

Code of Student Conduct

Paterson Public Schools

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Table of Contents

Superintendent’s Message.....	2
Code of Conduct Review Committee.....	3
Board of Education.....	3
District Administration.....	3
Introduction.....	4
Rights and Responsibilities.....	4
Conduct Expectations for Students.....	6
Searches and Seizures by School Officials.....	8
Harassment, Intimidation, and Bullying.....	8
Sexting.....	10
Dating Violence.....	10
Dress Code.....	10
Behavioral Supports and Student Discipline.....	11
Attendance.....	13
Appendix A: Due Process Procedures.....	14
Appendix B: Disciplinary Sanctions.....	16
Appendix C: Attendance Sanctions.....	19
Appendix D: Community-Based Providers of Health, Social, and Legal Services.....	21
Appendix E: Substance Abuse Policy and Procedures.....	22

Superintendent's Message

On any given day in the Paterson Public Schools, there is no greater priority than the safety of our students and staff. Everyone in the district has a part to play in making sure that a safe and welcoming learning environment is maintained in every one of the district's schools. That includes our students. That is why the Paterson Public School District has published, in compliance with New Jersey Statute 18A: 37-2, this Student Code of Conduct handbook.

The purpose of this manual is to make clear the district's expectations of our students with regard to their behavior and treatment of one another. It also serves to provide clarity on what the district's policies are when the Student Code of Conduct has been broken.

Many people from throughout the Paterson community contributed to the contents of this updated Student Code of Conduct. It reflects the efforts of district educators and administrators who worked in collaboration with students, parents and community stakeholders. It has also been carefully reviewed and approved by the Paterson Board of Education commissioners.

This Student Code of Conduct reflects the newly adopted Five-Year Strategic Plan, which holds the objective to create a culture that recognizes the need to educate the whole child by meeting their social, emotional, and physical needs. Two of the features of the updated code are worth highlighting as they are closely aligned with this objective.

The creators of this code firmly believe that banishing a student from school is no way to discipline a student for an infraction. Therefore, no Paterson Public Schools student in kindergarten through second grade will be subjected to an out-of-school suspension as a penalty. Furthermore, older students will serve out-of-school suspensions at Silk City Student Center located at 151 Ellison St. There, students will continue their schoolwork and receive counseling to help develop ways of coping and other behaviors to avoid future suspensions. The point behind both of these policies is to help students learn from whatever mistakes they may have made, and to help them stay on course with their education.

We hope that this updated Student Code of Conduct will enhance all of our efforts to lead out the best of our students' abilities and help them realize their hopes, dreams and aspirations for going to college or starting a career.

As always, thank you for your continuing support of Paterson Public Schools.

Sincerely,

Eileen Shafer
Superintendent of Schools

Code of Conduct Review Committee

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Board of Education

Recognizing our proud traditions, diverse community, and partnerships, the mission of the Paterson Public School District provides an academically rigorous, safe and nurturing educational environment by meeting the social, emotional and academic needs of our students as we prepare them for post-secondary education and career.

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District Administration

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Sandra Diodonet	Assistant Superintendent (Unit II)
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Introduction

It is the mission of the Paterson Public School District to recognize our proud traditions and diverse community and partnerships, and to provide an academically rigorous, safe and nurturing educational environment that meets the social, emotional, and academic needs of our students as we prepare them for post-secondary education and career.

The District recognizes that students have a fundamental right to a thorough and efficient public education and that students have a corresponding duty to cooperate with teachers and administrators in fostering a school environment that is conducive to learning. Because school attendance and appropriate discipline are essential to an orderly and productive learning environment, the school community must ensure that its members respect one another. Students, families, and schools must work together to achieve this goal.

The District acknowledges its legal and moral responsibility to provide an atmosphere for a sound educational program promoting optimum conditions for learning. Violations of school rules and District policies by students are addressed under the Code of Conduct. The Code of Conduct provides guidelines for school responses to misconduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders, and students' histories of inappropriate behaviors.

This Handbook is designed to give students, parents, teachers, and school administrators an easily understandable set of expectations for conduct and standards for correction that will ensure due process and accountability throughout the District.

Please familiarize yourself with this Handbook. We appreciate your understanding and support in ensuring that our schools are an educationally sound and safe place to learn.

Rights and Responsibilities

All members of the school community have the right to be treated respectfully by one another and to be in an orderly environment that is safe and encourages student engagement in learning, family and community engagement in school, and supports a professional work environment.

A Community of Learners

Schools will purposefully foster the development of relationships among students, faculty, administration, and other school staff around the common goal of becoming a Community of Learners.

All members of the school community have certain rights and responsibilities. Among these rights are the right to be free of discrimination and harassment and to be treated with respect and dignity.

Rights of Students

Every student has the right to:

- Receive appropriate public education;
- Attend school in a safe and secure school environment;
- Attend school regardless of students' marriage, pregnancy or parenthood status;

- Privacy protections pursuant to Federal and State laws;
- Inspect their school records and participate in developing their academic program;
- Freedom of speech unless such expression impinges on the rights of others;
- Freedom from unreasonable searches and seizures;
- Advance notice of behavioral expectations and
- Due process and appeal procedures, including the right to be informed of, respond to and appeal any disciplinary action taken.

Responsibilities of Students

Every student has the responsibility to:

- Come to school on time prepared and ready to learn each day;
- Respect self, others and their property;
- Plan for the future; and
- Ask for help when needed.

Rights of Families

Every parent/guardian has the right to:

- Participate in planning their child's academic program and inspect their child's school records;
- Visit their child's school according to school-based protocol; and
- Parent/guardian notification consistent with District policies and regulations and due process procedures.

Responsibilities of Families

Every parent/guardian has the responsibility to:

- Ensure their child arrives at school on time prepared to learn each day;
- Be respectful of school employees;
- Help their child plan for each day, week and year in school and be an active participant in educating their child;
- Ask for help when unable to meet the needs of their child;
- Reinforce the District's behavioral expectations for students; and
- Provide the District with an accurate and up-to-date address, telephone number, and emergency contact information.

Rights of Teachers

Every teacher has the right to:

- Be treated like a professional;
- Access equipment, tools, and supports necessary to perform their job duties;
- Collaborate with parents/guardians, administrators and support staff regarding the needs of individual students; and
- Receive information from administrators regarding student discipline outcomes.

Responsibilities of Teachers

Every teacher has the responsibility to:

- Come to school on time prepared and ready to provide high-quality instruction each day;
- Behave professionally and treat all members of the school community with respect;

- Model and teach behavioral expectations to students;
- Create a positive learning environment;
- Evaluate the progress of students;
- Communicate with parents/guardians, staff and administrators regarding student learning and support needs;
- Seek to involve parents in educating their children; and
- Enforce the Code of Student Conduct.

Rights of Administrators and Support Staff

Every administrator and staff member has the right to:

- Be treated as a professional, and
- Access equipment, tools, and supports necessary to perform their job duties.

Responsibilities of Administrators and Support Staff

Every administrator and school staff member has the responsibility to:

- Come to school on time prepared and ready to work each day;
- Behave professionally and treat all members of the school community with respect;
- Model and teach behavioral expectations to students;
- Create a positive learning environment;
- Support effective and efficient school operations;
- Act as a school ambassador for students, families, faculty, and community partners; and
- Enforce the Code of Student Conduct.

Rights of Community Partners

Every community partner has the right to:

- Be treated as a member of the school community.

Responsibilities of Community Partners

Every community partner has the responsibility to:

- Register with the Office of Parent and Community Engagement before working directly with students in schools;
- Model and teach behavioral expectations to students;
- Create a positive learning environment; and
- Communicate all concerns to school personnel and/or District staff.

Conduct Expectations for Students

The District recognizes that an effective instructional program requires an orderly school environment. The effectiveness of a successful educational program is, in part, reflected in the behavior of students.

