

**SPRINGFIELD PUBLIC SCHOOLS**  
**Springfield, New Jersey 07081**

**POLICY: VANDALISM/VIOLENCE/STUDENT CRISIS**

**Vandalism**

The Board of Education views vandalism against school property by pupils as reprehensible. The causes of such misbehavior often are complex, calling for careful study by parents/guardians, school staff and appropriate community officials.

The Board believes that pupils should respect property and take pride in the schools of this district. Whenever a pupil has been found to have done willful and malicious damage to property of the Board, the principal of the school shall notify the chief school administrator. The Board will hold the pupil or his/her parents/guardians liable for the damage caused by him/her.

When vandalism is discovered, the administration is directed to take such steps as are necessary to identify the vandals. If pupils have taken part in the vandalism, the appropriate administrator shall:

- A. Identify the pupils involved;
- B. Call together persons, including the parents/guardians, needed to study the causes;
- C. Decide upon disciplinary and/or legal action possibly including suspension. Should parents/guardians fail to cooperate in the discussions, the administration may charge the pupil with being delinquent by a petition stating the offense and requesting appearance in juvenile court;
- D. Take any constructive actions needed to try to guard against further such pupil misbehavior;
- E. Seek appropriate restitution.

**Violence**

Physical violence including assault with or without a weapon, against another pupil, a staff member or Board member is prohibited and will result in the disciplinary sanctions included in policies on suspension and expulsion and conduct/discipline. Disruptive behavior that is characterized by violence, even though not directed toward another person, should be reported by the classroom teacher to the school principal, unless instructed otherwise, so that possible program adjustments may be identified.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm or any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The Chief School Administrator may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the Board.

Any school employee observing or having direct knowledge from a participant or victim of an act of violence in the district public school(s) should complete the standard report form and submit it to the school principal who is responsible for preparing the official report to the Chief School Administrator.

The Chief School Administrator shall annually:

- A. Report to the Board of Education at a public meeting in October, all acts of violence and vandalism in the district that occurred during the previous school year;
- B. Ensure that a transcript of the annual report of violence and vandalism is kept on file at the Board office and made available to the public;
- C. Forward the transcript of the public hearing on violence and vandalism to the Department of Education by November 1;
- D. Notify the County Superintendent of action taken regarding incidents of violence.

### **Threats of Violence**

The Board is committed to promoting healthy relationships and a safe learning environment. Therefore, it shall not tolerate pupil threats of harm to self or others or other threatening behaviors, including threats to damage school property. Threatening behaviors shall not be tolerated on school property or at activities under the jurisdiction of the Board of Education.

Pupils shall inform a teacher, guidance counselor or principal when he/she is in possession of knowledge of such threats. Staff shall immediately notify the principal of any threat or threatening behavior that he/she has knowledge of, has witnessed or received. All such threats shall be promptly reported to the appropriate law enforcement agency.

Pupils who perpetrate threatening behaviors shall be disciplined in accordance with policy and regulations on suspension and expulsion and conduct/discipline.

### **Unsafe School Choice Option**

The Chief School Administrator shall comply with all requirements of the Unsafe School Choice Option policy adopted by the State Board of Education for schools in districts that receive funds under the No Child Left Behind Act of 2001. He/she shall keep the Board informed of all state requirements and actions taken to implement the policy.

Particularly, if a school in the district is designated as “persistently dangerous” as defined in the policy, corrective action plans shall be prepared and presented to the Board for review. The corrective action plans shall be in the format provided by the Department of Education and shall describe how the schools will reduce the number of incidents of violence as determined by the Electronic Violence and Vandalism Reporting System (EVVRS).

Likewise, if a student while at school or on school grounds becomes a victim of a violent criminal offense as defined by state statute, he/she shall be offered the option of transferring to another safe school within the district.

Parents/guardians shall be informed according to law and policy.

The Board shall be provided with access to a copy of the current statewide Unsafe School Choice Option Policy.

### **School Violence Awareness Week**

This school district shall observe School Violence Awareness Week, the week beginning on the third Monday in October of each year. Organized activities focused on the prevention of school violence will be offered to students, employees and board members. Local law enforcement personnel will be invited to participate.

### **Violence and Vandalism Reporting**

The Chief School Administrator will annually submit a report utilizing the Electronic Violence and Vandalism Reporting system (EVVRS) accurately reporting on each incident of violence, vandalism and alcohol and other drug abuse within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g). Board action shall be based on a consideration of the nature of the conduct, the circumstances under which it occurred, and the employee’s prior employment record.

