; 6A:20-1.4

P.L.2023 c.295

Adopted: 14 June 2011
Revised: 22 March 2016
Revised: 19 July 2016
Revised: 22 March 2022
Revised: 6 May 2025



POLICY GUIDE

STUDENTS
5512/page 1 of 27
Harassment, Intimidation, or Bullying
M

5512 HARASSMENT, INTIMIDATION, OR BULLYING

Table of Contents

<u>Section</u>	<u>Section Title</u>
A.	Prohibiting Harassment, Intimidation, or Bullying
B.	Definition of Harassment, Intimidation, or Bullying
C.	Student Behavior
D.	Consequences and Remedial Actions
E.	Reporting Harassment, Intimidation, or Bullying
F.	Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate Team(s)
G.	Investigating Allegations of Harassment, Intimidation, or Bullying
H.	Responding to Harassment, Intimidation, or Bullying
I.	Reprisal or Retaliation
J.	False Accusations of Harassment, Intimidation, or Bullying
K.	Additional Policy Requirements
L.	Harassment, Intimidation, or Bullying Training and Prevention Programs
M.	Reports to Board of Education and New Jersey Department of Education
N.	School and District Grading Requirements



POLICY GUIDE

STUDENTS

5512/page 2 of 27

Harassment, Intimidation, or Bullying

- O. Reports to Law Enforcement
- P. Collective Bargaining Agreements and Individual Contracts
- Q. Students with Disabilities
- 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.

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 **surrogate parent(s)** ~~parent surrogate(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.

- B. Definition of Harassment, Intimidation, or Bullying

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

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;



POLICY GUIDE

STUDENTS

5512/page 3 of 27

Harassment, Intimidation, or Bullying

2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3;
3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
 - a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of 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's ~~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** ~~is~~ addressed in this Policy.



POLICY GUIDE

STUDENTS

5512/page 4 of 27

Harassment, Intimidation, or Bullying

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.

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;



POLICY GUIDE

STUDENTS

5512/page 5 of 27

Harassment, Intimidation, or Bullying

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; 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.



POLICY GUIDE

STUDENTS

5512/page 6 of 27

Harassment, Intimidation, or Bullying

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; 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 **incidents** ~~incidences~~ occurred.



POLICY GUIDE

STUDENTS

5512/page 7 of 27

Harassment, Intimidation, or Bullying

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.

Environmental:

- 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.

Examples of Consequences and Remedial Measures

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



POLICY GUIDE

STUDENTS

5512/page 8 of 27

Harassment, Intimidation, or Bullying

Examples of Consequences:

- 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, 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;



POLICY GUIDE

STUDENTS

5512/page 9 of 27

Harassment, Intimidation, or Bullying

- 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 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;



POLICY GUIDE

STUDENTS

5512/page 10 of 27

Harassment, Intimidation, or Bullying

- 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.

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 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.



POLICY GUIDE

STUDENTS

5512/page 11 of 27

Harassment, Intimidation, or Bullying

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 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.



POLICY GUIDE

STUDENTS

5512/page 12 of 27

Harassment, Intimidation, or Bullying

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 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.

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

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).



POLICY GUIDE

STUDENTS

5512/page 13 of 27

Harassment, Intimidation, or Bullying

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

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.

The district Anti-Bullying Coordinator shall:

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



POLICY GUIDE

STUDENTS

5512/page 14 of 27

Harassment, Intimidation, or Bullying

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

The School Safety/School Climate Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- b. Receive copies of all reports prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of students in the school;



POLICY GUIDE

STUDENTS

5512/page 15 of 27

Harassment, Intimidation, or Bullying

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

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 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.

G. Investigating Allegations of Harassment, Intimidation, or Bullying

Prior to initiating an investigation regarding a reported incident or complaint, the Principal or designee, in consultation with the 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.



POLICY GUIDE

STUDENTS

5512/page 16 of 27

Harassment, Intimidation, or Bullying

Should the Principal or designee, in consultation with the ~~A~~anti-~~B~~bullying ~~S~~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 ~~A~~anti-~~B~~bullying ~~S~~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 ~~A~~anti-~~B~~bullying ~~S~~specialist.



POLICY GUIDE

STUDENTS

5512/page 17 of 27

Harassment, Intimidation, or Bullying

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 **Aanti-Bbullying Sspecialist** appointed by the Principal. The Principal may appoint additional personnel who are not school **Aanti-Bbullying Sspecialists** to assist the school **Aanti-Bbullying Sspecialist** 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 **Aanti-Bbullying Sspecialist** may not participate in an investigation regarding their supervisor or staff at a higher administrative level.

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 **Aanti-Bbullying Sspecialist** 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.

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.



POLICY GUIDE

STUDENTS

5512/page 18 of 27

Harassment, Intimidation, or Bullying

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 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.



POLICY GUIDE

STUDENTS

5512/page 19 of 27

Harassment, Intimidation, or Bullying

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.

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.

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 in consultation with the approved private school for students with disabilities.

H. Responding to Harassment, Intimidation, or Bullying

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.



POLICY GUIDE

STUDENTS

5512/page 20 of 27

Harassment, Intimidation, or Bullying

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 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.



POLICY GUIDE

STUDENTS

5512/page 21 of 27

Harassment, Intimidation, or Bullying

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 curricula and school-wide programs; coordination with 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.



POLICY GUIDE

STUDENTS

5512/page 22 of 27

Harassment, Intimidation, or Bullying

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, 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.



POLICY GUIDE

STUDENTS

5512/page 23 of 27

Harassment, Intimidation, or Bullying

The Superintendent shall post the name, school phone number, school address and school email address of the district **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 and the district **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**, with input from the school **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.



POLICY GUIDE

STUDENTS

5512/page 24 of 27

Harassment, Intimidation, or Bullying

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 ~~on~~ ~~in~~ 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. 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.

Each newly elected or appointed Board member **shall** ~~must~~ 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 **shall** ~~will~~ 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 **shall** ~~will~~ 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 **shall** ~~will~~ 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.



POLICY GUIDE

STUDENTS

5512/page 25 of 27

Harassment, Intimidation, or Bullying

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. 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.



POLICY GUIDE

STUDENTS

5512/page 26 of 27

Harassment, Intimidation, or Bullying

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 ~~MOA Memorandum of Agreement Between Education and Law Enforcement Officials~~.

P. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. **shall** ~~may~~ be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights 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. **shall** ~~may~~ alter or reduce the rights of a student with a disability with regard to disciplinary actions or to general or special education services and supports: **pursuant to** N.J.S.A. 18A:37-32.



POLICY GUIDE

STUDENTS

5512/page 27 of 27

Harassment, Intimidation, or Bullying

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: 25 September 2018

Revised: 19 July 2022

Revised: 15 November 2022

Revised: 6 May 2025



POLICY GUIDE

STUDENTS

5516/page 1 of 4

Use of Electronic Communication and Recording

Devices (~~ECRD~~)

M

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

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 Regulation 5516 and 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 Regulation 5516 and 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.



POLICY GUIDE

STUDENTS

5516/page 2 of 4

Use of Electronic Communication and Recording
Devices (ECRD)

~~In addition, the Board of Education believes students and/or school staff members should not be subject to having any type of recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student and the student's parent 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 recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the district's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students. Therefore, the Board of Education adopts this Policy regarding 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.~~

~~Students in the high school and elementary school are not permitted to use ECRDs in class. They are required to leave their ECRDs in their lockers or place it in the required location in the classroom as directed by the classroom teacher. 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 parents 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, 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~~



POLICY GUIDE

STUDENTS

5516/page 3 of 4

Use of Electronic Communication and Recording
Devices (ECRD)

~~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.~~

~~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 Principal. The student must submit a written request and establish to the satisfaction of the 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 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 8 week(s).~~

~~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.~~



POLICY GUIDE

STUDENTS

5516/page 4 of 4

Use of Electronic Communication and Recording
Devices (ECRD)

~~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 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.~~

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

Adopted: January 19, 2016
Revised: 13 August 2019
Revised: 6 May 2025



POLICY GUIDE

STUDENTS
5533/page 1 of 4
Student Smoking
M

5533 STUDENT SMOKING

The Board of Education recognizes the use of tobacco presents a health hazard that can have serious implications both for the smoker and the nonsmoker and that smoking habits developed by 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.