The District expects each student to behave in keeping with his/her level of maturity and with appropriate regard for the rights and welfare of other students, and the educational purpose underlying school activities, and with due care for school facilities and equipment.

The District requires that school administrators and staff consistently and uniformly adhere to enforcing the Student Code of Conduct. This will provide an easily understandable set of expectations for conduct and standards for correction that will ensure due process and accountability throughout the District.

Students must demonstrate courtesy and respect to all members of the school community, to avoid engaging in offensive conduct and to stop those behaviors when asked or told to stop. Students also must at all times comply with Federal and State laws, District policies and regulations, and instructions from school authorities.

Additionally, students are expected to attend school every day and to arrive on time. Students must participate in scheduled classes regularly to keep up with coursework, achieve course objectives, learn skills and acquire knowledge, and earn the course credits required for grade promotion graduation from high school. Every effort should be made to avoid unnecessary absences and instances of lateness.

The Student Code of Conduct is based on the following core ethical values adopted by the District:

- a) Respect for self and others
- b) Honesty/trustworthiness
- c) Responsibility
- d) Caring

All students are expected to embody the ethical values of the school community as follows:

1) Be respectful by:

- Showing concern and regard for everyone;
- Avoiding the use of profanity and inappropriate language;
- Being non-violent; and
- Adhering to school rules and procedures.

2) Be trustworthy by:

- Being honest and telling the truth;
- Refraining from cheating and stealing, and do not tolerate those who do;
- Respecting the property of others; and
- Honoring commitments to parents, family, teachers, and peers.

3) Be responsible by:

- Accepting the consequences of your behavior;
- Striving to do your personal best;
- Being prepared for school and attending all classes on time every day; and
- Making academics the primary goal.

4) Be caring by:

- Considering the feelings of others;
- Using mediation to solve disagreements;
- Asking for help if needed; and

- Valuing differences in self and others.

Students, parent(s) or legal guardian(s), school administrators, and the District all agree that positive student commitment and behavior are essential active learning. We believe that it is crucial to help students realize that their attitudes and actions are directly related to their school experiences and that of their classmates. With the support and assistance of school personnel and parent(s) or legal guardian(s), all students can demonstrate actions that contribute to the effectiveness of schools and the worth of their learning experiences. All students, regardless of their age and ability, can behave in ways that enhance the social relationships of the school and facilitate learning.

Searches and Seizures by School Officials

Lockers, desks, and other storage areas are the property of the District and may be searched by school officials at any time and for any reason or no reason. Prohibited items will be confiscated and may be reported to the proper authorities.

To maintain a safe, orderly school environment that fosters learning and academic achievement, a school official may use a metal detector/wand to screen students and their personal effects (e.g., purse, book bag, or personal electronic device). Additionally, the person and property of a student can be searched manually, with or without assistance from law enforcement, if a school official reasonably expects to find evidence that the student has violated or is violating either the law or the rules of the school. The scope of the search must not be overly intrusive and should be reasonable under the circumstances given the student's gender and level of maturity, the causes for suspicion, and the nature of the suspected violation.

School personnel is not permitted to conduct cavity searches or strip searches. A pat-down search may be performed with assistance from school security personnel. School officials are advised to seek help from local police if a more intrusive search of a student's person is necessary. When possible, searches should be conducted in private. If a school official determines to perform a search, he or she should inform the student of the reason(s) for the search.

To minimize school disruption and preserve evidence, a student who refuses to comply with a search request will be moved to a designated classroom or office immediately (away from other students if possible), where school officials will supervise the student until a parent and/or police officer arrives to assist with the situation.

Harassment, Intimidation, and Bullying

As a school district, the safety and well-being of ALL students is our top priority. We strive to create an environment that is nurturing to each child so they can develop socially, emotionally, and academically. Unfortunately, other outside factors can adversely affect our students, causing them to become isolated, disengaged, and withdrawn from being present and active during their academic years.

The Paterson Public School District strictly prohibits the harassment, intimidation and/or bullying of any student, as provided in Board Policy 5512 (Harassment, Intimidation and Bullying). Prohibited conduct includes written, verbal and physical acts of harassment, intimidation and/or bullying, as well

as cyber-bullying. These disruptive behaviors interfere with the school's ability to educate its students in a safe and disciplined environment.

Definition of Harassment, Intimidation and Bullying

Harassment, intimidation and bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Harassment, intimidation and bullying (HIB) refers to any gesture, any written, verbal or physical act, or any electronic communication whether it be a single incident or a series of incidents, that:

1. Is motivated either by any actual or perceived characteristic, including but not limited to, race, color, gender, religion, disability, or by any other distinguishing characteristic
2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds

There is a 3-part test to determine if an incident is considered HIB:

1. Does it cause disruption or interference with the orderly operation of school or student's rights?
2. Is it motivated by a distinguishing characteristic?
3. Does it include one of the following:
 - Results in physical or emotional harm or fear of harm to student or property
 - Insults or belittles a student or group of students
 - Creates a hostile educational environment which interferes with a student's education or threatens or causes physical or emotional harm

Conduct Expectations for Students

Because students learn by example, school administrators, faculty, staff and volunteers should model appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying, in any form. The following conduct standards should guide student behavior:

1. Students are expected to behave in a way that creates a supportive learning environment.
2. Students will act in accordance with student behavioral expectations and standards regarding HIB and the Student Code of Conduct.
3. Students are encouraged to support other students who:
 - Walk away from acts of HIB
 - Constructively attempt to stop acts of HIB
 - Provide support to students who have been victims of HIB
 - Report acts of HIB

Consequences and Appropriate Remedial Actions

Consequences for students who commit one or more acts of HIB may range from positive behavioral interventions up to suspension, in accordance with the Student Code of Conduct. Several factors will be considered when determining consequences, including, but not limited to:

1. Student considerations
 - Age, developmental and maturity levels
 - Degree of harm
 - Severity of the behavior
 - Continuing patterns of behavior
2. School considerations
 - School culture and climate

- Social-emotional and behavioral supports
3. Personal considerations
 - Life skill deficiencies
 - Social relationships
 - Hobbies
 - Extra-curricular activities
 - Academic performance
 4. Environmental considerations
 - Family, community and neighborhood situation
 - Classroom management
 - Social-emotional behavioral supports

Remedial measures will be based on the above considerations and will be designed to correct the problem behavior, prevent another occurrence of the problem, and protect and provide support for the victim of the act.

For more information, please refer to Board Policy 5512 and the resource guide posted on the District's website, *A Complete Guide to Understanding Harassment, Intimidation, and Bullying*.

Sexting

The taking disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images of photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a CRIME under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, lewd or otherwise illegal images or photographs will be subject to the disciplinary procedures of the school district; and reported to law enforcement and/or other appropriate state or federal agencies, which may result in arrest, criminal prosecution, and LIFETIME inclusion on sexual offender registries.

Dating Violence

All acts or incidents of dating violence at school should be reported to the building principal or his/her designee, who will investigate the matter per Policy and Regulation 5519. Both the victim and the alleged aggressor will be interviewed and notified in writing of the outcome/determination of the investigation. Each act or incident will be addressed through a range of possible strategies, including remediation, intervention, education, prevention, and disciplinary consequences that are consistent with the Code of Student Conduct. If appropriate, the matter may also be referred to law enforcement.

Dress Code

The District recognizes that styles of grooming and dress communicate individual preferences and can influence student behavior and enhance a school's learning environment. Students are expected to dress appropriately for school – this means being clean and well-groomed in appearance, avoiding styles of dress and grooming that disrupt the school environment or distract other students. Such limitations on a student's taste and individuality are necessary to achieve the educational goals of the school.

