

# POLICY

Long Beach Island Board of Education  
200 Barnegat Avenue  
Surf City, New Jersey 08008

## 5131.5 VANDALISM/VIOLENCE

### 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.

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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. Staff will report accurately and not falsify information.

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 executive 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.

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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.

## 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.

## Legal References:

N.J.S.A. 2A:4A-60 et al.

Disclosure of juvenile  
information; penalties for  
disclosure

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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  
Authority over pupils  
School Violence Awareness Week

N.J.S.A. 18A:25-2

N.J.S.A. 18A:36-5.1

Discipline of Pupils

N.J.S.A. 18A:37-1 et seq.

See particularly:

N.J.S.A. 18A:37-2, -2.1 through -2.5, -3, -7 -12

N.J.A.C. 6A:14-2.8

Discipline/  
suspension/expulsion  
Programs to Support Student Development

N.J.A.C. 6A:16-1.1 et seq.

See particularly:

N.J.A.C. 6A:16-1.4, -5.1, -5.2, -5.3, -5.5, -5.6, -5.7, -6.1

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

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

3517

Security

4148

Employee protection

First Reading: January 22, 2013

Second Reading: April 23, 2013

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4248	Employee protection
*5114	Suspension and expulsion
*5119	Transfers
*5124	Reporting to parents/guardians
*5131	Conduct/discipline
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5131.7	Weapons and dangerous instruments
*6114	Emergencies and disaster preparedness
*6172	Alternative educational programs

\*Indicates policy is included in the Critical Policy Reference Manual.