POLICY GUIDE

STUDENTS
5533/page 2 of 4
Student Smoking

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 will** immediately notify the parent and the Superintendent or designee. The Principal or designee **shall will** 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, ~~and Policy and Regulation 5530, and this Policy —Substance Abuse.~~

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, ~~or a controlled substance dangerous analog,~~ **or other drugs** pursuant to N.J.S.A. 2C:35-2, the Principal or designee **shall will** immediately notify the parent and the Superintendent or designee. The Principal or designee **shall will** 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, ~~and Policy and Regulation 5530, and this Policy —Substance Abuse.~~ Principals and designees **shall will** be trained to identify controlled dangerous substances in electronic smoking devices.



POLICY GUIDE

STUDENTS
5533/page 3 of 4
Student Smoking

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 **N.J.S.A. 26:3D-61 law**. 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.



POLICY GUIDE

STUDENTS
5533/page 4 of 4
Student Smoking

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: 14 June 2011

Revised: 19 September 2013

Revised: 17 October 2013

Revised: 8 May 2018

Revised: 6 May 2025



REGULATION GUIDE

STUDENTS
R 5533/page 1 of 2
Student Smoking

R 5533 STUDENT SMOKING

The Board of Education is committed to maintaining a smoke-free environment on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board ~~of Education~~. The school administration and all school staff members shall strictly enforce this smoking prohibition and will work together to ensure students do not smoke in violation of Board Policy 5533 and **N.J.S.A. 26:3D-56** ~~the law~~.

A. Notice Provisions

1. A sign shall be posted in every school building indicating smoking is prohibited in any school building or on school grounds. The sign shall also indicate violators will be subject to a fine.
2. Each school's student handbook will indicate smoking is prohibited on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board ~~of Education~~.
3. A public address announcement will be made, when practicable, at school-sponsored events indicating smoking is prohibited in school buildings and on school grounds.

B. Reporting Procedures

1. Any teaching staff member who observes a student smoking in violation of Policy 5533 shall inform the student to cease smoking and report the violation to the Principal or designee.
2. Any support staff member who observes a student smoking in violation of Policy 5533 shall either inform a teaching staff member, who shall report the violation to the Principal or designee or the support staff member may report the violation directly to the Principal or designee.
3. The Principal or designee will investigate each report received from a staff member and make a determination whether the student has violated Board Policy 5533.



REGULATION GUIDE

STUDENTS
R 5533/page 2 of 2
Student Smoking

4. In the event there is 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 notify law enforcement in accordance with the district's Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and follow the procedure outlined in Regulation 5530.

C. Violation Consequences

1. In the event the Principal or designee determines a student has violated Policy 5533, the student will be assigned appropriate discipline in accordance with the **district's school's Student Discipline/Code of Conduct**.
2. The Principal or designee will notify the student's parent(s) ~~or legal guardian(s)~~ when discipline is being imposed for a violation of Policy 5533.

Issued: 14 June 2011
Revised: 14 August 2018
Revised: 6 May 2025



POLICY GUIDE

STUDENTS

5710/ page 1 of 3

Student Pupil Grievance

5710 STUDENT PUPIL GRIEVANCE

The Board of Education believes ~~that students pupils are citizens who~~ possess the right to request redress of grievances ~~and that pupils should be encouraged to respect lawful procedures for the resolution of~~ and disputes. Accordingly, the Board will establish and observe procedures by which the grievances of **students pupils** will be heard.

For the purposes of this ~~P~~policy, a **student pupil** grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees. **The procedure outlined in this Policy shall be used to address a student grievance that is not elsewhere in a Board policy, regulation, and/or grievance with a procedure specifically designed to address the conduct in question.**

A **student pupil** grievance **shall** ~~will~~ be heard in the following manner:

1. First Level

- a. The student or parent may submit a grievance to the teaching staff member most closely related to the policy or act giving rise to the grievance, within five school days of the conduct.

2. Second Level

- a. If the grievance is not resolved at the first level, the student or parent may appeal the teaching staff member's decision by submitting a written appeal of the decision to the Principal or designee within five school days of receipt of the teaching staff member's written decision.

(1) The written grievance shall include:

- (a) The specific nature of the grievance and a brief statement of the facts giving rise to it;



POLICY GUIDE

STUDENTS
5710/ page 2 of 3
Student Grievance

- (b) Any documentation the student or parent has supporting their request; and
 - (c) The remedy sought by the student or student's parent.
 - b. The Principal or designee will inform the student and parent, in writing, of the Principal's or designee's decision regarding the appeal within five school days of receiving the written appeal from the student or parent and their right to appeal the Principal's or designee's decision to the Superintendent of Schools or designee.
 - 3. Third Level
 - a. If the grievance is not resolved at the second level, the student or parent may appeal the Principal's or designee's decision by submitting a written request to the Superintendent or designee. This written request for an appeal must be submitted to the Superintendent or designee by the student or parent within five school days of the student's or parent's receipt of the Principal's or designee's written decision and must include the same information the parent or student submitted in the written grievance outlined in 2.a.(1) above.
 - b. The Superintendent or designee will review the written request for an appeal and supporting documentation submitted by the school staff members and the student or parent to inform the student and parent of the decision regarding the appeal within ten school days of receiving the written request for an appeal.
 - c. A student or parent may appeal the Superintendent or designee's decision to the Board. An appeal that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than thirty calendar days. The student will be informed of the right to appeal a decision of the Board to the Commissioner of Education.



POLICY GUIDE

STUDENTS
5710/ page 3 of 3
Student Grievance

1. ~~A pupil should first make the grievance known to the staff member most closely involved or with a guidance counselor and both shall attempt to resolve the matter informally and directly;~~
2. ~~A grievance not resolved at the first step must be reduced to a written statement in which the student sets forth the specific nature of the grievance, the facts that gave rise to it, the relief sought, and the reasons why that relief is appropriate;~~
3. ~~The written grievance may be submitted to the Building Principal, the Superintendent, and the Board of Education, in that order and within a suitable period of time to be allowed at each level for the hearing of the grievance and the preparation of a response;~~
4. ~~At each step beyond the first, the school authority hearing the grievance may summon the parent(s) or legal guardian(s) of a grievant who is not an adult. The grievant may summon the assistance of his/her parent(s) or legal guardian(s) at any step;~~
5. ~~A pupil grievance that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than ten calendar days. The pupil will be informed of the right to appeal a decision of the Board to the Commissioner of Education.~~

The Superintendent shall direct all staff members to respect the right of **students** ~~pupils~~ to seek redress of grievances by lawful procedures without fear of reprisal.

Cross reference: Policy Guide No. 9130

Adopted: 14 June 2011
Revised: 6 May 2025



POLICY GUIDE

PROPERTY

7441/page 1 of 2

Electronic Surveillance In School Buildings
and On School Grounds

M

7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

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

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

In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education shall enter into a Memorandum of Understanding (MOU) with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video **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.



POLICY GUIDE

PROPERTY

7441/page 2 of 2

Electronic Surveillance In School Buildings
and On School Grounds

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

**A Uniform State Memorandum of Agreement Between Education and Law
Enforcement Officials – 2023 Revisions**

Adopted: 14 June 2011

Revised: 8 May 2018

Revised: 6 May 2025



REGULATION GUIDE

PROPERTY
R 7441/page 1 of 4
Electronic Surveillance In School Buildings
and On School Grounds
M

R 7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

In order to enhance a safe and secure environment, the Board authorizes electronic surveillance devices to be used in school district buildings and on school grounds.

A. Recording and Notice

1. Surveillance devices may include, but are not limited to, sound/video cameras, audio recording devices, and other appropriate devices.
2. Recordings may be used to monitor and observe the conduct of school district staff, students, community members, and other person(s) in school buildings or on school grounds.
3. Signage will be posted in a prominent public place in school buildings and on school grounds where electronic surveillance equipment may be used.

B. Student Records and Notice

School district personnel will comply with the provisions of applicable law regarding student record requirements including the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA). Recordings considered for retention, as a part of a student's behavioral record, will be maintained in accordance with established student record procedures governing access, review, and release of student records.

C. Staff Records and Notice

1. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations, applicable law, and any labor agreements governing access, review, and release of employee personnel records.



REGULATION GUIDE

PROPERTY

R 7441/page 2 of 4

Electronic Surveillance In School Buildings
and On School Grounds

2. The district will provide notice to students, parent(s), and school staff members that surveillance devices may be used in school buildings and on school grounds.

D. Storage/Security

1. All recordings will be stored by the Superintendent or designee and secured to ensure confidentiality.
2. Recordings will be retained in accordance with the New Jersey Department of the Treasury – Records Management Services – Records Retention Schedules and will be erased or discarded, unless there is a legitimate reason for retaining such recording for review, upon receiving prior authorization from Records Management Services.

