

POLICY

Board of Education

Bernards Township

File Code: M 5611

REMOVAL OF PUPILS FROM REGULAR EDUCATION PROGRAM FOR WEAPONS/FIREARMS VIOLATIONS

The Board of Education is committed to providing a safe school environment for all pupils attending the public schools in Bernards Township. To provide this safe learning environment, the Board of Education will implement the Safe Schools Initiative-**Chapters 127 and 128, The Zero Tolerance For Guns Act**. The Act provides for immediate removal of a pupil found to be in possession of a firearm, committing a crime with a firearm, or assaulting a member of the school community with a weapon other than a firearm.

Any pupil convicted or adjudicated delinquent for the possession of a firearm or crime while armed with a firearm, or knowingly in possession of a firearm on any school property, on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular educational program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil.

Any pupil who assaults a pupil, teacher, administrator, board member, other school District employee, or any other person with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the Board of Education.

The Superintendent determines whether the pupil is prepared to return to the regular education program or whether the pupil remains in the alternative education program or other educational placement. The Superintendent's decision must be made in accordance with school District policy and New Jersey Administrative Code. If the pupil is educationally disabled, the pupil's placement is determined by the child study team and the pupil's parent or legal guardian in accordance with N.J.A.C. 6:14 et seq.

If a pupil is removed from the regular education program and a placement in an approved alternative education program is not available, or if the Superintendent determines that it is not in the best interest of the pupil and the school to modify the conditions for the removal and placement of the pupil, the school District may consider and provide home instruction, home schooling, distance learning, or another program completion option.

A pupil with disabilities who exhibits dangerous or violent behavior with a weapon other than a firearm, shall be removed immediately from the school setting. The building principal may suspend the pupil for up to ten school days without involvement of the child study team.

If the school believes the pupil should be removed for more than ten school days the case manager must be notified. The case manager shall take the appropriate actions as indicated in 20 U.S.C.:1415 (K).

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In accordance with N.J.A.C. 6:29-10.3(a) the Board of Education will adopt procedures and a memorandum of agreement with appropriate law enforcement authorities consistent with the Attorney General's Executive Directive 1988-1. The Superintendent will work with the local law enforcement officials to review and revise the implementation of any agreements.

N.J.S.A. 18A:37-1 et seq.
N.J.A.C. 6A:14-2.8.

Cross Reference: Policy number 5610, 5620, 8467, and 9323

ADOPTED: December 14, 1998

REVIEWED: Dec. 11, 2008