Styles that interfere with the school's educational program and mission of the school will not be tolerated. Clothing or accessories that pose a danger to the health or safety of students, staff, or are harmful to school property are prohibited. Students are expected to wear appropriate clothing and may be required to wear a school uniform. Those who do not follow the school's dress code or uniform requirements may be disciplined.

Students who violate the dress code may be removed from class until a parent/guardian arrives and provides appropriate attire. To prevent the loss of class time, parents/guardians are reminded to monitor their children's attire before they leave for school.

- Students are expected to wear school uniforms.
- Hats, hoods, scarves, or other head coverings cannot be worn except for religious or medical purposes.
- Coats and jackets should be placed in lockers or other designated storage areas during school hours unless instructed otherwise by school officials.
- Platform shoes, flip-flops, slippers, open-back strapless shoes, and shoes with loose or untied laces or straps which pose a safety hazard are not permitted.
- Clothing that is revealing, provocative, or see-through is not permitted.
- Sagging pants and exposed undergarments or midriffs (belly shirts) are not acceptable.
- Shorts and skirts must come down to the length of the student's extended fingertips
- Spandex clothing is permitted in P.E. classes only.
- Hanging pocket chains, sunglasses, hats, head rags, handkerchiefs, bandanas, gang paraphernalia and clothing that displays profanity or encourages gang affiliation, violence or the use of drugs, alcohol, or tobacco, or has sexual connotations is not permitted.
- Unless the school has a uniform for physical education classes, students participating in physical education class are permitted to wear any color shorts or sweatpants and t-shirt without penalty.

Refusal to comply with the dress code may result in a Category I Discipline referral.

Behavioral Supports and Student Discipline

The District will provide comprehensive behavioral support to encourage students to fulfill behavioral expectations. Behavioral support will include positive reinforcement for good conduct and academic success, as well as supportive interventions and referral services.

Students may be subject to appropriate disciplinary action for violations of the Code of Conduct that occur on or off school grounds, including on a school bus or at a school-sponsored function. Disciplinary action may be imposed for conduct that occurs away from school if the conduct materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Approved disciplinary sanctions include:

- Admonishment
- Before/After-School Detention
- Lunch Detention
- Saturday Detention

- Early Dismissal Day Detention
- In-School Suspension
- Out-of-School Suspension
- Expulsion

Appropriate corrective and/or disciplinary measures will be determined based on the nature and severity of the offense and frequency of the infraction. Grades will be based on each student's academic performance and maybe lowered only as a direct penalty for plagiarism or other forms of academic dishonesty, and not as a form of disciplinary action. The use of corporal punishment is strictly prohibited.

Where the discipline is more significant than an admonishment, the student's parent will be notified of the offense and of the punishment imposed and will be offered an opportunity to speak with the building Principal. Incidents of misconduct that occur outside of school, disciplinary action may be imposed if it is reasonably necessary for the physical or emotional safety, security, and well-being of the student or reasons relating to the safety, security, and well-being of other students, staff, or school property. Due process procedures are described in **Appendix A** of this Handbook.

Conduct offenses generally fall into three categories of severity, with Category 3 infractions being subject to mandatory and severe disciplinary action. If a student repeatedly commits a Category 1 offense, the next occurrence may be elevated to a Category 2 offense and will be subject to more severe forms of discipline. Violations will be corrected according to the chart of disciplinary sanctions included in **Appendix B** of this Handbook.

Other sanctions may include exclusion from graduation or "moving-on" activities and ceremonies, including proms, dances, and class trips. Excluded students and their parents will be so notified in a timely manner, before graduation activities and ceremonies commence. The Superintendent or their designee will make the final decision regarding who can participate in graduation activities or ceremonies, and no student will be excluded for arbitrary or discriminatory reasons. Schools may not use a 'point system' or any other method to determine student eligibility for such events without prior written approval from the Superintendent or their designee.

Discipline will be applied without regard to 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.

Silk City Student Center

This program will provide a safe, structured environment in which the educational process can continue for students in grades 9-12 who commit Category 3 infractions, and would otherwise face an out-of-school suspension of 3 to 10 days. Students will be dismissed at 1:00 pm daily.

School administrators will use the following procedures for referring eligible students:

- Complete a student referral form and submit it to the Silk City Student Center administrator, along with the Serious Incident Report (SIR) that contains a detailed description of the incident.
- Obtain from the student's teachers school assignments for a period not to exceed 10 days.
 - Provide printed copies of any work that is assigned via Google Classroom.

- Provide a copy of the completed referral form to the student's counselor or child study team case manager
- Send an electronic copy with a read receipt to the following administrator's:

The academic program at the Silk City Student Center program will consist of academic instruction, individual/group counseling, and interventions guided by restorative best practices. Restorative best practices are intervention strategies that strive to improve and repair relationships between individuals and/or groups. The purpose is to build healthy communities and decrease inappropriate behaviors that can create an unhealthy school climate.

Attendance

The District recognizes the vital role of parents in the welfare and education of their children and the pivotal part they play in shaping character and values. Attendance and punctuality are the responsibility of each student and their parents.

Each time a student is absent from school without a prior excuse, the student's parent will receive an automated telephone call. The parent may be asked to explain the reason for the student's absence. Students who are absent from school may also be excluded from that day's athletic and after-school activities. Additionally, unexcused absences from school or class may result in disciplinary action. Disciplinary actions will be imposed subject to the availability of school resources and supervisory personnel.

Students who are chronically absent or late will be referred to the school Intervention and Referral Team to determine appropriate interventions and to the school attendance officer to determine if a truancy investigation is warranted. Students who reach twenty-one (21) or more unexcused absences in any one class may not receive course credit for that class. Twenty or more unexcused absences from school may result in a loss of credit for the school year and grade retention. Other consequences for poor attendance, chronic tardiness, and instances of truancy are outlined in **Appendix C** of this Handbook.

Appendix A: Due Process Procedures

Informal Hearing

Upon deciding to discipline a student, the building principal or their designee shall, however minimal the offense or the discipline, hold an informal hearing during which they will:

- a. Orally inform the student of the provision(s) of the Code of Conduct the student is accused of violating and the discipline that will be imposed; and
- b. Offer the pupil an opportunity to deny the charge or to present extenuating circumstances.

Violations of the rules regarding student conduct on school buses will be handled as follows:

- a. The driver will report the offensive conduct to the school Principal by submitting a completed written form that includes the name of the student, the school, and the specific offensive conduct;
- b. The parent(s) or legal guardian(s) will be provided a copy of the form describing the student's behavior; and
- c. The Principal or designee will determine the discipline to be administered in accordance with the severity of the infraction.

Where the discipline is more significant than an admonishment, the student's parent(s) or legal guardian(s) will be notified of the offense and of the discipline imposed and will be offered an opportunity to confer with the building Principal. Where the offense is severe and the discipline greater than detention, every effort will be made to notify the parent(s) prior to holding the informal hearing described above.

Short-Term Suspensions

"Short-term suspensions" are for a term of ten consecutive school days or less, and "long term suspensions" are for more than ten consecutive school days. Any student suspended for five days or more shall be provided with home instruction on the fifth day and until the student is permitted to return to school.

In the event of a short-term suspension, an informal hearing must be conducted, and the student's parent(s) or guardian(s) must be provided oral or written notice of the charges. Verbal or written notification to the parent(s) or legal guardian(s) of removal before the end of the school day shall include an explanation of:

- a. The specific charges;
- b. The facts on which the charges are based;
- c. The provision(s) of the Code of Conduct, the student is accused of violating;
- d. The student's due process rights pursuant to N.J.A.C. 6A:16-7.2 (Short-Term Suspensions) and, if applicable, N.J.A.C. 6A:16-7.6 (Conduct Away from School Grounds); and
- e. The terms and conditions of the suspension.