E. Use

1. The determination of the location of surveillance devices shall be made by the Superintendent or designee.
2. Tampering with or otherwise interfering with surveillance equipment is prohibited. Any individual found tampering with equipment shall be subject to discipline.

F. Viewing or Listening

1. Initial viewing or listening to recordings will be done by the ~~Building~~ **Superintendent of Schools or designee, Principal or designee, or School Safety Specialist.**
2. Requests for viewing or listening will be limited to persons with a direct interest in any proceedings, disciplinary or otherwise, resulting from the recordings, as deemed appropriate by the ~~Building~~ **Superintendent of Schools or designee, Principal or designee, or School Safety Specialist.**



REGULATION GUIDE

PROPERTY

R 7441/page 3 of 4

Electronic Surveillance In School Buildings
and On School Grounds

3. Only the portion of the recording concerning a specific incident will be made available for viewing.
 4. Viewing or listening to the recording will be permitted on school property or as otherwise required by law.
 5. All viewing will be in the presence of the **Building Superintendent of Schools or designee, Principal or designee, or School Safety Specialist.**
 6. A written log will be maintained by the **Building Superintendent of Schools or designee, Principal or designee, or School Safety Specialist** of those viewing video recordings including date of viewing, reason for viewing, the date the recording was made, and the signature of the viewer.
 7. Video recordings remain the property of the school district and may be reproduced only in accordance with law, including applicable district student records policy and procedures and district personnel records policy, procedures and applicable labor agreements.
- G. Law Enforcement Memorandum of Understanding (MOU)
(N.J.S.A. 18A:41-9)
1. 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 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, but need not be limited to, the following:
 - a. **A list of designated persons, including contact information, position, rank, and supervisor's contact information, of those who are authorized to activate the equipment to view the live streaming video. The list may be executed as a confidential attachment to the MOU. ~~The designation of individuals who shall be authorized to view live streaming video;~~**



REGULATION GUIDE

PROPERTY

R 7441/page 4 of 4

Electronic Surveillance In School Buildings
and On School Grounds

b. **Description of the emergency** ~~The~~ circumstances under which the designated individuals **could activate and** ~~would~~ view live streaming video; and

c. A detailed plan for preventing and detecting unauthorized access to live streaming video.

2. In the case of a school building that is located in a municipality in which there is no municipal police department, the Board shall enter into a MOU with an entity designated by the Superintendent of the State Police.

3. In the event the district and law enforcement authority are unable to reach an agreement regarding any provision required to be included pursuant to G.1.a.-c. above, the County Prosecutor shall make the final determination.

4. 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 is not equipped with such equipment.

H. Purchase, Maintenance, Replacement of Equipment/Supplies

1. The School Business Administrator/Board Secretary or designee will be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

Issued: 14 June 2011

Revised: 8 May 2018

Revised: 6 May 2025



POLICY GUIDE

OPERATIONS
8500/page 1 of 21
Food Services
M

8500 FOOD SERVICES

The Board of Education shall make school lunch available to all students enrolled in a school in the district unless less than five percent of enrolled students in the school are Federally eligible for a free or reduced price lunch in accordance with N.J.S.A. 18A:33-4. School lunches made available pursuant to N.J.S.A. 18A:33-4 and this Policy shall meet minimum nutritional standards, established by the **United States** Department of **Agriculture (USDOA)** ~~Education~~.

Free or reduced price breakfast and lunch, as required, shall be offered, under a school lunch program, school breakfast program, or a breakfast after the bell program, to all enrolled students who are determined to be Federally eligible for free or reduced price meals. As provided by N.J.S.A. 18A:33-4.a.(3) and N.J.S.A. 18A:33-14a.a.(2), any student who is eligible for a reduced price lunch and breakfast, pursuant to Federal income eligibility standards and criteria, shall not be required to pay for such lunch or breakfast. Free lunch or breakfast shall also be offered to each enrolled student who is Federally ineligible for free or reduced price meals, but who has an annual household income that is not less than one hundred and eighty-six percent, and not more than one hundred **and** ninety-nine percent, of the Federal poverty level, as determined pursuant to N.J.S.A. 18A:33-21b1.

A. Definitions – N.J.S.A. 18A:33-3.2

“Categorically eligible” means that a student is homeless, is a migrant child, is a runaway child, is a foster child, or is a Head Start child, as defined in 7 CFR Part 245, or is receiving assistance under the Supplemental Nutrition Assistance Program (SNAP), the Temporary Assistance for Needy Families Program (TANF), the Food Distribution Program on Indian Reservations (FDPIR), or, to the extent that the USDOA authorizes the matching of Medicaid data to identify children who are eligible for free school meals, is a participant in the Medicaid program, and which student, by virtue of such status, is automatically eligible to be certified to receive free school meals under the National School Lunch Program or the Federal School Breakfast Program, without first submitting an application or being subject to the Federal income verification requirements established by 7 CFR Part 245.



POLICY GUIDE

OPERATIONS
8500/page 2 of 21
Food Services

“Eligible student” means a student who is categorically eligible or income-eligible for one or more subsidized school meals.

“Emergency meals distribution program” means a program, established under N.J.S.A. 18A:33-27.2, pursuant to which a school district is required to provide subsidized school meals to eligible students, through designated distribution sites, during any period in which a school in the district is subject to a public health-related closure due to the COVID-19 pandemic.

“Federal School Breakfast Program” means the Federal reimbursement program, established under the “Child Nutrition Act of 1966,” 42 USC s.1771 et seq., pursuant to which the USDOA is authorized to provide grants-in-aid and other assistance to the States, as may be necessary to help finance the establishment, maintenance, operation, and expansion of school breakfast programs and facilitate the provision of free and reduced price breakfasts to eligible students.

“Federally eligible for free or reduced price meals” or “Federally eligible” means that a student is categorically eligible for free lunch under the National School Lunch Program or for free breakfast under the Federal School Breakfast Program, or that the student satisfies Federal income eligibility requirements, adopted by the USDOA pursuant to 7 CFR Part 245, as is necessary to Federally qualify for and receive free or reduced price lunch under the National School Lunch Program or free or reduced price breakfast under the Federal School Breakfast Program.

“Federally ineligible for free or reduced price meals” or “Federally ineligible” means that a student is not categorically eligible for, and fails to satisfy Federal income eligibility requirements, adopted by the USDOA pursuant to 7 CFR Part 245, as is necessary for the student to Federally qualify for and receive free or reduced price lunch under the National School Lunch Program or free or reduced price breakfast under the Federal School Breakfast Program.



POLICY GUIDE

OPERATIONS
8500/page 3 of 21
Food Services

“Income-eligible” means that a student either satisfies Federal income eligibility requirements, adopted by the USDOA pursuant to 7 CFR Part 245, or satisfies State-level income eligibility requirements, set forth in N.J.S.A. 18A:33-4.a. or N.J.S.A. 18A:33-14a.a., as is necessary for the student to qualify for and receive subsidized lunch under the National School Lunch Program or subsidized breakfast under the Federal School Breakfast Program, on the basis of income.

“Low-income family” means a family with an annual household income amounting to not more than one hundred and eighty-five percent of the Federal poverty level.

“Middle-income family” means a family with an annual household income amounting to not less than one hundred and eighty-six percent, and not more than two hundred and twenty-four percent, of the Federal poverty level.

“National School Lunch Program” means the Federal reimbursement program established under the “Richard B. Russell National School Lunch Act,” 42 USC 1751 et seq., pursuant to which the USDOA is authorized to provide grants-in-aid and other assistance to the States, as may be necessary to help finance the establishment, maintenance, operation, and expansion of school lunch programs and facilitate the provision of free and reduced price lunches to eligible students.

“Participating school” means a public or nonpublic school that provides daily lunch to enrolled students, through a school lunch program operated pursuant to the National School Lunch Program, or that provides daily breakfast to enrolled students, through a school breakfast program or breakfast after the bell program operated pursuant to the Federal School Breakfast Program, or both.

“Participating school district or nonpublic school” means a public school district or a nonpublic school that is required, or elects, to participate in the National School Lunch Program, the Federal School Breakfast Program, or both, as the case may be.