### **Implementation**

The Chief School Administrator shall oversee the development of implementing regulations on all aspects of this policy, including the establishment of procedures for cooperation between school staff and law enforcement officials for all situations involving firearms or other deadly weapons.

## **School Clearance Following Crisis Situation**

The Board of Education is committed to protecting the health, safety and welfare of students during the school day, and will take action as necessary to provide for the safety and security of its students, staff and/or property. In "crisis situations," the Board reserves the right to exclude (or remove) a student who has been determined to pose an imminent or potential threat to student or staff safety, pending appropriate mental health clearance.

### **I) Examples of "Crisis Situations" (non-exhaustive)**

- A) Student exhibits actions creating an imminent danger to the student or others, e.g., suicidal or homicidal ideation(s) or attempt(s) (See also Policy 5131.5);
- B) Student engages in verbalization(s) or other action(s) threatening the health, safety or well-being of himself/herself, other students, or staff;
- C) Student engages in verbalization(s) or other action(s) reflecting an intent or plan to harm himself/herself, other students, or staff;
- D) Student engages in verbalization(s) or other action(s) indicating that the student may be at risk of causing harm to himself/herself, other students, or staff;
- E) Student possesses object(s) or material(s) posing a threat to the health, safety or well-being of himself/herself, other students, or staff; or
- F) Student engages in any other action determined administratively to be a potentially threatening or harmful activity.

### **II) Intersection with Student Discipline**

- A) A student's exclusion (or removal) based upon a crisis situation shall not be considered a disciplinary consequence.
- B) This Policy is intended to address mental health related issues only (i.e., to ensure that the student does not represent a danger to him/herself or others), and does not supersede the implementation of appropriate disciplinary action for violation of school regulations or actions required by N.J.S.A. 18A:40A-12 or N.J.A.C. 6A:16-4.3, as described in policies and explained in the Code of Student Conduct. Thus, depending on the nature of the incident, the student may also be subject to disciplinary consequences.

### **III) Procedures for Addressing a Crisis Situation**

- A) In situations where a student presents as an imminent danger to himself/herself or others, school emergency procedures shall be followed.

- B) Staff members shall immediately notify the School Principal, or his/her designee, of any potential crisis situations.
- C) In response to each report of a potential crisis situation, the School Principal (or designee) shall immediately do the following:
  - 1) Notify the Crisis Intervention Team (or other designated team/individual), so that an Initial Assessment of the student may occur;
  - 2) Notify the Superintendent of Schools; and
  - 3) Notify the student's parent or legal guardian.
- D) In response to each report, the Crisis Intervention Team, consisting of the Principal and the Vice-Principal, guidance counselor, school psychologist, student assistance coordinator and/or social worker, shall conduct an Initial Assessment (for depression, suicidal ideation, intent to harm, and overall level of risk), including a student interview to assess whether or not the student presents as a potential danger to himself/herself or others, and to determine whether or not the student requires a mental health assessment and clearance prior to reinstatement.
- E) Provisions shall be made for the appropriate care and supervision of the student pending either: (1) a determination by the Crisis Intervention Team that the student's exclusion is not required; (2) the student's release to his or her parent/guardian; or (3) the student's removal for emergency care.

#### **IV) Evaluation and Reinstatement**

- A) If the Crisis Intervention Team determines that the student presents a potential danger to him/herself or others and requires a mental health assessment and clearance prior to reinstatement, the Principal shall notify the student's parent/guardian of this determination.
- B) The assessment must be completed by a licensed or certified mental health professional (e.g., psychologist, psychiatrist, social worker or psychiatric nurse) selected by the district or the parent/guardian.
  - 1) Assessments completed by evaluators selected by the school district shall be at the expense of the school district.
  - 2) Assessments completed by evaluators selected by the student's parent/guardian shall be at the expense of the parent/guardian.
- C) For purposes of the assessment, it is necessary for the evaluator to have access to all relevant information regarding the student and the incident giving rise to

the exclusion. The student's parent/guardian shall be asked to provide consent for a member of the Crisis Intervention Team to contact the professional completing the evaluation to provide necessary background information. However, if a parent/guardian cannot be reached and the student is screened and/or assessed by the appropriate school personnel as being in imminent danger of harming him/herself or others, the school may initiate an immediate assessment.