Long-Term Suspensions

In each instance of a long-term suspension, the building Principal or their designee shall:

- a. Hold an informal hearing prior to the student's removal from school and immediately notify the student's parent(s) or legal guardian(s) of the suspension;
- b. Ensure appropriate supervision of the student while awaiting the student's parent(s) or legal guardian(s) to remove the student from school during the school day;

- c. Ensure that the District, within 30 days of the initiation of the long-term suspension, holds a formal disciplinary hearing before the Board of Education or its designated representative(s); and
- d. Within two school days of the initiation of the long-term suspension, send to the parent(s) or legal guardian(s) written notification containing:
 - 1. An explanation of the specific charges and the facts on which they are based;
 - 2. The student's due process rights pursuant to N.J.A.C. 6A:16-7.3 (Long-Term Suspensions) and, if applicable, N.J.A.C. 6A:16-7.4 (Mandated Student Removals from General Education), N.J.A.C. 6A:16-7.5 (Expulsions), and/or N.J.A.C. 6A:16-7.6 (Conduct Away from School Grounds);
 - 3. Information regarding legal resources available in the community and the student's right to secure legal representation; and
 - 4. The District's right to expel the student in the event of further engagement by the student in conduct warranting expulsion, along with a request for parental acknowledgment of the same.

Appendix B: Disciplinary Sanctions

Suspension of students in grades K-2 is not permitted. Special education students are subject to the same disciplinary procedures as non-classified students and may be disciplined in accordance with their IEP or 504 Plan. Prior to suspending a classified student for ten (10) days or more, a Manifestation Determination hearing must be held to determine if the offensive conduct was caused by, or had a direct and substantial relationship to the disability, or was the direct result of a failure to implement the student's IEP or 504 Plan. In addition, the child's case manager must be notified prior to the imposition of discipline.

Category I	
Infraction	Definition
Violation of dress code	Failure to comply with school dress code.
Failure to report for detention	Absence from detention without a valid, documented excuse.
Use of obscene or profane language or gestures	Use of language or gestures that are foul, abusive, derogatory, or demeaning.
Failure to produce school identification card upon request	Failure to produce District-issued student identification card for inspection by a school staff member.
Noncooperation or defiance	Discourteous, uncivil, or insolent conduct that demonstrates a lack of respect for the authority of teachers or other school staff members.
Disruptive or disorderly conduct	Willful conduct that creates public inconvenience, hazard, annoyance or alarm.
<u>PENALTIES</u>	
Notification of parent/guardian, possible referral to counseling. Possible detention before school, after school, at lunch, or on Saturday.	

Category II

Infraction	Definition
Repeated recurrence of a Category I offense	
Theft	The unauthorized taking of property that belongs to the District or to another person.
Use of profane language or gestures toward staff	Use of foul, abusive, derogatory, or demeaning language or gestures toward school staff.
Aggressive physical contact	Intentionally hitting, pushing, or shoving a person other than a District employee.
Unauthorized departure from school or class.	Departure from class, from the school building, from school grounds, or from a school-sponsored activity without the permission of a supervising staff member.
School bus misconduct	Willful violation of school rules or transportation safety requirements as a passenger.
Smoking policy violation (including vaping)	Violation of District policies on smoking, vaping, or nicotine use in school or at off-site school functions.
Trespass or unauthorized entry onto school premises	Entry onto school premises or access to a portion of the premises without permission and without authority.
Possession of an automatic paging device (beeper)	Possession of a prohibited electronic paging device on school grounds or at a school-sponsored function.
Sexual harassment	Inappropriate speech or conduct that may constitute sexual harassment.
Gambling	Wagers of anything of value on games of skill or chance.
Prohibited use of electronic device	Use of District-issued or privately-owned technology in a manner or for a purpose that would interfere with or inhibit the educational mission of the school.
Possession of an imitation firearm	Possession of an object or device reasonably capable of being mistaken for a firearm.
Harassment, intimidation and or bullying	Any act or communication that is directed at a student based on any distinguishing characteristic and which has the effect of physically or emotionally harming a student or damaging the student's property.
Consensual sexual contact between students	Any sexual act that takes place between students on school grounds.

PENALTIES

Immediate notification of parent/guardian, parent/guardian conference with the administrator, possible restitution for damages, possible referral to law enforcement, to counseling, or to HIB Officer. Possible detention before school, after school, at lunch, or on Saturday. Possible in-school or out-of-school suspension for up to five (5) days, or expulsion. NOTE: Suspension of students in grades K-2 is not permitted.

Category III

Infraction	Definition
Repeated recurrence of a Category II offense	
False fire alarm, bomb threat, or tampering with the alarm system	Any act that causes an alarm for fire, bomb, or other hazardous condition to sound where no emergency exists or that causes such alarm to be disabled for any period of time.
Possession of a dangerous weapon or firearm*	Possession of a dangerous weapon or firearm on school grounds or at school-related activities or criminal conviction/adjudication for committing a crime while in possession of a firearm on school grounds or at school-related activities.
Assault with an imitation firearm or weapon that is not a firearm*	Attack or threatened attack upon a person, other than a District employee, with an object or device reasonably capable of being mistaken for a firearm, or with an object or instrument that is not a firearm but is readily capable of lethal use or of inflicting serious bodily injury.
Substance abuse policy violation [‡]	Violation of District policies on drugs or alcohol in school or at off-site school functions (nicotine use is a Category 2 smoking policy violation).
Arson	Intentional or reckless act that causes a fire for a malicious purpose on school grounds.
Extortion/Robbery	The use of force or threatened force to obtain a thing of value from another person.
Vandalism	An act of defacement that causes damage to the property of the District or of another person.
Assault of a District employee*	Attempted, threatened or willful act for the purpose of causing bodily injury to a person who is employed by the District.
Assault of a person other than a District employee.	Attempted, threatened or willful act for the purpose of causing bodily injury to a person who is not a District employee.
Possession or use of explosive device*	Possession, transfer, or detonation of any explosive device on school grounds.
Academic dishonesty	Cheating, plagiarism or other use of another's academic work without proper source citation.
Forgery or fraud	Falsification of documents or of an adult's signature on a school document
Sexual assault	The use of force, threatened force, or intimidation to coerce a sexual act.

PENALTIES

Immediate notification of parent/guardian, parent/guardian conference with the administrator, possible restitution for damages, possible referral to law enforcement or DCPD, to HIB Officer, to counseling, or to Child Study Team. Possible detention before school, after school, at lunch, or on Saturday. Possible elimination of after-school activities. Possible expulsion. Possible in-school or out-of-school suspension for up to ten (10) days. NOTE: Suspension of students in grades K-2 is not permitted.

[‡] Mandatory referral for Immediate medical examination in accordance with Policy 5530.

* Mandatory immediate removal from school and placement in an Interim Alternative Education Setting pending a formal disciplinary hearing within ten (10) days.

Appendix C: Attendance Sanctions

Tardiness – Regulation 5240	
Number of Tardy Arrivals	Penalty
3	Written warning to parents and one (1) forty-minute detention before or after school, or at lunch.
5	Mandatory parental conference with school principal or classroom teacher and two (2) detentions before or after school, or at lunch.
6 or more	For each tardy arrival beyond the fifth, one (1) forty-minute detention before or after school, or at lunch.
Failure to serve an assigned detention before/after school or at lunch will result in one (1) Saturday detention. Students who are chronically late will be referred for counseling and truancy investigation.	

Skipping/Cutting School or Class – Regulation 5240	
Number of Classes Skipped/Cut	Penalty
1	1 st written warning to parents and one (1) forty-minute detention before or after school, or at lunch.
2	2 nd written warning to parents and three (3) forty-minute detentions before or after school, or at lunch.
3	3 rd written warning to parents and five (5) forty-minute detentions before or after school, or at lunch.
4	Mandatory parental conference with school principal and seven (7) forty-minute detentions before or after school, or at lunch.
5 or more	For each instance of a cut beyond the fourth, one (1) Saturday detention, possible in-school suspension, and possible referral to an alternative educational setting.
A tardy arrival may be treated as a class cut if the student misses more than half the class period. Failure to serve an assigned 40-minute detention will result in one (1) Saturday detention.	