POLICY GUIDE

OPERATIONS
8500/page 4 of 21
Food Services

“School breakfast program” means a program that is established and operated by a public or nonpublic school, in accordance with the requirements of the Federal School Breakfast Program and, in the case of a public school, in accordance with a plan adopted pursuant to N.J.S.A. 18A:33-10 or N.J.S.A. 18A:33-10.1, and pursuant to which the school offers daily breakfasts to all enrolled students.

“School lunch program” means a program that is established and operated by a school district, or by a nonpublic school, in accordance with the requirements of the National School Lunch Program and the provisions of N.J.S.A. 18A:33-4, and pursuant to which the district or nonpublic school offers daily lunches to all students enrolled therein.

“Student” means a child eighteen years of age or younger who is enrolled at a school in the State.

“Subsidized school breakfast” or “subsidized breakfast” means a school breakfast that is offered to an eligible student, free of charge, and the costs of which are reimbursed by the State or Federal government, as provided by N.J.S.A. 18A:33-14a.a. and b.

“Subsidized school lunch” or “subsidized lunch” means a school lunch that is offered to an eligible student, free of charge, and the cost of which is reimbursed by the State or Federal government, as provided by N.J.S.A. 18A:33-14a.a. and b.

“Subsidized school meals” or “subsidized meals” includes both subsidized school breakfasts and subsidized school lunches.

“Subsidized school meals application” means an application that identifies a student’s annual household income and is completed by the student’s parent, pursuant to N.J.S.A. 18A:33-21b1, N.J.S.A. 18A:33-21.c., or applicable Federal law, and which may be used by a school district, or by a public school or nonpublic school, both for the purposes of determining whether a student is income-eligible for subsidized school meals and for the other limited purposes specified in N.J.S.A. 18A:33-21b1.c.



POLICY GUIDE

OPERATIONS
8500/page 5 of 21
Food Services

“Subsidized school meals certification process” or “subsidized meals certification” means the process pursuant to which a school or school district obtains and reviews a student’s subsidized school meals application, or engages in the review of other relevant documentation and materials pertaining to the student, as necessary to determine whether the student is categorically eligible or income-eligible for subsidized school meals under the National School Lunch Program, or under the Federal School Breakfast Program, or both.

“Summer Food Service Program” means the Federal reimbursement program, established under 42 USC 1761 and 7 CFR Part 225, pursuant to which the USDOA is authorized to provide grants-in-aid and other assistance to the States, as may be necessary to help schools, local government agencies, nonprofit organizations, colleges and universities, and summer camps to finance the administrative and operational costs of providing meals to children, in low-income areas, during the summer months and other planned periods of school closure.

“Summer meals program” means the Summer Food Service Program, the Seamless Summer Option authorized by 42 USC 1761, or any other similar State or Federal program that is designed to ensure that children have access to nutritious meals during the summer months and other planned periods of school closure.

“Unsubsidized school breakfast” or “unsubsidized breakfast” means a school breakfast that is offered, upon the payment of a fee, to a student who is neither categorically eligible nor income-eligible for subsidized breakfast, regardless of whether such student remains income-eligible for subsidized school lunch under the provisions of N.J.S.A. 18A:33-4, and the cost of which breakfast is not reimbursable by the State or Federal government.

“Unsubsidized school lunch” or “unsubsidized lunch” means a school lunch that is offered, upon the payment of a fee, to a student who is not categorically eligible or income-eligible for subsidized lunch, and the cost of which is not reimbursable by the State or Federal government.



POLICY GUIDE

OPERATIONS
8500/page 6 of 21
Food Services

- BA.** Breakfast Program – N.J.S.A. 18A:33-10; 18A:33-10.1; 18A:33-11; 18A:33-11.1; 18A:33-11.3; 18A:33-14a.

If twenty percent or more of the students enrolled in a school in the district on October 1 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a school breakfast program in the school in accordance with the provisions of N.J.S.A. 18A:33-10.

Notwithstanding the provisions of N.J.S.A. 18A:33-10 to the contrary, if ten percent or more of the students enrolled in a school in the district on October 1 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program the district shall establish a breakfast program in accordance with the provisions of N.J.S.A. 18A:33-10.1.

If seventy percent or more of the students enrolled in a school in the district on or before the last school day before October 16 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a breakfast after the bell program pursuant to N.J.S.A. 18A:33-11.3.

In accordance with N.J.S.A. 18A:33-11, in implementing a school lunch program, pursuant to N.J.S.A. 18A:33-4 et seq., a school breakfast program, pursuant N.J.S.A. 18A:33-9 et seq., or N.J.S.A. 18A:33-10.1, or a breakfast after the bell program, pursuant to N.J.S.A. 18A:33-11.1 or N.J.S.A. 18A:33-11.3, **each school and** the district shall:

1. Publicize, to parents and students, the availability of the respective school meals program, as well as the various ways in which a student may qualify to receive **subsidized school** ~~free or reduced price~~ meals under the program, as provided by N.J.S.A. 18A:33-4 and N.J.S.A. 18A:33-14a.;
2. Make every effort to ensure that ~~subsidized~~ students **receiving subsidized school meals** are not **identified** ~~recognized as program participants~~, by the student body, faculty, or staff, in a manner that



POLICY GUIDE

OPERATIONS
8500/page 7 of 21
Food Services

is **distinct** ~~different~~ from the manner in which ~~unsubsidized~~ students **receiving unsubsidized school meals** are **identified** ~~recognized~~ as program participants. Such efforts shall include, but need not be limited to, the establishment of a neutral meal plan or voucher system that does not make a distinction between **these two groups of subsidized and unsubsidized** students; and

3. **To the greatest extent practicable** ~~Make every effort to:~~
 - a. Facilitate **and expedite** the prompt and accurate identification of categorically eligible students who may be certified to **receive** ~~participate in the program, on a~~ subsidized **school meals** basis, without first submitting an application therefore, and, whenever an application is required to establish **income** eligibility for subsidized meals, encourage students and their families to submit a subsidized school meals application for that purpose;
 - b. Facilitate and expedite, ~~to the greatest extent practicable,~~ the subsidized school meals application and income-eligibility determination processes that are used, by the **school or school** district, to certify a student for **subsidized** ~~free or reduced price~~ school meals on the basis of income, and assist parents in completing the **subsidized** school meals application; and
 - c. Encourage students who are neither categorically eligible nor income-eligible for ~~free or reduced price~~ **subsidized** school **lunch or subsidized school breakfast** meals to nonetheless participate; **in the school lunch program or school breakfast program, or both, as appropriate,** on a paid and unsubsidized basis, ~~in the program.~~

If the district participates in the Federal School Breakfast Program, the district is encouraged to increase the number of students participating in the program by establishing a breakfast after the bell program that incorporates school breakfast into the first-period classroom or the first few minutes of the school day pursuant to N.J.S.A. 18A:33-11.1.



POLICY GUIDE

OPERATIONS
8500/page 8 of 21
Food Services

Pursuant to N.J.S.A. 18A:33-14a., school breakfasts made available to students under a school breakfast program or a breakfast after the bell program shall meet minimum nutritional standards, established by the **USDOA** ~~New Jersey Department of Education~~.

The State of New Jersey shall provide funding to each school in the district if the school operates a School Breakfast Program or a breakfast after the bell program, as may be necessary to reimburse the costs associated with the school's provision of free breakfasts, pursuant to N.J.S.A. 18A:33-14a.b., to students who are Federally ineligible for free or reduced price meals.

CB. Summer Food Service Program – N.J.S.A. 18A:33-23; 18A:33-24; 18A:33-25; 18A:33-26

In accordance with N.J.S.A. 18A:33-24, if fifty percent or more of the students enrolled in the school district on or before the last school day before October 16 of the preceding school year were Federally eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall become a sponsor or site under the Federal Summer Food Service Program or apply for a waiver pursuant to N.J.S.A. 18A:33-26.

In accordance with N.J.S.A. 18A:33-23, the district shall notify each student enrolled **in the school district** and the student's parent of the availability of, and criteria of eligibility for, the summer meals program and the locations in the district where the summer meals are available. The district shall provide this notification by distributing flyers provided by the New Jersey Department of Agriculture (**NJDOA**) pursuant to ~~subsection~~ N.J.S.A. 18A:33-23.c. The district may also provide electronic notice of the information through the usual means by which the district communicates with parents and students electronically.