- D) The mental health assessment must, minimally, include the following:
- 1) Information identifying the student;
  - 2) Medical and family history;
  - 3) Review of presenting problem or incident;
  - 4) Mental status examination;
  - 5) Diagnosis, if relevant;
  - 6) Triggers for reoccurrence;
  - 7) Recommendations for follow-up services, as appropriate; and
  - 8) Other information deemed relevant by the evaluator.
- E) The clearance letter for the student's return to school must, minimally, include the following:
- 1) Evaluator's name and license number;
  - 2) Student's name and date of birth;
  - 3) Confirmation that the evaluator assessed the student in accordance with the standards set forth in Section IV.D of this Policy following and in connection with the precipitating school-based incident;
  - 4) The date of the assessment; and
  - 5) A specific statement that the student does not present as a danger to him/herself or others.
- F) If the parents/guardians assume the cost of the assessment (by a provider of their own choosing), the resulting report is his/her property, and will require his/her consent before being released to the school district. However, the required information (see Section IV.E above) must still be included in the clearance letter. The school district also reserves the right to obtain its own assessment by an evaluator of its choosing.

- G) Regardless of whether the school district obtains an assessment by an evaluator of its selection or relies upon the assessment and/or clearance letter by an evaluator the parent/guardian selects, the final determination as to the student's readiness to return to school rests with the school district.

**V) Re-Entry to School**

Following the District's receipt of the school clearance letter, the District shall schedule a reentry meeting with the child, his/her parent/guardian, and appropriate school district personnel. Reentry meeting discussion shall include, but is not limited to, the following:

- A) Consideration of CST referral;
- B) Discussion regarding follow-up treatment, as necessary; and
- C) Discussion regarding school access to additional evaluative information (beyond clearance letter); and
- D) Discussion regarding the student's readiness to return to school.

**VI) Instruction During Exclusion**

Students will be provided with appropriate home or other out-of-school instruction in accordance with N.J.A.C. 6A:16-10.1 et seq. during any period of exclusion.

**Legal References:**

- N.J.S.A. 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
- N.J.S.A. 2A:53A-15 Liability of parent or guardian for willful destruction Of property by infant under 18
- N.J.S.A. 2C:39-5 Unlawful possession of weapons
- N.J.S.A. 18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
- N.J.S.A. 18A:25-2 Authority over pupils
- N.J.S.A. 18A:36-5.1 School Violence Awareness Week
- N.J.S.A. 18A:37-1 et seq. Discipline of Pupils
- N.J.S.A. 18A:40A-12 (discussing student examination by medical professional)
  
- N.J.A.C. 6A: 32-7.1 (discussing confidentiality of student record information)
- N.J.A.C. 6A:16-4.3 (discussing student examination by a medical professional)

N.J.A.C. 6A: 16-10.1 et seq. (providing for student instruction during the exclusion period)

N.J.A.C. 6A:14-2.8 Discipline/suspension/expulsion

N.J.A.C. 6A:16-1.1 et seq. Programs to Support Student Development

"H.A." v. Warren Hills Regional School District, 1976 S.L.D. 336

Kopera v. West Orange Bd. of Educ., 60 N.J. Super. 289 (App. Div. 1960) (outlining standard applied in review of Board actions in requiring medical assessment and clearance).

M.F. o/b/o S.L.T. v. Bd of Educ. of Neptune, OAL Dkt. No. EDU 8583-96, 97 N.J.A.R.2d (EDU) 578, initial decision (March 27, 1997) aff'd, Comm. Ed. (May 19, 1997), aff'd, St. Bd. (September 3, 1997) (upholding Board decision to require immediate psychiatric evaluation for student threatening and taking actions in furtherance of a suicide attempt).

T.L. o/b/o T.L. v. Bd. of Educ. of Middletown, OAL Dkt. No. EDU 6671-01, aff'd Comm. Ed. (June 13, 2002) (upholding Board decision to require psychiatric or psychological examination of student suspended for developing a "hit-list" naming other students and teachers).

See also Commissioners' Decisions indexed under "Pupils – Punishment of" in Index to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)

Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

### **Cross References:**

1120 Board of education meetings  
3250 Income from fees, fines, charges  
4248 Employee protection  
5114 Suspension and expulsion  
5119 Transfers  
5124 Reporting to parents/guardians  
5131 Conduct/discipline  
5131.4 Campus disturbances  
5131.6 Drugs, alcohol, tobacco (substance abuse)  
5131.7 Weapons and dangerous instruments  
6114 Emergencies and disaster preparedness



6172 Alternative educational programs

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