Absenteeism – Policy and Regulation 5200

Number of Unexcused Absences	Penalty
2	Mandatory phone call from school administration to parent/legal guardian if student is absent 2 or more days in September.
5 and 7	1 st mandatory phone call from District Attendance Office to parent(s)/legal guardian(s).
10	1 st mandatory home visit conducted by District’s attendance officer; 1 st mandatory attendance hearing with school guidance counselor, principal, and District’s attendance officer. Student is considered “truant” by State law.
15	2 nd mandatory home visit conducted by District’s attendance officer; 1 st mandatory referral of parent(s)/guardian(s) to truancy court. Truancy is a disorderly persons offense that may result in fines of the court’s discretion.
18	2 nd mandatory phone call from District Attendance Office to parent(s)/legal guardian(s). Student is considered “chronically absent” by State law.
20	2 nd mandatory attendance hearing at the school to discuss possible alternative placement options and possible loss of credit.
25	3 rd mandatory home visit conducted by District’s attendance officer; 2 nd mandatory referral of parent(s)/guardian(s) to truancy court.
30	Mandatory attendance hearing at BOE Central Offices.
40	If all other options were considered and exhausted, the student will lose credit for the year; 3 rd mandatory referral of parent(s)/guardian(s) to truancy court.

Parents will receive an automated phone call each time student is absent from school. Each unexcused absence is an instance of truancy. Absent students must complete all assignments missed. Principal must send any missed assignments home to students who are absent for a known period of time.

Appendix D: Community-Based Providers of Health, Social, and Legal Services

Legal Resources

Education Law Center	(973) 624-1815
NJDOE Office of Special Education	(609) 376-9060
Northeast New Jersey Legal Services	(973) 523-2900
Paterson Education Fund	(973) 881-8914
SPAN Parent Advocacy Network	(973) 642-8100

Government Services

Passaic County Bd. of Social Services	(973) 881-0100
Passaic County Sheriff's Office	(973) 389-5900
Passaic County One-Stop Career Center	(973) 742-9226
Paterson Fire Department	(973) 389-5900
Paterson Free Public Library	(973) 321-1223
Paterson Police Department	(973) 321-1111

Food Pantries

CUMAC	(973) 742-5518
Father English Community Center	(973) 279-7100
Hispanic Multipurpose Service Center	(973) 684-3320
St. Paul's Community Development Corporation	(973) 278-8611

Family Support

Center for Family Resources	(973) 962-0055
Family Intervention Services	(973) 523-0089
Home Care Options	(973) 523-1224
New Destiny Family Success Center	(973) 278-0220
New Jersey Community Development Corporation	(973) 321-1600
Paterson Habitat for Humanity	(973) 595-6868
Paterson Task Force	(973) 279-2333
Wafaa Organization	(973) 766-2406

Domestic Violence

Oasis - A Haven for Women & Children	(973) 881-8307
Passaic County Women's Center	(973) 881-1450

Mental Health & Substance Use

CarePlus Kinship	(201) 265-8200
Eva's Village	(973) 523-6220
Paterson Coalition Against Substance Abuse	(973) 655-6785
Straight & Narrow	(973) 345-6000

Health Services

Partnership for Maternal & Child Health of Northern New Jersey	(973) 942-3630
Passaic County Health Department	(973) 881-4396
Paterson Community Health Center	(973) 278-2600
Paterson Division of Health	(973) 321-1277
Planned Parenthood	(973) 345-3883
St. Joseph's Regional Medical Center	(973) 754-2000
NJ Family Care	(888) 453-2534

Appendix E:
Substance Abuse Policy and Procedures

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POLICY

PATERSON
BOARD OF EDUCATION

PUPILS
5530/Page 1 of 9
Substance Abuse
M

5530 SUBSTANCE ABUSE

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

Definitions N.J.S.A. 18A:40A-9
 N.J.A.C. 6A:16-1.3; 6A:16-4.1

For the purposes of this policy:

"Substance" means alcoholic beverages, controlled dangerous substances, including anabolic steroids, as defined at N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined at N.J.S.A. 2C:35-10.4 and over-the-counter and prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system. The term "substance" is expressly defined in this Regulation to exclude tobacco and other nicotine products. For guidance on student use of tobacco and nicotine products, including electronic cigarettes, Refer to Policy/Regulation 5533 (Student Smoking).

"Drug paraphernalia" as defined in N.J.S.A. 2C:36-1 means equipment, products, and materials which are used or intended for use in producing, preparing, storing, distributing, consuming, or otherwise introducing into the human body any controlled



POLICY

**PATERSON
BOARD OF EDUCATION**

PUPILS
5530/Page 2 of 9
Substance Abuse
M

dangerous substance, controlled substance analog, or toxic chemical in violation of the Comprehensive Drug Reform Act of 1987, N.J.S.A. 2C:35-1, et seq.

The term "drug paraphernalia" is expressly defined in this Regulation to exclude electronic smoking devices that do not contain and are not used to consume any controlled dangerous substance, analog, or toxic chemical other than nicotine. For guidance on student use of tobacco and nicotine products, including electronic cigarettes, Refer to Policy/Regulation 5533 (Student Smoking).

"Substance abuse" means the consumption or use of any substance for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings.

"Evaluation" means those procedures used by a certified or licensed professional to make a positive determination of a student's need for programs and services which extend beyond the general school program by virtue of learning, behavior, or health difficulties of the student or the student's family.

"Intervention" means those programs, services, and actions taken to identify and offer help to a student at risk for learning, behavior, or health difficulties.

"Referral for treatment" means those programs and services offered to a student or his or her family to help implement the recommendations of an evaluation or in response to the family's request for assistance with a learning, behavior, or health difficulty.

"School grounds" means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment



POLICY

**PATERSON
BOARD OF EDUCATION**

PUPILS
5530/Page 3 of 9
Substance Abuse
M

facilities, generating facilities, and other central services facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

Discipline N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds, including on school buses or at school-sponsored functions according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes a substance, on or off school premises, will be subject to discipline. Discipline will be graded to the severity of the offenses, the nature of the problems and the student's needs. Discipline may include suspension or expulsion. The Board may establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors. The Superintendent and/or designee will notify the appropriate law enforcement agency pursuant to N.J.A.C. 6A:16-6.3(a).

Instruction N.J.S.A. 18A:40A-1 et seq.
N.J.A.C. 6A:16-3.1

The Board shall provide a comprehensive program of prevention, intervention, referral for evaluation, referral for treatment, and continuity of care for student alcohol, tobacco, and other drug abuse.

Identification, Evaluation, and Intervention

N.J.S.A. 18A:40A-11 through 18A:40A-17



POLICY

**PATERSON
BOARD OF EDUCATION**

PUPILS
5530/Page 4 of 9
Substance Abuse
M

N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

Any educational staff member or other professional to whom it appears that a student may be under the influence of alcohol or other drugs on school grounds, including on a school bus or at a school-sponsored function shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.

An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent(s) or legal guardian(s) of the student, the Building Principal, and the Superintendent in accordance with N.J.A.C. 6A:16-4.3(a)2-4.3(a)8.

If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the physician.

If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student shall be returned to the care of the parent(s) or legal guardian(s) as soon as possible and attendance at school shall not resume until a written report verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.

While a student is at home because of the medical evaluation or after the student returns to school, an appropriately



POLICY

**PATERSON
BOARD OF EDUCATION**

PUPILS
5530/Page 5 of 9
Substance Abuse
M

certified school staff member(s) will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.

Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel shall have reason to believe a student has used or may be using anabolic steroids, that person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.