Pursuant to N.J.S.A. 18A:33-26.a., the **NJDOA** ~~New Jersey Department of Agriculture~~ may grant a waiver of the requirements of N.J.S.A. 18A:33-24 et seq. To be granted a waiver, the district must show that it lacks the staff, facilities, or equipment to sponsor the Federal Summer Food Service Program, or the means to finance the hiring or acquisition of



POLICY GUIDE

OPERATIONS
8500/page 9 of 21
Food Services

such staff, facilities, or equipment. The ~~NJDOA New Jersey Department of Agriculture~~ also may grant a waiver for one year to the district if a different sponsor currently runs the Federal Summer Food Service Program within the district's community.

Pursuant to N.J.S.A. 18A:33-26.b., **when requesting a waiver pursuant to N.J.S.A. 18A:33-26.a.**, the district shall report to the ~~NJDOA New Jersey Department of Agriculture~~, in the manner prescribed by the ~~NJDOA New Jersey Department of Agriculture~~, its reasons for requesting a waiver of the requirements of N.J.S.A. 18A:33-24 ~~et seq.~~ The report shall include, but need not be limited to, a description of the specific impediments to implementing the program and actions that could be taken to remove those impediments or, where applicable, the identification of the sponsor that currently runs the program within the same community.

DC. Information Provided to Parents Regarding the National School Lunch Program and the Federal School Breakfast Program – N.J.S.A. 18A:33-21b1

1. At the beginning of each school year, or upon initial enrollment; in the case of a student who enrolls during the school year, the **participating school district** shall provide each student's parent with:
 - a. **A hard copy of information on the National School Lunch Program and the Federal School Breakfast Program, including, but not limited to;**
 - (1) **Information on the ability availability of all categorically eligible and income-eligible students to receive free school lunch under the National School Lunch Program, as provided by N.J.S.A. 18A:33-4.a., and free school breakfast under the Federal School Breakfast Program, as provided by N.J.S.A. 18A:33-14a.a. or reduced price meals for eligible students;**



POLICY GUIDE

OPERATIONS
8500/page 10 of 21
Food Services

- (2) Information on the **subsidized school meals application and certification determination** processes that are used to **determine whether a student is categorically eligible or income-eligible** ~~certify eligible students~~ for subsidized school meals; and;
 - (3) **Information highlighting the need for parents to complete a subsidized school meals application for each student, and encouraging parents to complete the application, both to ensure that the student will have access to all subsidized school meals for which the student is eligible and to ensure that the school and the district have the necessary information to facilitate relevant eligibility determinations, receive appropriate reimbursement, and engage in all other activities authorized under N.J.S.A. 18A:33-21b1.c.; and**
 - (4) Information on the rights that are available to students and their families under N.J.S.A. 18A:33-21b1 and N.J.S.A. 18A:33-21; and
- b. A **hard copy of a subsidized** school meals application ~~form~~, as well as instructions for completing the application, and, as necessary, assistance in completing the application.
2. The school meals information and application provided to parents, pursuant to N.J.S.A. 18A:33-21b1.a. shall:
- a. Be communicated in a language that the parent understands;
 - b. Specify the limited purposes for which collected personal data may be used, as provided by N.J.S.A. 18A:33-21b1.c.; and



POLICY GUIDE

OPERATIONS
8500/page 11 of 21
Food Services

- c. **Include a notice that an application to apply for the school lunch and school breakfast programs may be submitted at any time during the school year and is required to be submitted annually** ~~Be submitted to the parent either in writing or electronically. In the latter case, the school district shall use the usual means by which it communicates with parents electronically.~~

The district may also provide the information and application electronically, through the usual means by which the district electronically communicates with parents.

3. A **subsidized** school meals application that is completed by a parent shall be confidential, and shall not be used or shared by the student's school or school district, except as may be necessary to:
 - a. Determine whether a student identified in the application is **income-eligible** for free or reduced price school meals **and, if so, whether the student satisfies Federal or State-level income eligibility requirements for subsidized school lunches, subsidized school breakfasts, or both;**
 - b. Determine whether the school or school district is required, by N.J.S.A. 18A:33-11.3 or by N.J.S.A. 18A:33-24, to establish a breakfast after the bell program; or to participate as a sponsor or site in the Federal Summer Meals Service Program;
 - c. Ensure that the school receives appropriate reimbursement, from the State and Federal governments, for **subsidized school meals served** ~~provided~~ to eligible students, free of charge, through a school lunch program, a school breakfast program, a breakfast after the bell program, a summer meals program, or an emergency meals distribution program; and
 - d. Facilitate school aid determinations under the "School Funding Reform Act of 2008," N.J.S.A. 18A:7F-43 et seq.



POLICY GUIDE

OPERATIONS
8500/page 12 of 21
Food Services

4. The school district shall require the parent to either submit an application to apply for the school lunch and school breakfast programs or submit a signed card provided by the school district indicating that the parent has received the application and information and is not interested in participating in the school lunch and school breakfast programs. The card shall include a notice stating that a parent may submit an application to apply for the school lunch and school breakfast programs at any time during the school year.

If a school district does not receive an application or a signed card from the parent, the school district shall make at least one attempt to contact the student's parent and request that the parent submit either an application or signed card.

5. The provisions of N.J.S.A. 18A:33-21b1 shall not apply in the case of a school which participates in the Community Eligibility Provision.

ED. Free or Reduced Price Meals' Application Process – 7 CFR 245

School meals applications shall be reviewed in a timely manner. An eligibility determination will be made, the family will be notified of its status, and the status will be implemented as soon as possible within ten operating days of receipt of the completed application pursuant to 7 CFR 245.6(c)(6). **“Operating days” mean days that reimbursable meals are offered to eligible students under the National School Lunch Program or School Breakfast Program.** Any student found eligible shall be offered free or reduced price meals or free milk immediately upon the establishment of their eligibility and shall continue to receive such meals during the pendency of any inquiry regarding their eligibility in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, ~~NJDOA New Jersey Department of Agriculture~~. Carry-over of previous year's eligibility for students shall be in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, ~~NJDOA New Jersey Department of Agriculture~~.



POLICY GUIDE

OPERATIONS
8500/page 13 of 21
Food Services

In accordance with 7 CFR 245.6(c)(1) and (2), eligibility for free or reduced price meals, as determined through an approved application or by direct certification, must remain in effect for the entire school year and for up to thirty operating days in the subsequent school year. Prior to the processing of an application or the completion of direct certification procedures for the current school year, children from households with approved applications or documentation of direct certification on file from the preceding year, shall be offered reimbursable free and reduced price meals, as appropriate.

In accordance with 7 CFR 245.6(c)(6)(iii), children from households that notify the local educational agency that they do not want free or reduced price benefits must have their benefits discontinued as soon as possible.

Pursuant to 7 CFR 245.6(c)(7), if the district receives an incomplete school meals application or a school meals application that does not meet the eligibility criteria for free or reduced priced benefits, the school meals application must be denied. The district shall document and retain the denied school meals application and reasons for ineligibility for three years in accordance with 7 CFR 245.6(e).

In accordance with 7 CFR 245.6(c)(7), parents of students who are denied benefits must receive prompt, written notification of their denial. The notification may be provided by mail or e-mail to the individual who signed the school meals application. Posting the denial on the “notification” page of an online system does not meet this requirement. Likewise, informing the parent of denial via telephone does not meet this requirement. If the district uses an automated telephone information system to notify parents of denied benefits, the district must also provide the parents with written notification of the denial. The notification must provide the: reason for denial of benefits; right to appeal; instructions on how to appeal; and ability to reapply for free and reduced price benefits at any time during the school year.

In accordance with 7 CFR 245.6(e), the district shall record the eligibility determination and notification in an easily referenced format. The record shall include the: denial date; reason for denial; date the denial notice was sent; and signature or initials of the determining official (may be electronic, where applicable).



POLICY GUIDE

OPERATIONS
8500/page 14 of 21
Food Services

Any parents of students who have benefits that are to be reduced or terminated must be given ten calendar days' written notice of the change prior to the date the change will go into effect pursuant to 7 CFR 245.6a(j). The first day of the advance notice period shall be the day the notice is sent. The notice of adverse action may be sent via mail or to the e-mail address of the parent. The district cannot notify the household of adverse action by phone only.

Pursuant to 7 CFR 245.6a(j), the notice of adverse action must advise the parents of: change in benefits; reasons for the change; an appeal must be filed within the ten calendar days advance notice period to ensure continued benefits while awaiting a hearing and decision; instructions on how to appeal; and the parents may reapply for benefits at any time during the school year.

If the district participates in any National School Lunch Program, School Breakfast Program, or provides free milk under the Special Milk Program, the district shall submit to the ~~NJDOA New Jersey Department of Agriculture~~ a free and reduced price policy statement pursuant to 7 CFR 245.10.

In accordance with 7 CFR 245.1(b), the district shall avoid any policy or practice leading to the overt identification of students receiving free or reduced price meal benefits. Overt identification is any action that may result in a child being recognized as potentially eligible for or certified for free or reduced price school meals. Unauthorized disclosure or overt identification of students receiving free and reduced price meal benefits is prohibited. The district shall ensure that a child's eligibility status is not disclosed at any point in the process of providing free and reduced price meals, including: notification of the availability of free and reduced price benefits; certification and notification of eligibility; provision of meals in the cafeteria; and the point of service. In addition, the district shall ensure students who receive free and reduced price benefits are not overtly identified when they are provided additional services under programs or activities available to low-income students based on their eligibility for free and reduced price meals.



POLICY GUIDE

OPERATIONS
8500/page 15 of 21
Food Services

Pursuant to 7 CFR 245.2, disclosure means revealing or using individual student's program eligibility information obtained through the free and reduced price meal or free milk eligibility process for a purpose other than the purpose for which the information was obtained. Disclosure includes, but is not limited to, access, release, or transfer of personal data about students by means of print, tape, microfilm, microfiche, electronic communication, or any other means. It includes eligibility information obtained through the school meals application or through direct certification.

If the district accepts both cash and electronic payments, the district shall ensure students are not overtly identified through the method of payment pursuant to 7 CFR 245.8(b). To the maximum extent practicable, the district must ensure the sale of non-program foods and the method of payment for non-program foods do not inadvertently result in students being identified by their peers as receiving free and reduced price benefits.

The School Business Administrator/Board Secretary or designee will verify applications of those eligible for free or reduced price meals in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, **NJDOA** ~~New Jersey Department of Agriculture~~.

FE. Meal Charge Program – N.J.S.A. 18A:33-21

The Board of Education provides a meal charge program to permit ~~unsubsidized~~ students in the district to charge for breakfast or lunch. Collection of any payment for a meal charge program account that is in arrears shall be addressed in accordance with provisions of this Policy.



POLICY GUIDE

OPERATIONS
8500/page 16 of 21
Food Services

~~“Unsubsidized student” means a student who is neither categorically eligible nor income eligible for free or reduced price school meals, and who is, consequently, required to pay for any such meals that are served to the student under the National School Lunch Program or the Federal School Breakfast Program.~~

The Board of Education recognizes a student may not have breakfast or lunch (meal), as applicable, or money to purchase an **unsubsidized school breakfast or school lunch meal** at school on a school day causing the student’s **unsubsidized school breakfast or unsubsidized school lunch bill meal charge account** to fall into arrears. The **participating school** district shall contact the student’s parent to provide notice of the arrearage and shall provide the parent with a period of ten school days to pay the amount due. If the student’s parent has not made full payment by the end of the designated ten school day period, then the **participating school** district shall again contact the student’s parent to provide notice of any action to be taken ~~by the school district~~ in response to the arrearage.

A parent who has received a second notice their ~~student’s child’s~~ **unsubsidized school breakfast or unsubsidized school lunch meal bill** is in arrears and who has not made payment in full within one week from the date of the second notice may be requested to meet with the Principal or designee to discuss and resolve the matter.

A parent’s refusal to meet with the Principal or designee or take other steps to resolve the matter may be indicative of more serious issues in the family or household. However, when a parent’s routine failure to provide breakfast or lunch is reasonably suspected to be indicative of child neglect, the Principal or designee shall immediately report such suspicion to the Department of Children and Families, Division of Child Protection and Permanency as required in N.J.S.A. 9:6-8.10. Such reporting shall not be delayed to accommodate a parent’s meeting with the Principal or designee.

A **participating** school district shall report at least biannually to the ~~NJDOA New Jersey Department of Agriculture~~ the number **and percentage** of **enrolled** students who **have been** ~~are~~ denied school breakfast or school lunch **on the basis of an unsubsidized meal bill arrearage, pursuant to** ~~in accordance with~~ N.J.S.A. 18A:33-21.a.(2) and this Policy.



POLICY GUIDE

OPERATIONS
8500/page 17 of 21
Food Services

Nothing in N.J.S.A. 18A:33-21 or this Policy shall be construed to:

1. ~~R~~require the **participating school** district to deny or restrict the ability of an ~~unsubsidized~~ student to access **unsubsidized** school breakfast or **unsubsidized** school lunch, **respectively, whenever** ~~when~~ the student's **unsubsidized** school breakfast or **unsubsidized** school lunch bill is in arrears; ~~or~~
2. **Authorize the participating school district to deny or restrict the ability of a student who is income-eligible for subsidized school lunch, but who is not income-eligible for subsidized school breakfast, to continue to access subsidized school lunch whenever the student's unsubsidized school breakfast bill is in arrears.**

The ~~participating school or~~ school district shall not:

1. Publicly identify or stigmatize ~~a an unsubsidized~~ student who cannot pay for an **unsubsidized** school breakfast or an **unsubsidized** school lunch or whose **unsubsidized** school breakfast or ~~school~~ lunch bill is in arrears; ~~(For example, by requiring the student to sit at a separate table, or by requiring that the student to wear a wristband, hand stamp, or identifying mark, or to accept by serving the student an alternative meal);~~
2. Require ~~a an unsubsidized~~ student, who cannot pay for an **unsubsidized** school breakfast or an **unsubsidized** school lunch or whose **unsubsidized** school breakfast or ~~school~~ lunch bill is in arrears to do chores or other work to pay for the **unsubsidized** school breakfast or **unsubsidized** school lunch;
3. Require ~~a an unsubsidized~~ student to discard an **unsubsidized** school breakfast or an **unsubsidized** school lunch after it has been served, ~~either because of the student's is unable inability~~ to pay for ~~the a~~ **unsubsidized** school breakfast or **unsubsidized** school lunch or because **the student's unsubsidized school breakfast or unsubsidized lunch bill is in arrears** ~~money is owed for previously provided meals;~~



POLICY GUIDE

OPERATIONS
8500/page 18 of 21
Food Services

4. Prohibit ~~a an-unsubsidized student, or a sibling thereof of such a student,~~ from attending or participating in non-fee-based extracurricular activities, field trips, or school events, from receiving grades, official transcripts, or report cards, or from graduating or attending graduation events, solely because of the student's unresolved **breakfast or lunch meal** debt; or
5. Require ~~a student's the parent of an-unsubsidized student~~ to pay fees or costs in excess of the actual amounts owed for **unsubsidized school breakfasts or unsubsidized school lunches, or both, which have been meals** previously served to the student.

If ~~a an-unsubsidized~~ student owes money for the equivalent of five or more **unsubsidized** school meals, the Principal or designee **of the participating school district** shall:

1. Determine whether the student is ~~categorically eligible or income-eligible~~ for **subsidized school free or reduced-price** meals, by conducting a review of all available records related to the student, and by making at least two attempts, not including the initial attempt made pursuant to N.J.S.A. 18A:33-~~21b1-21.e.(2)~~, to contact the student's parent and have the parent **complete fill-out** a **subsidized** school meals application; and
2. Contact the **student's parent of the unsubsidized student** to:
 - a. ~~O~~ffer assistance with respect to the completion of the **subsidized** school meals application; and
 - b. ~~to D~~determine **whether** if there are other issues in the household that have caused the student to have insufficient funds to purchase an **unsubsidized** school breakfast or **unsubsidized** school lunch, **as the case may be**; and ~~to~~
 - c. ~~O~~ffer any other appropriate assistance.



POLICY GUIDE

OPERATIONS
8500/page 19 of 21
Food Services

The **participating** school district shall direct communications about a student's **unsubsidized** school ~~breakfast or school lunch bill being in meals arrearage~~ **arrears** to the parent and not to the student. Nothing in N.J.S.A. 18A:33-21 shall prohibit the **participating** school district from sending a student home with a letter addressed to a parent.

Notwithstanding the provisions of N.J.S.A. 18A:33-21 and the provisions of any other law, rule, or regulation to the contrary, ~~a an unsubsidized~~ student shall not be denied access to a school meal, regardless of the student's ability to pay or the status of the student's meal arrearages, during any period of time in which the **participating** school **district** is making a determination, pursuant to N.J.S.A. 18A:33-21.c., as to whether the student is eligible for, and can be certified to receive, **subsidized** ~~school free or reduced-price~~ meals.