The Building Principal or designee upon receiving such report shall immediately notify the parent(s) or legal guardian(s) and Superintendent and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.

The Superintendent will disclose to law enforcement authorities the identity of the student pursuant to the requirements of N.J.A.C. 6A:16-4.3(b)3.

A written report of the examination shall be provided by the examining physician to the parent(s) or legal guardian(s), Building Principal, and Superintendent.

If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.

If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified school staff member(s) shall



POLICY

**PATERSON
BOARD OF EDUCATION**

PUPILS
5530/Page 6 of 9
Substance Abuse
M

initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.

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

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

Outreach to Parents N.J.S.A. 18A:40A-16; 18A:40A-17
N.J.A.C. 6A:16-4.1(c)7.

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

Records §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C., and Implementing Regulations, 42 CFR Part 2N.J.S.A. 18A:40A-7.1

Notations concerning a student's involvement with substances may be entered on his/her records, subject to Policy No. 8330 regarding confidentiality and limited access. All such notations shall be expunged when they are no longer required for the counseling or discipline of the student or when the student



POLICY

**PATERSON
BOARD OF EDUCATION**

PUPILS
5530/Page 7 of 9
Substance Abuse
M

leaves school. Information regarding a student's involvement in a school intervention or treatment program shall be kept strictly confidential in accordance with §408 of the Drug Abuse Prevention, Treatment, and Rehabilitation Act, 42 U.S.C. 290 ee-3, and implementing regulations, 42 CFR Part 2.

If an elementary or secondary student involved in a school-based drug or alcohol counseling program provides information during the course of a counseling session in that program which indicates that the student's parent(s) or legal guardian(s) or other person residing in the student's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only with the student's written consent, to another person or entity whom the student specifies in writing in the case of a secondary student, or to a member of the student's immediate family or the appropriate school personnel in the case of an elementary student; pursuant to a court order; to a person engaged in a bona fide research purpose, except that no names or other information identifying the student or the person with respect to whose substance abuse the information was provided, shall be made available to the researcher; or to the Division of Youth and Family Services or to a law enforcement agency, if the information would cause a person to reasonably suspect that the elementary or secondary student or another child may be an abused or neglected child.

Nonpublic School Students N.J.S.A. 18A:40A-5; 18A:40A-17c

The Board will lend to students attending nonpublic schools located in this district and to the parent(s) or legal guardian(s) of such students educational materials on substance abuse prepared and supplied by the Commissioner. The loan of such materials shall be at no cost to the district.

Civil Immunity N.J.S.A. 18A:40A-13, 18A:40A-14;
N.J.A.C. 6A:16-4.3(c)



POLICY

PATERSON BOARD OF EDUCATION

PUPILS
5530/Page 8 of 9
Substance Abuse
M

No civil action of any kind shall lie against any employee, officer or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers and agents of the Board.

Any educational or non-educational school staff member who in good faith reports a student to the Building Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

Reporting Students to Law Enforcement Authorities N.J.A.C. 6A:16-6.3(a)

The Superintendent, or designee, shall report students to law enforcement authorities if the staff member has reason to believe a student is unlawfully possessing or in any way involved in the distribution of controlled dangerous substances, anabolic steroids, or drug paraphernalia, pursuant to N.J.A.C. 6A:166.3(a). The Superintendent will not report students who have voluntarily sought treatment or counseling for a substance abuse problem provided the student is not involved or implicated in a current drug distribution activity.

The Superintendent or designee may, but need not disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or controlled dangerous substances, pursuant to N.J.A.C. 6A:16-4.3(a), or a student suspected to have used or who may be using anabolic steroids, pursuant to N.J.A.C. 6A:16-4.3(b), and who is referred for a medical evaluation, pursuant to N.J.A.C. 6A:16-4.3(a) or (b), as appropriate, for the purposes of providing appropriate health care for the student and for determining whether the student is under the influence of alcohol or other drugs or has been using anabolic steroids, provided the student is not reasonably believed to be in possession of a controlled dangerous substance



POLICY

**PATERSON
BOARD OF EDUCATION**

PUPILS
5530/Page 9 of 9
Substance Abuse
M

or drug paraphernalia, and is not reasonably believed to be involved or implicated in drug distribution activities.

Policy Review and Accessibility

N.J.S.A. 18A:40A-10; 18A:40A-11
N.J.A.C. 6A:16-4.2(a) & (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board shall solicit parent(s) or legal guardian(s), student and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention and treatment agencies licensed by the New Jersey Department of Human Services.

This policy and regulation shall be made available annually, at the beginning of the school year, to all school employees, students, and parent(s) or legal guardian(s). Each newly hired employee and transferred student will be offered this policy and implementing regulations on his/her arrival in the district.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.
N.J.A.C. 6A:16-4.1 et seq.

Cross reference: Policy Guides Nos. 2422, 7436, 9322

Adopted: 31 October 2002
Revised: 16 January 2008
Revised: 11 September 2019



Student Assistance Department
90 Delaware Ave.
Paterson, NJ 07503
(973) 321-0694
FAX (973) 321-0394

Laurel Olson, Supervisor
Student Assistance Programs

EXHIBIT A

INTERVENTION FOR STUDENTS SUSPECTED OF BEING UNDER THE INFLUENCE OF ALCOHOL AND/OR OTHER DRUGS DURING SCHOOL HOURS AND/OR AT SCHOOL SPONSORED FUNCTIONS

- 1) Student will be identified as under the influence of drugs, and/or alcohol or anabolic steroids via school personnel. The building administrator/designee shall be notified.
- 2) The referring staff member shall complete a *Confidential Behavioral Checklist for Students Suspected of Being under the Influence of Alcohol/Drugs*. This checklist should be placed in a sealed envelope and delivered to the building administrator/designee. The building administrator/designee must fax the completed form to the appropriate Immedicenter (Clifton: 973-778-2268/ Totowa: 973-790-6070.) A copy must also be faxed to Laurel Olson in the Student Assistance Office at 973-321-0394.
- 3) School nurse will assess vital signs and determine if an ambulance is necessary, or if the student will be transported to the Immedicenter (carrier determined by the Immedicenter).
- 4) Building administrator/designee will make every attempt to reach the student's parent(s)/guardian(s) to inform them of the situation and advise them of their options (**not to ask for their permission**). Parent(s)/guardian(s) can take the student to their own physician **immediately (within the hour)** for a medical examination, drug screen and breathalyzer test, at their expense, or they can travel with their child to the Immedicenter at the district's expense. **Parent/guardian must come to school for documents.** If the parent decides to have their physician conduct the tests, they must verify (within 24 hrs.) of notification a medical examination was performed. The verification shall include at a minimum, the signature, printed name, address and phone number of the physician, the date and time of the medical examination and the date by which the report required by the district will be provided. **All examinations, from the Immedicenter or own physician shall include a medical examination, ten panel drug screen, extended opiate panel, and breathalyzer test (levels must be the same as the school district-own physician).** The physician, selected by the parent, must fax toxicology results within 48 hours, to the Supervisor of Student Assistance Programs otherwise the student will be considered ***positive***. If the parent(s)/guardian(s) is unavailable or decides not to accompany the child to

the Immedicenter, the building administrator/designee shall assign a staff member (adult representative), excluding nurse and SAC, to accompany the student to the Immedicenter. Chosen individuals will be up to the discretion of the building or school administrator.