If the student's meal bill is in arrears, but the student has the money to purchase a meal on a subsequent school day, the student will be provided a meal with payment and the food service program will not use the student's payment to repay previously unpaid charges if the student intended to use the money to purchase that school day's meal.

Students receiving free meals will not be denied a meal even if they accrued a negative balance from other purchases in the cafeteria.

The school district may post this Policy on the school district's website provided there is a method in place to ensure this Policy reaches all households without access to a computer or the Internet.

GF. Provision of Meals to Homeless Children – N.J.S.A. 18A:33-21c.

The district's liaison for the education of homeless children shall coordinate with district personnel to ensure that a homeless student receives free school meals and is monitored according to district policies pursuant to N.J.S.A. 18A:33-21c.



POLICY GUIDE

OPERATIONS
8500/page 20 of 21
Food Services

HG. Provision of School Meals During Period of School Closure – N.J.S.A. 18A:33-27.2

Whenever ~~In the event~~ the Board **receives** ~~is provided~~ a written directive, ~~from by~~ either the New Jersey Department of Health or the health officer of the jurisdiction, **instituting** ~~to institute~~ a public health-related **school closure** due to the COVID-19 epidemic, the district **having jurisdiction over the closed school** shall implement **and operate an emergency school meals distribution** a program; during the period of the school closure, ~~to~~. **An emergency school meals distribution program implemented pursuant to N.J.S.A. 18A:33-27.2 shall provide for subsidized school meals to be made available**, at meal distribution sites designated pursuant to N.J.S.A. 18A:33-27.2.b., to all students enrolled in the district who are either categorically eligible or income-eligible **therefor** ~~for free or reduced-price school meals~~.

In order to facilitate the emergency distribution of subsidized school meals in the event of an emergency **public school** closure, as described in N.J.S.A. 18A:33-27.2.a., **each** ~~the~~ district shall identify one or more school meal distribution sites that are walkable and easily accessible to students in the district. The district shall collaborate with county and municipal government officials in identifying appropriate **distribution sites including** ~~A school meals distribution site may include~~, but need not be limited to: faith-based locations; community centers, such as YMCAs; and locations in the district where meals are made available through a summer meals program. In a district that includes high density housing, the district shall make every effort to identify **an emergency school meals distribution site** in that housing area.

The district shall identify students enrolled in the district who are categorically eligible or income-eligible for **subsidized school lunch, subsidized school breakfast, or both** ~~free or reduced-price meals~~, and for whom **an emergency school meal distribution site**, identified pursuant to N.J.S.A. 18A:33-27.2.b., is not within walking distance. In the case of these students, the district shall distribute the **subsidized** school meals to the student's residence or to the student's bus stop along an established bus route, provided that, **in the latter case**, the student or the student's parent **shall be** ~~is~~ present at the bus stop **to accept for** the distribution. **Distributions made** ~~Food distributed~~ pursuant to N.J.S.A. 18A:33-27.2.c. may include up to a total of three school days' worth of food per delivery.



POLICY GUIDE

OPERATIONS
8500/page 21 of 21
Food Services

The district may use school buses owned and operated by the district to distribute **subsidized** school meals pursuant to N.J.S.A. 18A:33-27.2. If the district does not own and operate its own buses, the district may **enter into a contract authorizing another party to engage in for the emergency** distribution of **subsidized** school meals, **on the district's behalf, pursuant to N.J.S.A. 18A:33-27.2, and any such these** contracts shall ~~not~~ be **exempt from** ~~subject to~~ the public bidding requirements established pursuant to the "Public School Contracts Law," N.J.S.A. 18A:18A-1 et seq.

The district shall collaborate, as feasible, with other districts and with local government units **when implementing an to implement the** emergency meals distribution program, **pursuant to as required by** N.J.S.A. 18A:33-27.2, in order to promote administrative and operational efficiencies and cost savings.

School lunches and breakfasts that are made available, through an emergency meals distribution program operating pursuant to N.J.S.A. 18A:33-27.2, shall be provided to eligible students, free of charge, in accordance with the provisions of N.J.S.A. 18A:33-4.a. and N.J.S.A. 18A:33-14a.a.

II. Statement of Compliance

All food service programs shall be operated pursuant to 7 CFR 245, as appropriate, and this Policy.

N.J.S.A. 18A:18A-42.1; 18A:33-4; 18A:33-5; 18A:33-10;
18A:33-10.1; 18A:33-11; 18A:33-11.1; 18A:33-11.2;
18A:33-11.3; 18A:33-14a.; 18A:33-21; 18A:33-21a.;
18A:33-21b1; 18A:33-21c.; 18A:33-23; 18A:33-24;
18A:33-25; 18A:33-26; 18A:33-27.2; 18A:58-7.1;
18A:58-7.2

N.J.A.C. 2:36

N.J.A.C. 6A:23-2.6 et seq.

N.J.A.C. 8:24-2.1 through 7.5

7 CFR 210.1 et seq.

Adopted: 14 June 2011

Revised : 19 March 2024

Revised: 6 May 2025



POLICY GUIDE

COMMUNITY

9320/page 1 of 1

Cooperation with Law Enforcement Agencies

M

9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

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: 14 June 2011

Revised: 19 July 2022

Revised: 6 May 2025



REGULATION GUIDE

COMMUNITY
R 9320/page 1 of 7
Cooperation with Law Enforcement Agencies
M

R 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

- 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:
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;
 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;



REGULATION GUIDE

COMMUNITY

R 9320/page 2 of 7

Cooperation with Law Enforcement Agencies

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:
 - 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.



REGULATION GUIDE

COMMUNITY

R 9320/page 3 of 7

Cooperation with Law Enforcement Agencies

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



REGULATION GUIDE

COMMUNITY

R 9320/page 4 of 7

Cooperation with Law Enforcement Agencies

- 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 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;



REGULATION GUIDE

COMMUNITY

R 9320/page 5 of 7

Cooperation with Law Enforcement Agencies

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 **N.J.A.C. 6A:16-6** ~~this subchapter~~, and the exchange of information regarding the practices of the school district and law enforcement agencies shall be in accordance with the MOA;
13. A MOA with appropriate law enforcement authorities in accordance with N.J.A.C. 6A:16-6, Policy 9320, and this Regulation;
14. An annual process for the Superintendent and appropriate law enforcement officials to discuss the implementation and need for revising the MOA, and 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~~ -



REGULATION GUIDE

COMMUNITY

R 9320/page 6 of 7

Cooperation with Law Enforcement Agencies

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)**;
 - 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);



REGULATION GUIDE

COMMUNITY

R 9320/page 7 of 7

Cooperation with Law Enforcement Agencies

- 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
 - 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.
- 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.
- 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.

Adopted: 14 June 2011
Revised: 19 July 2022
Revised: 6 May 2025



REGULATION GUIDE

STUDENTS

R 5516/page 1 of 2

Use of Electronic Communication Devices

R 5516 USE OF ELECTRONIC COMMUNICATION DEVICES

The following provisions govern student use of electronic communication devices on school grounds.

A. Use of Electronic Communication Devices

1. Students are prohibited from using an electronic communication device anywhere on school grounds during the school day unless specific times, areas, or activities have been designated by the Principal or designee to allow students the use of electronic communication devices.
2. Under no circumstances is a student permitted to use an electronic communication device to communicate or take videos or photographs in a restroom, locker room, shower area, or any other area where any person is removing or changing clothes and/or in any other area or location where a person has a reasonable expectation of privacy. Student use of an electronic communication device for communicating or recording is also subject to the provisions of Policy 5516 and this Regulation.
3. Students are encouraged not to bring electronic communication devices to school. If a student chooses to bring an electronic communication device(s) to school, the device(s) shall be turned off by the student and passcode protected to prevent any unauthorized use of the device. The electronic communication device shall remain in the student's backpack/book bag or locker during the school day when its use is not authorized in accordance with Policy 5516 and this Regulation.

A classroom or other instructional space may have a designated location where students are required to turn off, ensure the electronic communication device is passcode protected, and store the electronic communication device until the student leaves the classroom or other instructional space.



REGULATION GUIDE

STUDENTS

R 5516/page 2 of 2

Use of Electronic Communication Devices

4. If a student brings an electronic communication device to school, the student assumes the risk of damage, theft, or loss of the electronic communication device. The school district is not responsible for lost, stolen, or damaged devices.
5. If a student needs to be in contact with their parent(s) during a time the student is not permitted to use an electronic device, the student shall request permission from a teaching staff member to go to the main office to use the school phone. If a parent(s) needs to be in contact with their student for an emergency, the parent(s) shall contact the main office.