- 5) All attempts to contact parent(s)/guardian(s) shall be documented.
- 6) Building Administrator/Designee will contact the assigned Immedicenter facility: 1) 1355 Broad St., Clifton, N.J., 07013, 973-778-5566, or 2) 500 Union Boulevard, Totowa, N.J., 07512, 973-790-0090, or other location specified in the future, for a medical examination/drug screening and breathalyzer test. The caller should have the student's information ready.
- 7) Each building administrator shall have a plan in place for the appropriate supervision of the student while waiting for the parent to take the student to the physician selected by the parent, or while the student is waiting for transportation to the Immedicenter.
- 8) Refusal or failure by a parent(s)/guardian(s) to comply with the provisions of N.J.S.A.18A: 40A-12 shall be treated as a violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A: 38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. **The parent(s)/guardian(s) who refuse to have the medical examination/drug screening performed will be advised that a referral will be made to the Division of Child Protection and Permanency, DCP&P.** In addition, the student will automatically be considered *positive* and will have to undergo an assessment/evaluation before returning to school.
- 9) A designated area for pick-up should be established between the Immedicenter and building administrator/designee.
- 10) The building administrator/designee will assign an adult representative or the parent(s)/guardian will accompany the student. An *Examination Status Form* will be issued to the student by the Immedicenter after being cleared by the physician, so that he/she may return to school. The student will be readmitted to school until such time as a positive diagnosis of alcohol or other drug use and/or a positive confirmation of alcohol or drug possession is received. If student is not cleared by physician to return to school, arrangements must be made for the parent(s)/guardians(s) to escort or meet the student at home.
- 11)The Student Assistance Department will obtain the toxicology screening and breathalyzer test. The SAC and building principal will be informed via phone or fax the results of the examination. The building administrator/designee will contact parent(s)/guardian(s) and inform them of the results.
- 12)Receiving a positive diagnosis, being in possession or distributing a Controlled Dangerous Substance/Alcohol/Paraphernalia*/Counterfeit Controlled Substance, failing to comply with the testing procedures (refusal), or **adulterating tests/tampered specimen/temperature out of the normal range (automatic positive), see Exhibit B** will require an immediate assessment/evaluation before the student returns to school. Any days absent between the positive test and/or confirmation of possession will be counted as unexcused absences. Any days absent waiting to schedule an assessment/evaluation appointment or not fulfilling the appointment will also

be counted as unexcused absences. A licensed clinician from the Immedicenter will perform the assessment/evaluation at a site to be named. Refusal by a student to comply with the above procedure shall result in unexcused absences from school until such time as the student and parent completes the assessment/evaluation, N.J.S.A.18A:40A-12, N.J.A.C. 6A:16-4.1(c)2. Alternative educational services are to be arranged for the student by the building administrator.

- 13) The assessment/evaluation will be arranged by the parent(s)/guardian(s), who will call the Immedicenter (Clifton) **973-778-5566**, to schedule an appointment. The parent(s)/guardian(s) must accompany the student for the assessment/evaluation. Upon completion and agreement of the assessment/evaluation, the licensed clinician will give the student a *Treatment Plan Form*, which he/she will give to the building administrator/designee so that he/she may be readmitted to school.
- 14) **A Student Safety Data System (SSDS) form shall be completed by the Student Assistance Coordinator and forwarded to the Student Assistance Office for review. A copy of the SSDS will be given to the school/building principal for their files.**
- 15) After 7:30pm all students must be sent to the Immedicenter (Clifton) whose hours are from 8:00am to 9:00pm Monday through Friday. All calls must come from a building administrator/designee.

*The term "drug paraphernalia" is expressly defined in Paterson district Policy 5530 to exclude electronic smoking devices that do not contain and are not used to consume any controlled dangerous substance, analog, or toxic chemical other than nicotine. For guidance on student use or possession of tobacco and nicotine products, including electronic cigarettes, Refer to Policy/Regulation 5533 (Student Smoking).

Student Assistance Department
90 Delaware Ave.
Paterson, NJ 07503
(973) 321-0694
FAX (973) 321-0394

Laurel Olson, Supervisor
Student Assistance Programs

EXHIBIT B

REFUSING TO COMPLY WITH THE POLICY AND PROCEDURES

- 1) If a student does not comply with the policy/procedures and will not cooperate and submit to a medical examination/drug screening & breathalyzer test, an automatic “positive” will result. If a parent/guardian refuses to have his/her child submit to a medical examination/drug screening/breathalyzer test this will also be considered an automatic positive.
- 2) The building administrator/designee or Student Assistance Coordinator shall document and investigate the reasons why the student refused. In the case of a refusal, the checklist and *Student Information* sheet must be faxed to the Immedicenter (Clifton: 973-778-2268/Totowa: 973-790-6070) **and** to the Student Assistance Office at 973-321-0394.
- 3) **Failing to comply with the testing procedures (refusal), being in possession or distributing a Controlled Dangerous Substance/Alcohol/Paraphernalia*/ Counterfeit Controlled Substance or adulterating tests/tampered specimen is considered a positive offense, and will require an immediate assessment/evaluation before the student returns to school. Possession of nicotine related products, including but not limited to electronic nicotine delivery systems like vape pens, are not included here as paraphernalia and should be referred back to the district’s Student Smoking Policy #5533.** Any days absent waiting to schedule an assessment/evaluation appointment or not fulfilling the appointment will be counted as unexcused absences. A licensed clinician from the Immedicenter will perform the assessment/evaluation at a site to be named. Refusal by a student to comply with the above procedure shall result in unexcused absences from school until such time as the student and parent completes the assessment/evaluation, N.J.S.A. 18A: 40A-12, N.J.A.C. 6A:16-4.1(c)2. Alternative educational services are to be arranged for the student by the building administrator.
- 4) **Refusal or failure by a parent(s)/guardian(s) to comply with the provisions of N.J.S.A.18A: 40A-12 shall be treated as a violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A: 38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq.** The parent(s)/guardian(s) who refuse to have the medical examination/drug screening and/or assessment/evaluation performed will be advised that a referral will be made to the Division of Child Protection and Permanency, DCP&P.
- 5) The assessment/evaluation will be arranged by the parent(s)/ guardian(s), who will call the Immedicenter (Clifton), 973-778-5566, to arrange for an appointment.

A parent(s)/guardian(s) must accompany the student for the assessment/evaluation. Upon completion and agreement of the assessment/evaluation, the licensed clinician will give the student and parent a *Treatment Plan Form*, which he/she will give to the building administrator/designee so that he/she may be readmitted to school.

6) Adulteration/tampered specimen:

- a. A refusal to test shall be deemed a positive offense and a violation of policy.
- b. Tests that are adulterated or tampered with will deem the specimen as a substituted sample, which will be considered a refusal to test. This can include, but not be limited to: urine temperature outside the acceptable range, inappropriate color or odor, a specimen appears to have been tampered with, or the addition of any chemical or material, is deemed a refusal to test, a positive offense, a violation of policy.
- c. Switching, tampering with or adulterating any specimen or sample collected or assisting another in an attempt to do so, is prohibited and deemed positive offense, a violation of policy.
- d. Submitting a diluted specimen is deemed a refusal to test, a positive offense, a violation of policy.
- e. When a urine test result is out of the normal range for measures such as specific gravity and creatine (with specific gravity measured as <1.001 and creatine measured as <2.0 , this shall be deemed a substituted test, and thereby a refusal to test, a positive offense, a violation of policy.
- f. If a student admits to adulterating or substituting a specimen, is deemed a refusal to test, a positive offense, a violation of policy.
- g. Failure to remain at the testing site, running away from the facility, until the testing process is complete, is deemed a refusal to test, a positive offense. Student shall be referred to building administrator for appropriate discipline. Student must complete assessment/evaluation before returning to school (after discipline is served).
- h. Failure to undergo a medical examination/evaluation is deemed a refusal, a positive offense, a violation of policy.
- i. Failure to provide a urine specimen for a drug screen is deemed a refusal to test, a positive offense, a violation of policy.
- j. Failure to provide an adequate amount of urine as a sample is deemed a refusal to test, a positive offense, a violation of policy.
- k. If steps a-j occur, the student does not receive another test.

*The term "drug paraphernalia" is expressly defined in Paterson district Policy 5530 to exclude electronic smoking devices that do not contain and are not used to consume any controlled dangerous substance, analog, or toxic chemical other than nicotine. For guidance on student use or possession of tobacco and nicotine products, including electronic cigarettes, Refer to Policy/Regulation 5533 (Student Smoking).

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EXHIBIT C

PROCEDURES FOR STUDENTS IN POSSESSION AND/OR DISTRIBUTION OF DRUGS/ALCOHOL/DRUG PARAPHERNALIA*/COUNTERFEIT CONTROLLED SUBSTANCES DURING SCHOOL HOURS AND/OR AT SCHOOL SPONSORED FUNCTIONS

- 1) Students in possession or distributing drugs, alcohol, drug paraphernalia*, or counterfeit controlled substances will be considered in violation of the Substance Abuse Policy.
- 2) Any school employee who discovers or seizes any substance or item believed to be a controlled dangerous substance, including anabolic steroids, drug paraphernalia, or counterfeit substances shall immediately notify and turn over the substance or item to the building administrator/designee.
- 3) The building administrator/designee shall safeguard the substance or paraphernalia against further use or destruction until such time as it can be turned over to the Paterson Police Department at **973-321-1111**. The Paterson Police Department will make the determination if the student(s) is in possession and/or distribution, or if the substance is of a counterfeit nature. Once the student is arrested and released, the medical evaluation/drug screening/breathalyzer procedure will be required in order to return to school. A refusal to test shall be deemed a "positive" offense and a violation of this policy (see Exhibit B).
- 4) **A parent/guardian refusing to have his/her child submit to a medical examination/drug screening/breathalyzer test will also be considered an automatic "positive." Refusal or failure by a parent/guardian to comply with the provisions of N.J.S.A.18A:40A-12 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A.9:6-1.**
- 5) The building administrator/designee shall provide the Paterson Police Department with all information concerning the manner in which the substance or paraphernalia was discovered or seized.
- 6) The referring staff member shall complete a ***Confidential Behavioral Checklist***. This checklist should be placed in a sealed envelope and delivered to the building administrator/designee. The building administrator/designee must fax the completed form to the appropriate Immedicenter (Clifton: 973-778-2268/ Totowa: 973-790-6070). A copy must also be faxed to Laurel Olson in the Student Assistance Office at 973-321-0394.

- 7) A designated area for pick-up should be established between the Immedicenter and building administrator/designee.
- 8) The building administrator/designee will assign an adult representative or the parent(s)/guardian(s) will accompany the student. An **Examination Status Form** will be issued to the student by the Immedicenter after being cleared by the physician, so that he/she may return to school. The student will be readmitted to school until such time as a positive diagnosis of alcohol or other drug use and/or a positive confirmation of alcohol or drug possession are received. If student is not cleared by a physician to return to school, arrangements must be made for the parent(s)/guardian(s) to meet the student at home.
- 9) The Student Assistance Department will obtain the toxicology screening and breathalyzer test. The SAC and building principal will be informed via phone or fax the results of the examination. The building administrator/designee will contact parent(s)/guardian(s) and inform them of the results
- 10) Being in possession and/or producing a positive urine screening will require an immediate assessment/evaluation before the student returns to school. Any days absent between the positive test and/or confirmation of possession will be counted as unexcused absences. Any days absent waiting to schedule an assessment/evaluation appointment or not fulfilling the appointment will also be counted as unexcused absences. A licensed clinician from the Immedicenter will perform the assessment/evaluation at a site to be named. Refusal by a student to comply with the above procedure shall result in unexcused absences from school until such time as the student and parent/guardian completes the assessment/evaluation, N.J.S.A. 18A: 40A-12, N.J.A.C. 6A:164.1(c)2.
- 11) The assessment/evaluation will be arranged by the parent(s)/guardian(s), who will call the Immedicenter (Clifton) **973-778-5566**, to schedule an appointment. The parent(s)/guardian(s) must accompany the student for the assessment/evaluation. Upon completion and agreement of the assessment/evaluation, the licensed clinician will give the student a *Treatment Plan Form*, which he/she will give to the building administrator/designee so that he/she may be readmitted to school.
- 12) A Student Safety Data System (SSDS) form shall be completed by the Student Assistance Coordinator with the original forwarded to the Student Assistance Office for review. A copy of the SSDS will be given to the school/building principal for their files.
- 13) After 7:30pm all students must be sent to the Immedicenter (Clifton) whose hours are from 8:00am to 9:00pm Monday through Friday. All calls must come from a building administrator/designee.
- 14) If any disciplinary action is to be administered to the student (in addition to police involvement) it shall be determined and administered by the building administrator based upon the severity of the offense.

*The term "drug paraphernalia" is expressly defined in Paterson district Policy 5530 to exclude electronic smoking devices that do not contain and are not used to consume any controlled dangerous substance, analog, or toxic chemical other than nicotine. For guidance on student use or possession of tobacco and nicotine products, including electronic cigarettes, Refer to Policy/Regulation 5533 (Student Smoking).

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EXHIBIT D

EMERGENCY PROCEDURES FOR A LIFE-THREATENING SITUATION INVOLVING ALCOHOL AND/OR OTHER DRUGS

EMERGENCY ROOM DRUG SCREENING PROCEDURES

- 1) Student will be identified as under the influence in school via school personnel. The building administrator/designee shall be notified.
- 2) The referring staff member will complete a ***Confidential Behavioral Checklist***. This checklist should be placed in a sealed envelope and delivered to the building administrator/designee. The school nurse will assess vital signs and determine if an ambulance is necessary. The Building Administrator/Designee or nurse must **fax** the checklist to Laurel Olson in the Student Assistance Office at 973-321-0394.
- 3) The school nurse will call 911 and request an ambulance.
- 4) The building administrator/designee will attempt to contact the parent(s)/guardian(s). **All attempts to contact the parent/guardian shall be documented.**
- 5) An authorized adult representative from the school (in the absence of the parent) will accompany the student while the student's parent(s)/guardian(s) is/are being informed of the situation. The adult representative will stay with him/her until the student's parent(s)/guardian(s) arrives at the hospital.
- 6) In the event that a parent(s)/guardian(s) cannot be reached, the building administrator shall contact the Communications Division of the Paterson Police Department at **973-321-1111** and request to speak to a Shift Supervisor and explain the situation and the need to contact the parent/guardian. **Refusal or failure by a parent to comply with the provisions of N.J.S.A.18A:40A-12 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A.9:6-1.**
- 7) The parent(s)/guardian will be responsible for obtaining the toxicology results and Discharge Summary from St. Joseph's Hospital (Medical Records Department) and provides the appropriate Paterson Public School officials with those results **before** the student is readmitted to school.
- 8) Any absences waiting to obtain those results will be counted as unexcused absences.

- 9) Receiving a positive diagnosis or failing to comply with the testing procedures (refusal student or parent), or adulterating tests (automatic positive), will require an immediate assessment/evaluation before the student returns to school. Any days absent between the positive test and/or confirmation of possession will be counted as unexcused absences. Any days absent waiting to schedule an assessment/evaluation appointment or not fulfilling the appointment will also be counted as unexcused absences. A licensed clinician from the Immedicenter will perform the assessment/evaluation at a site to be named. Failure to comply with the above procedure shall result in unexcused absences from school until such time as the student and parent complete the assessment/evaluation. N.J.S.A. 18A: 40A-12 N.J.A.C. 6A:16 -4.1 (c)2.
- 10) The assessment/evaluation will be arranged by the parent(s)/ guardian(s), who will call the Immedicenter (Clifton) 973-778-5566, to schedule an appointment. The parent(s)/guardian(s) must accompany the student for the assessment/evaluation. Upon completion and agreement of the assessment/evaluation, the licensed clinician will give the student a *Treatment Plan Form*, which he/she will give to the building administrator/designee so that he/she may be readmitted to school.
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