B. Discipline

1. If a student's electronic communications device is used in violation of Policy 5516 or this Regulation, the electronic communication device shall be taken from the student by the school staff member and turned in to the Principal or designee's office.
2. The student shall turn off the electronic communication device and ensure it is passcode protected before turning it in to a school staff member.
3. The student will be able to pick up the electronic communication device in the Principal or designee's office no later than at the end of the academic school day.
4. Discipline will be imposed on a student for violation of the provisions in Policy 5516 and this Regulation consistent with Policy 5600, Regulation 5600, and the school's Chart of Student Discipline.

Issued: 6 May 2025



POLICY GUIDE

COMMUNITY
9163/page 1 of 5
Spectator Code of Conduct for
Interscholastic Events
M

9163 SPECTATOR CODE OF CONDUCT FOR INTERSCHOLASTIC EVENTS

The Board of Education promotes a physically and emotionally safe and healthy playing environment at interscholastic events and insists good sportsmanship be exhibited at all times by student athletes, coaches, officials, and spectators at such events.

The New Jersey State Interscholastic Athletic Association (NJSIAA) requires the Board to establish policies and procedures relating to sportsmanship and to identify responsibilities of administrators, coaches, and students to ensure their observance. The NJSIAA requires the Board to adopt a Spectator Code of Conduct Policy for all spectators attending an interscholastic event.

The district's high school is a member school of the NJSIAA. The NJSIAA and the Board require high standards of courtesy, fair play, and sportsmanship be featured at school district and NJSIAA interscholastic events. Unsportsmanlike conduct by a person at an event shall subject the individual to disciplinary action.

For the purpose of this Policy, a "home event" shall mean any event occurring in the school district's buildings or on school grounds.

For the purpose of this Policy, "school grounds" also includes 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 the land.

1. Unsportsmanlike conduct includes, but is not limited to, actions of a fan or spectator who:
 - a. Strikes or physically abuses an official, opposing coach, player, spectator, school staff member, or school security;
 - b. Intentionally incites participants or spectators to violent or abusive action;



POLICY GUIDE

COMMUNITY

9163/page 2 of 5

Spectator Code of Conduct for
Interscholastic Events

- c. Uses obscene gestures or profane or unduly provocative language or action toward officials, opponents, spectators, school staff members, or school security; or
 - d. Engages in harassing verbal or physical conduct related to race, gender, ethnicity, disability, sexual orientation, or religion at an interscholastic event.
- 2. The Board prohibits unsportsmanlike conduct or actions by a spectator, which include, but are not limited to:
 - a. The use of profanity, threatening comments, or biased language before, during, or after an interscholastic event;
 - b. Verbal harassment of an official or participant (i.e., coaches or players from any participating school) by using names or uniform numbers;
 - c. Entering the field of play before, during, or after an interscholastic event;
 - d. Having a physical altercation with an official, coach, player, school staff, school security, or spectator before, during, or after an interscholastic event;
 - e. The use of artificial noisemakers or other instruments intended to disrupt the interscholastic event or distract the participants during an interscholastic event; or
 - f. Any additional unsportsmanlike conduct or actions determined by the Principal or designee to be unsportsmanlike conduct or action.
 - g. If the unsportsmanlike conduct involves a potential criminal act, the Principal or designee shall immediately contact law enforcement.



POLICY GUIDE

COMMUNITY
9163/page 3 of 5
Spectator Code of Conduct for
Interscholastic Events

3. Disciplinary Framework

- a. If the Principal or designee determines a person's conduct or actions are prohibited by this Policy, the person will be subjected to the following disciplinary actions:
- (1) Immediate removal from the interscholastic event and school grounds;
 - (2) First Offense
 - (a) Suspension from attending home event(s) for the next seven days for the activity from which the person was immediately removed from school grounds.
 - (3) Second offense occurring within the same school year of the first offense
 - (a) Suspension from attending home event(s) for the next 30 days for the activity from which the person was immediately removed from school grounds.
 - (4) Third offense occurring within the same school year of the first and second offenses
 - (a) Suspension from attending home event(s) for the remainder of the school year for the activity from which the person was immediately removed from school grounds.
 - (5) The Superintendent or designee upon consultation with the Principal or designee may increase the disciplinary actions outlined in this Policy, depending on the severity of the offense.



POLICY GUIDE

COMMUNITY

9163/page 4 of 5

Spectator Code of Conduct for
Interscholastic Events

- b. If it is determined by the Principal or designee that a person exhibited unsportsmanlike conduct at a home interscholastic athletic event, but was not immediately removed from the interscholastic event or from school grounds at the time of the prohibited conduct, the person shall be subject to the disciplinary actions outlined in this Policy.
- c. In the event it is determined by the Principal or designee that a person exhibited unsportsmanlike conduct at an interscholastic event not held in a school district building or on school grounds (away event), the person shall be subject to the disciplinary actions outlined in this Policy.
- d. A person suspended by the Principal or designee from attending home interscholastic events for more than thirty days for exhibiting conduct or actions that violate this Policy, regardless of the specific event or activity from which the person was suspended, shall be prohibited from attending any other home interscholastic events in the district's schools or on school grounds and shall be required to meet with the Principal or designee prior to being permitted to attend any additional home interscholastic events in the district's schools or on school grounds. The person shall be required to successfully complete an educational component as determined by the Principal or designee before the person is permitted to attend any future home events in school buildings or on school grounds. The educational component will include a program that addresses the unsportsmanlike conduct or actions that caused the person to be suspended from the interscholastic events.
- e. A person who does not comply with the suspension requirements of this Policy or refuses to immediately leave the school building or school grounds for violating the provisions of this Policy may be reported to law enforcement to be removed from the school building or from school grounds.



POLICY GUIDE

COMMUNITY
9163/page 5 of 5
Spectator Code of Conduct for
Interscholastic Events

4. Appeals

- a. A person may appeal the decision of the Principal or designee to the Superintendent of Schools by submitting a written appeal to the Superintendent within three calendar days after receiving notice of the suspension from the event by the Principal or designee. The Superintendent shall make a decision on the written appeal within three business days upon receiving the written appeal. The Superintendent's decision may be appealed to the Board in accordance with the Board appeal provisions in Policy and Regulation 9130 – Public Complaints and Grievances.

This Policy shall be provided to the parent(s) of student-athletes participating in interscholastic programs in the district. The parent(s) shall be required to sign a document acknowledging receipt of this Policy and acknowledging their understanding of the provisions of this Policy. This document shall be provided to the parent(s) during the high school's sports registration process before each season.

This Policy shall be made available to NJSIAA staff upon request. NJSIAA staff may share a copy of this Policy with another member school when appropriate.

A list of unsportsmanlike conduct or actions will be posted at all venues hosting school district events to the extent reasonably possible.

Failure of a member school to enforce the provisions of this Policy may result in discipline by the NJSIAA. In addition to the penalties set forth by NJSIAA, a school that does not enforce its Policy may be prohibited by NJSIAA from hosting an NJSIAA State tournament event.

NJSIAA Spectator Code of Conduct Policy – Revised, May 8, 2024

Adopted: 6 May 2025



MANASQUAN/SENDING DISTRICTS**Professional Days**

<u>Date</u>	<u>Name</u>	<u>Destination</u>	<u>Purpose</u>	<u>Sub</u>	<u>Cost</u>
May 12, 2025	Dr. Peter Crawley Jesse Place	Monroe Twsp	Genesis SchoolFi User Group Meeting	No	Mileage - \$28.39
May 30, 2025	Jesse Place	Virtual	NJ School Administrator Residency Mentor Training	No	Registration - \$395.00

Costs per traveler unless otherwise noted.

MANASQUAN/SENDING DISTRICTS**Student Action
Field Trips**

<u>Date</u>	<u>Chaperone(s)*</u>	<u>Subject</u>	<u>Destination</u>	<u>Purpose</u>	<u>Sub</u>	<u>Other Board Costs</u>	<u>Other Funds</u>
June 6, 2025	Jill Santucci Matthew Schaad	PE/Peers	Brielle to Manasquan	Law Enforcement Torch Run	Yes – 2	None	None
June 5-6, 2025	Madison Schille Eva Szakal Harry Harvey Jamie Mawn Tom Glenn	Music	Hershey Park, PA	Musical Performance	Yes – 5	None	Student Funded

* Chaperones may be substituted by other district employees based on availability.